

RESOLUTION NO. R2022-31

**A RESOLUTION APPROVING AN AMENDED LOCAL PUBLIC AGENCY AGREEMENT
WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION
REGARDING FUNDING FOR CONSTRUCTION OF
THE DUPAGE PARKWAY/ILLINOIS PRAIRIE PATH TRAILHEAD IMPROVEMENTS**

WHEREAS, the City is a home rule municipal corporation pursuant to Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the City was awarded a grant of federal funds through the Surface Transportation Program-Bridge ("**STP Funding**") for construction costs, including phase III final construction engineering, for the Trailhead Project ("**Project**"); and

WHEREAS, on December 20, 2021, the City Council approved a Local Public Agency Agreement for Federal Participation ("**Original LPA Agreement**") with the Illinois Department of Transportation ("**IDOT**") in order to receive the STP Funding for the Project; and

WHEREAS, pursuant to the Original LPA Agreement, the City's share of the cost to construct the Project was estimated to be \$215,704.25; and

WHEREAS, the City solicited bids for the construction of the Project and the low bid significantly exceeded the engineer's estimate for the cost to construct the Project set forth in the Original LPA Agreement; and

WHEREAS, in order to proceed with the Project and obtain the STP Funding for the construction of the Project, the City is required to enter into an amended Local Public Agency Agreement for Federal Participation with IDOT ("**Amended LPA Agreement**"); and

WHEREAS, pursuant to the Amended LPA Agreement, and due to additional STP Funding received by the City, STP Funding will provide 75 percent of the cost of phase III engineering and construction for the Project, up to the maximum amount of \$816,078.59 ("**Federal Share**") and the City will be responsible for the remaining 25 percent, approximately \$272,023.86 ("**City Share**"); and

WHEREAS, the City desires to enter into the Amended LPA Agreement with IDOT for the STP Funding; and

WHEREAS, the Mayor and the City Council have determined that it is in the best interest of the City and the public to approve the Amended LPA Agreement with IDOT and authorize the City Share in the amount needed to complete MFT Section Number 17-00039-00-BT;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF WARRENVILLE, DUPAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: Recitals. The recitals listed above are incorporated in this Resolution as if fully set forth in this Resolution.

SECTION 2: Approval of the Amended LPA Agreement. The Amended LPA Agreement with IDOT is hereby approved in substantially the form attached to this Resolution as **Exhibit A**, subject to review and minor amendments by IDOT, and in a final form approved by the City Administrator.

SECTION 3: Execution of Amended LPA Agreement. The City Council hereby authorizes and directs the Mayor and the City Clerk to execute and seal, on behalf of the City, the final Amended LPA Agreement.

SECTION 4: Transmission of Resolution. The City Clerk, or her designee, is hereby directed to transmit five certified copies of this resolution to IDOT through the Division of Transportation.

SECTION 5: Effective Date. This Resolution shall be in full force and effect following its passage and approval in the manner provided by law.

PASSED THIS ____ day of _____, 2022.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED THIS ____ day of _____, 2022.

MAYOR

ATTEST:

CITY CLERK

#62621775_v1

EXHIBIT A
AMENDED LPA AGREEMENT



LOCAL PUBLIC AGENCY

Local Public Agency	County	Section Number
City of Warrenville	DuPage	19-00039-00-BT

Fund Type	ITEP, SRTS, HSIP Number(s)	MPO Name	MPO TIP Number
STP		CMAP	08-17-0022

Construction on State Letting Construction Local Letting Day Labor Local Administered Engineering Right-of-Way

Construction

Engineering

Right of Way

Job Number	Project Number	Job Number	Project Number	Job Number	Project Number
C-91-095-20	ZF8R(670)				

Reason for modification of original Agreement

Increase in STP Funding/Federal Share due to increase in construction cost at Letting

This amended Agreement, hereinafter referred to as "Amendment" is made and entered to in between the above local public agency, hereinafter referred to as the "LPA" and the State of Illinois, acting by and through its Department of Transportation, hereinafter referred to as "STATE". The LPA and STATE agree to revise the original Agreement by execution of this Amendment.

LOCATION

Local Street/Road Name	Key Route	Length	Stationing	
			From	To
Illinois Prairie Path	Rockwell Street	0.20	4.11	4.31

Location Termini

Batavia Road

Current Jurisdiction	Existing Structure Number(s)	Add Location
DuPage County	n/a	Remove

LOCAL PUBLIC AGENCY APPROPRIATION

For Amendments Increasing the LPA share: By execution of this Amendment, the LPA attests that additional moneys have been appropriated or reserved by resolution or ordinance to fund the additional share of LPA project costs. A copy of the resolution or ordinance is attached as an addendum (required for increases to state-let contracts only).

