

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 X Resolution or Ordinance (Blue) _____ Waiver of First Requested

Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg, Village Manager

DATE: September 24, 2010 (COW) (B of T) **Date:** October 7, 2010

TITLE: St. Charles LAPP - IDOT Local Agency Agreement Amendment #1

SUBMITTED BY: David A. Dratnol, P.E., Village Engineer 

BACKGROUND/POLICY IMPLICATIONS:

Attached is a first amendment to the Local Agency Agreement specifying the financial agreements between IDOT and the Village of Lombard for the St. Charles LAPP project, resulting in a reduction of Village funds by \$306,813.00.

FISCAL IMPACT/FUNDING SOURCE:

Contract Amount: \$159,068
American Recovery and Reinvestment Act \$645,651
Surface Transportation Program \$371,160
HTE Project Number: 1001
Account:
PW Project Number: ST-09-05

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.

Interoffice Memo

To: David A. Hulseberg, Village Manager
From: David A. Dratnol, P.E., Village Engineer *DAD*
Through: Carl Goldsmith, Public Works Director *CG*
Date: September 24, 2010
Subject: St. Charles LAPP – IDOT Local Agency Agreement Amendment #1

Please find attached Local Agency Agreement Amendment #1 and resolution for the St. Charles Road LAPP resurfacing project.

In accordance with the FY2010 CIP, the Village designed the resurfacing of St. Charles Road from IL Route 53 to Martha Street. Through the DuPage Mayors and Managers Conference, the Village secured funding from the American Recovery and Reinvestment Act (ARRA) and Surface Transportation Program (STP) for at least 70% of the cost of project construction (estimated at \$1,600,000.00). In February, 2010, the Village secured the necessary local fund share in the amount of \$465,881.00 through a Local Agency Agreement (BLR 05311). The Illinois Department of Transportation let the project on April 23, 2010, resulting in an award to R.W. Dunteman Company in the amount of \$1,175,879.72, well below the engineer's estimate. Furthermore, additional ARRA funding was acquired for this project, resulting in additional reductions in the local funding share.

Staff is requesting that the Board authorize the Village President to approve Amendment #1 of the Local Agency Agreement with the Illinois Department of Transportation for the St. Charles LAPP project. If approved, please execute six (6) original forms and return them to Public Works, Engineering Division for further processing.

DAD/fsk

RESOLUTION

R _____ 11

**A RESOLUTION AUTHORIZING SIGNATURE OF
PRESIDENT AND CLERK ON AN AGREEMENT**

WHEREAS, on February 18, 2010, the Corporate Authorities of the Village of Lombard entered into an Agreement with the Illinois Department of Transportation regarding finances for the St. Charles Road LAPP project; and

WHEREAS, the Corporate Authorities have received Addendum #1 to the existing Agreement with the Illinois Department of Transportation as attached hereto and marked Exhibit "A"; and

WHEREAS, the Corporate Authorities deem it to be in the best interest of the Village of Lombard to approve such agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS as follows:

SECTION 1: That the Village President be and hereby is authorized to sign on behalf of the Village of Lombard said agreement as attached hereto.

SECTION 2: That the Village Clerk be and hereby is authorized to attest said agreement as attached hereto.

Adopted this 7th day of October, 2010.

Ayes; _____

Nays: _____

Absent: _____

Approved this 7th day of October, 2010.


William J. Mueller
Village President

ATTEST:

Brigitte O'Brien
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

 Illinois Department of Transportation Local Agency Amendment # 1 for Federal Participation	Local Agency Village of Lombard	State Contract <input checked="" type="checkbox"/>	Day Labor <input type="checkbox"/>	Local Contract <input type="checkbox"/>	RR Force Account <input type="checkbox"/>
	Section: 09-00153-00-RS	Fund Type: ARU/STU	ITEP Number:		
Construction		Engineering		Right-of-Way	
Job Number	Project Number	Job Number	Project Number	Job Number	Project Number
C-91-810-09	M-ARA-9003(421)				

This Amendment is made and entered into between the above local agency hereinafter referred to as the "LA" and the state of Illinois, acting by and through its Department of Transportation, hereinafter referred to as "STATE". The STATE and LA jointly propose to improve the designated location as described below. The improvement shall be constructed in accordance with plans approved by the STATE and the STATE's policies and procedures approved and/or required by the Federal Highway Administration hereinafter referred to as "FHWA".

BE IT MUTUALLY AGREED that all remaining provisions of the original agreement not altered by this Amendment shall remain in full force and effect and the Amendment shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns.

Type of Work	Amended Division of Cost							
	FHWA	%	STATE	%	LA	%	Total	
Participating Construction (ARU)	645,651	(*)	()	()	()	()	645,651	
Participating Construction (STU)	371,160	(**)	()	()	159,068	(BAL)	530,228	
Preliminary Engineering	()	()	()	()	()	()	()	
Construction Engineering	()	()	()	()	()	()	()	
Right of Way	()	()	()	()	()	()	()	
Railroads	()	()	()	()	()	()	()	
Utilities	()	()	()	()	()	()	()	
Materials	()	()	()	()	()	()	()	
TOTAL	\$ 1,016,811		\$		\$ 159,068		\$ 1,175,879	

*Maximum FHWA (ARU) participation 100%, not to exceed \$645,651.00 (to be used first).

**Maximum STU participation 70%, not to exceed \$371,160.10 (to be used second).

NOTE: The costs shown in the Division of Cost table are approximate and subject to change. The final LA share is dependent on the final Federal and State participation. The actual costs will be used in the final division of cost for billing and reimbursement.

If funding is not a percentage of the total, place an asterisk in the space provided for the percentage and explain above.

The Federal share of construction engineering may not exceed 15% of the Federal share of the final construction cost.

The LA further agrees, as a condition of payment, that it accepts and will comply with the applicable provisions set forth in this Agreement and all addenda indicated above.

APPROVED

Local Agency

William J. Mueller

(Print or Type Name)

Village President

(County Board Chairperson/Mayor/Village President/etc.)

(Signature)

Date

The above signature certifies the agency's TIN number is 36-6005975 conducting business as a Governmental Entity.

NOTE: If signature is by an APPOINTED official, a resolution authorizing said appointed official to execute this agreement is required.

APPROVED

State of Illinois
Department of Transportation

Gary Hannig, Secretary of Transportation

Date

By:

(Delegate's Signature)

(Delegate's Name - Printed)

Christine M. Reed, Director of Highways/Chief Engineer

Date

Ellen J. Schanzle-Haskins, Chief Counsel

Date

Ann L. Schneider, Director of Finance and Administration

Date