

RESOLUTION 2014-165

A RESOLUTION AMENDING RESOLUTION 2014-134
AUTHORIZING APPROVAL OF A JOINT AGREEMENT WITH THE
ILLINOIS DEPARTMENT OF TRANSPORTATION FOR THE INSTALLATION OF
LANDSCAPING WITHIN ROUTE 21 MEDIANS ADJACENT TO
WESTFIELD HAWTHORN SHOPPING CENTER

WHEREAS, the Village of Vernon Hills strives to maintain an aesthetically pleasing streetscape within IDOT's Rights of Way; and

WHEREAS, the Village received Federal ITEP funding to achieve this goal for two medians adjacent to the Westfield Hawthorn Shopping Center; and

WHEREAS, IDOT has scheduled a bid letting to make improvements along the Route 21 corridor; and

WHEREAS, IDOT has committed to have the ITEP landscaping and irrigation system installed as part of their resurfacing and concrete curb improvements; and

WHEREAS, the ITEP funding is 80% Federal and 20% local up to a maximum amount of \$101,463 with the Village being responsible for all costs for the landscaping and irrigation above this amount; and

WHEREAS, the scope of work has increased to incorporate the island north of Ring Drive, the addition of an irrigation system and 10% Construction Engineering to IDOT to manage the project; and

WHEREAS, the additional cost of these scope changes are \$75,162 based on IDOT's engineering estimates; and

WHEREAS, the Village understands the added value of the new scope of work and desires to move forward with the attached Agreement; and

WHEREAS, IDOT has approved the revised Agreement in which the major change is the use of State funding instead of Federal ITEP funds as reflected in Exhibit A.

NOW THEREFORE BE IT RESOLVED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS:

THAT the Village President is authorized to execute the Joint Agreement with the Illinois Department of Transportation; and

THAT the Finance Director is authorized to make the necessary budget transfers.

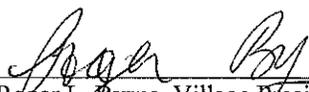
Dated the 21st of October 2014

Adopted by roll call votes as follows:

AYES: 6 – Williams, Koch, Schwartz, Hebda, Marquardt, Schultz

NAYS: 0 - None

ABSENT AND NOT VOTING: 0 - None

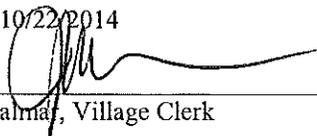


Roger L. Byrne, Village President

PASSED: 10/21/2014

APPROVED: 10/21/2014

ATTEST: 10/22/2014



John M. Kalma, Village Clerk



Illinois Department of Transportation

Division of Highways / Region 1 / District 1
201 West Center Court / Schaumburg, Illinois 60196-1096

BUREAU OF DESIGN

Village of Vernon hills/State of Illinois
Illinois Route 21 Improvement
FAP Route 330
STATE Section: (2&2A)RS-10
Job No.: C-91-043-10
Agreement No.: JN-114-029
Contract No.: 60X23
County: lake

October 27, 2014

The Honorable Roger L. Byrne
Village President
Village of Vernon Hills
290 Evergreen Drive
Vernon Hills, IL 60061-2904

Dear Village President Byrne:

The Addendum Agreement for the subject improvement has been executed by this Department.

Enclosed is an original counterpart of the executed Addendum Agreement for your records and files.

If you have any questions or need additional information, please contact Mr. Ray Ritchie, Agreement Specialist, at (847) 705-4238, or Ms. Lesia Banks, Assistant Agreement Specialist, at (847) 705-4553.