ADDENDA

Additional information and/or stipulations are hereby attached and identified below as being a part of this Amendment.

<input checked="" type="checkbox"/>	1.	Location Map
<input checked="" type="checkbox"/>	2.	Division of Cost
<input checked="" type="checkbox"/>	3.	Local Agency Resolution

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

The **LPA** further agrees as a condition of payment, that it accepts and will comply with the application provisions set forth in this **Amendment** and all addenda indicated above.

APPROVED

Local Public Agency

Name of Official (Print or Type Name)

David Brummel

Title of Official

Mayor

Signature

Date

The above signature certifies the agency's TIN number is

362654207 conducting business as a Governmental Entity.

DUNS Number 026419122

UEI C5A3K8QQBJ55

APPROVED

State of Illinois
Department of Transportation

Omer Osman, P.E., Secretary of Transportation

Date

By:

George A. Tapas, P.E., S.E., Engineer of Local Roads & Streets

Date

Stephen M. Travia, P.E., Director of Highways PI/Chief Engineer

Date

Yangu Kim, Chief Counsel

Date

Vicki Wilson, Chief Fiscal Officer

Date

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

ADDENDA NUMBER 2

Local Public Agency City of Warrenville County DuPage Section Number 19-00039-00-BT

Construction
 Job Number C-91-095-20 Project Number ZF8R(670) **Engineering** Job Number _____
 Right of Way Job Number _____ Project Number _____

ORIGINAL DIVISION OF COST (ODC)

Type of Work	Federal Funds			State Funds			Local Public Agency Funds			Totals
	Fund Type	Amount	%	Fund Type	Amount	%	Fund Type	Amount	%	
Participating Construction	STU	\$596,611.00	*				Local	\$188,990.00	BAL	\$785,601.00
Construction Engineering	STU	\$64,915.00	*				Local	\$21,636.00	BAL	\$86,551.00
Non-Participating Construction		\$0.00					Local	\$9,880.00	100%	\$9,880.00
ODC Federal Funds			ODC State Funds		ODC LPA Funds	Total				\$882,032.00
			\$661,526.00		\$220,506.00	Total				\$882,032.00

AMENDMENT # 1

Type of Work	Federal Funds			State Funds			Local Public Agency Funds			Work Totals
	Fund Type	Amount	%	Fund Type	Amount	%	Fund Type	Amount	%	
Participating Construction	STU	\$154,552.59	*				Local	\$51,517.86	BAL	\$206,070.45
Construction Engineering	STU	\$0.00	*				Local	\$0.00	BAL	\$0.00
Non-Participating Construction		\$0.00					Local	\$0.00	100%	\$0.00
Federal Funds Amendment # 1			State Funds Amendment # 1		LPA Funds Amendment # 1	Total				\$206,070.45
Remove Amendment										
			\$154,552.59		\$51,517.86	Total				\$206,070.45
Total Federal Funds			Total State Funds		Total LPA Funds	TOTAL				\$1,088,102.45
			\$816,078.59		\$272,023.86	TOTAL				\$1,088,102.45

CUMULATIVE DIVISION OF COST (CDC)

Type of Work	Federal Funds			State Funds			Local Public Agency Funds			Totals
	Fund Type	Amount	%	Fund Type	Amount	%	Fund Type	Amount	%	
Participating Construction	STU	\$751,163.59	*				Local	\$240,507.86		\$991,671.45
Construction Engineering	STU	\$64,915.00	*				Local	\$21,636.00		\$86,551.00
Non-Participating Construction		\$0.00					Local	\$9,880.00		\$9,880.00
CDC Federal Funds			CDC State Funds		CDC LPA Funds	Total				\$1,088,102.45
			\$816,078.59		\$272,023.86	Total				\$1,088,102.45

ADDENDA NUMBER 2

Local Public Agency		County		Section Number	
City of Warrentville		DuPage		19-00039-00-BT	
Construction		Engineering		Right of Way	
Job Number	Project Number	Job Number	Project Number	Job Number	Project Number
C-91-095-20	ZF8R(670)				
If funding is not a percentage of the total place an asterisk (*) in the space provided for the percentage and explain below:					
STP NTE \$816,078.59					

NOTE: The costs shown in the Division of Cost table are approximate and subject to change. The final LPA 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.