

RESOLUTION R-64-08

A RESOLUTION AUTHORIZING THE EXECUTION OF AN ADDENDUM TO AN AGREEMENT DATED SEPTEMBER 10, 2002 BETWEEN THE STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION, THE CITY OF WHEATON, AND THE COUNTY OF DUPAGE FOR PHASE I PRELIMINARY ENGINEERING OF THE INTERSECTION OF ROOSEVELT ROAD (ILLINOIS ROUTE 38) AT COUNTY FARM ROAD

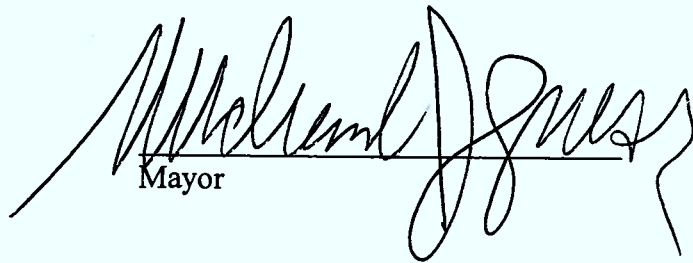
WHEREAS, the State of Illinois, the City of Wheaton, and the County of DuPage executed an agreement on September 10, 2002, for the purpose of jointly initiating Phase I Preliminary Engineering for an improvement of the intersection of Roosevelt Road (Illinois Route 38) at County Farm Road; and

WHEREAS, since the execution of the aforementioned agreement, it has been determined that additional funds are necessary to complete the Phase I Preliminary Engineering; and

WHEREAS, the State, the City, and the County are still desirous of the Phase I Preliminary Engineering in that same will benefit all parties.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Wheaton, Illinois, that the Mayor is hereby authorized to execute an addendum to the agreement dated September 10, 2002 between the State of Illinois Department of Transportation, the City of Wheaton, and the County of DuPage for Phase I Preliminary Engineering of the intersection of Roosevelt Road (Illinois Route 38) at County Farm Road.

ADOPTED, this 15th day of September, 2008.



Mayor

ATTEST:



City Clerk

ROLL CALL VOTE

Ayes: Councilman Sues
Councilwoman Corry
Councilman Levine
Mayor Gresk
Councilman Mouhelis

Nays: None

Absent: Councilman Johnson
Councilman Prendiville

Motion Carried Unanimously

R-64-08

FAP 347 (Illinois Route 38)
At County Farm Road
State Section: 2001-165 I
DuPage County
C-91-506-01
Agreement No.: JN-108-514

ADDENDUM AGREEMENT

THIS ADDENDUM AGREEMENT entered into this _____ day of _____

A.D. _____, by and between the STATE OF ILLINOIS, acting by and through its DEPARTMENT OF TRANSPORTATION, hereinafter called the STATE, the City of Wheaton, hereinafter called the CITY, and the County of DuPage, of the State of Illinois, hereinafter called the COUNTY.

WITNESSETH:

WHEREAS, the STATE, the CITY, and the COUNTY, executed an agreement on September 10th, 2002, for purpose of jointly initiating Phase I Preliminary Engineering for the improvement of the intersection of Illinois Route 38 (FAP 347) at County Farm Road, known as FAP Route 347, State Section: 2001-165 I, City Section: 01-00093-00-ES, County Section: 00-00179-15-ES, State Job No.: C-91-506-01; and

WHEREAS, since the execution of the aforementioned agreement, it has been determined that additional funds are required to complete the Phase I Preliminary Engineering; and

WHEREAS, the STATE, the CITY, and the COUNTY are still desirous of the Phase I Preliminary Engineering in that same will be of benefit to all parties;

NOW THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

1. That Page 3, Item 4 is revised as follows:

It is mutually agreed by and between the parties hereto that the estimated cost of the Phase I Preliminary Engineering is \$336,500.

2. That Page 3, Item 5 is revised as follows:

The STATE agrees to reimburse the COUNTY for 33.3% of the cost of the Phase I Preliminary Engineering for the intersection of Illinois Route 38 at County Farm Road up to a maximum of \$87,500.

A-64-08

THIS ADDENDUM AGREEMENT shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns.

ATTEST:

DuPage County

County _____

By _____

County Clerk

Chairman

(SEAL)

Date: _____

ATTEST:

Evelyn M. Amador
City Clerk

City of Wheaton
By *Milton R. Sees*
Mayor

Date: September 17, 2008

(SEAL)

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

By: _____
Christine M. Reed, P.E.
Director - Division of Highways
Chief Engineer

By: _____
Milton R. Sees, P.E.
Secretary of Transportation

Date: _____

Date: _____