

**RESOLUTION R-2019-40**

**A RESOLUTION AUTHORIZING EXECUTION OF A LOCAL PUBLIC AGENCY AGREEMENT AMENDMENT WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION FOR FEDERAL PARTICIPATION IN THE HARRISON AVENUE RESURFACING PROJECT**

**WHEREAS**, the City of Wheaton, DuPage County, Illinois and the State of Illinois Department of Transportation jointly propose to resurface FAU Route 1417 known locally as Harrison Avenue between North Gary Avenue and College Avenue in Wheaton, Illinois; and

**WHEREAS**, the City and State have entered into an agreement to receive Federal fund participation for the construction and construction engineering costs of the subject project; and


**WHEREAS**, additional funds have been allocated to the project due to higher costs received through bidding, and


**WHEREAS**, it is necessary for the City and State to enter into an amendment to the agreement to receive the additional Federal fund participation for the construction and construction engineering costs of the subject project.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Wheaton, Illinois, that the Mayor is authorized to execute a Local Public Agency Agreement Amendment #1 with the Illinois Department of Transportation for Federal participation in construction of the resurfacing of Harrison Avenue (FAU Route 1417), Project No. NXOU(452), Job No. C-91-147-18, Section 18-00118-00-RS.

**BE IT FURTHER RESOLVED** that the City authorizes the expenditure of Four Hundred Nineteen Thousand Thirty-one and no/100 Dollars (\$419,031.00), or as much may be needed to match federal funds in completion of the subject project.

**ADOPTED** this 3<sup>rd</sup> day of June 2019.

  
\_\_\_\_\_  
Mayor

ATTEST:  
  
\_\_\_\_\_  
City Clerk


Ayes:

Roll Call Vote  
Councilman Scalzo  
Councilman Barbier  
Councilwoman Bray-Parker  
Councilwoman Fitch

Mayor Sues  
Councilman Rutledge

Nays: None  
Absent: None

Motion Carried Unanimously

 <b>Illinois Department of Transportation</b> <b>Local Public Agency Amendment # 1 for Federal Participation</b>	Local Public Agency City of Wheaton	State Contract <input checked="" type="checkbox"/>	Day Labor <input type="checkbox"/>	Local Contract <input type="checkbox"/>	RR Force Account <input type="checkbox"/>
	Section: 18-00118-00-RS	Fund Type: STU	ITEP / SRTS / HSIP Number(s)		
Construction		Engineering		Right-of-Way	
Job Number	Project Number	Job Number	Project Number	Job Number	Project Number
C-91-147-18	NX0U(452)				

This Amendment is made and entered into 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 STATE and LPA have jointly proposed to improve the designated location as described below and agree to the changes outlined in this Amendment. 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".

**Location**

Location Harrison Ave Route FAU 1417 Length 1.64  
 Termini Gary Ave to College Ave

Current Jurisdiction LPA TIP Number 08-15-0017 Existing Structure No NA

**Amended Division of Cost**

Type of Work	STU	%	%	LPA	%	Total
Participating Construction	600,667	( )	( )	383,572	( )	984,239
Non-Participating Construction		( )	( )		( )	
Preliminary Engineering		( )	( )		( )	
Construction Engineering	24,821	( )	( )	10,638	( )	35,459
Right of Way		( )	( )		( )	
Railroads		( )	( )		( )	
Utilities		( )	( )		( )	
Materials		( )	( )		( )	
<b>TOTAL</b>	<b>\$ 625,488</b>			<b>\$ 394,210</b>		<b>\$ 1,019,698</b>
	<b>Revised Federal NTE = \$625,488</b>					

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

**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, changes, and/or stipulations to the original Agreement are hereby attached and identified below as being a part of this Amendment.

(Insert addendum numbers and titles as applicable)

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.

The LPA further agrees, as a condition of payment, that it accepts and will comply with the applicable provisions set forth in this Amendment and all Addenda.

**APPROVED**

Local Public Agency

Philip J. Suess

Name of Official (Print or Type Name)

Mayor

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

*Philip J. Suess* 6/4/19  
(Signature) Date

The above signature certifies the agency's TIN number  
36-6006153 conducting business as a Governmental  
Entity.

DUNS Number 051921229

**APPROVED**

State of Illinois  
Department of Transportation

Randall S. Blankenhorn, Secretary of Transportation

Date

By:

Erin Aleman, Director of Planning & Programming

Date

Erin Aleman, Director of Planning & Programming

Date

Philip C. Kaufmann, Chief Counsel

Date

Jeff Heck, Chief Fiscal Officer (CFO)

Date

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