Very truly yours,

John Fortmann, P.E.
Deputy Director of Highways,
Region One Engineer

By:
Jose A. Dominguez, P.E.
Project Support Engineer

RECEIVED

OCT 29 2014

Village of Vernon Hills

Enclosures

FAP Route 330
State Section: (2&2A) RS-10
County: Lake
Job No. : C-91-043-14
Agreement Number: JN-114-029
Contract No.: 60X23

ADDENDUM AGREEMENT

This Addendum Agreement entered into this 21st day of October, 2014
A.D., by and between the STATE OF ILLINOIS, acting by and through its
DEPARTMENT OF TRANSPORTATION hereinafter called the STATE, and the
VILLAGE OF VERNON HILLS of the State of Illinois, hereinafter called the VILLAGE.

WITNESSETH:

WHEREAS, the STATE and the VILLAGE entered into an AGREEMENT executed
on the 19th of August, 2014 for the improvement of Illinois Route 21, STATE
Section: (2&2A) RS-10, State Job Number: C-91-043-14, State Contract Number:
60X23, hereinafter referred to as the IMPROVEMENT; and

WHEREAS, since the execution of the aforementioned Agreement, the STATE
revised the funding source of the IMPROVEMENT to be paid utilizing "State Only"
funds; and

WHEREAS, the original aforementioned Agreement states the Federal ITEP funds
were included to pay for a portion of the VILLAGE requested median landscaping
and irrigation system as part of the IMPROVEMENT; and

WHEREAS, since Federal funds cannot be used on an IMPROVEMENT that is funded with "State Only" funds, the STATE agrees to pay what would have been the Federal ITEP share of the VILLAGE requested median landscaping and irrigation system; and

NOW THEREFORE BE IT AGREED that the aforementioned AGREEMENT is revised to read as follows:

1. Page 2, Item 3 of the AGREEMENT shall be revised to read as follows as if fully incorporated herein by reference:
 3. It is mutually agreed by and between the parties hereto that the estimated cost and cost proration for this improvement is as shown on the Revised Exhibit A.

Obligations of the STATE and the COUNTY will cease immediately without penalty or further payment being required if, in any fiscal year, the Illinois General Assembly or Federal funding source fails to appropriate or otherwise make available funds for this contract.

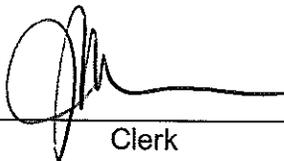
This AGREEMENT and the covenants contained herein shall be null and void in the event the contract covering the construction work contemplated herein is not awarded within the three years subsequent to execution of the agreement.

This Agreement shall be binding upon and to the benefit of the parties hereto, their successors and assigns.

VILLAGE OF VERNON HILLS

By: 
(Signature)

Attest:


Clerk

(SEAL)

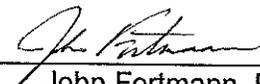


By: Roger L. Byrne
(Print or Type)

Title: Village President

Date: October 21, 2014

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

By: 
John Fortmann, P.E.
Deputy Director of Highways
Region One Engineer

Date: OCTOBER 23, 2014

Job No.: C-91-043-14
Agreement No.: JN-114-029

**Contract 60X23 REVISED EXHIBIT A
ESTIMATE OF COST & PARTICIPATION**

Type of Work	STATE		VILLAGE OF VERNON HILLS		TOTAL
	\$	%	\$	%	
All roadway work excluding the following:	\$2,803,000	100%		N/A%	\$2,803,000
P&C Engineering (15%)	\$420,450	100%		N/A%	\$420,450
OTHER WORK					
Median Landscaping and Irrigation System	\$81,170* (see note below)	80%	\$60,950	20%	\$142,120
Construction Engineering (10%)		N/A%	\$14,212	100%	\$14,212
TOTAL	\$3,304,620		\$75,162		\$3,379,782

Note: The Village's participation shall be predicated upon the percentages shown above for the specified work. Estimated costs shall be updated upon award of the contract for the improvement, using contract unit prices and quantities. The Village's final costs shall be determined by multiplying the final quantities times contract unit prices, plus 10% for construction engineering unless otherwise noted.

Note: This improvement is being advanced to a 2014 contract letting with funding from the 2014 Capital Bill. The State acknowledges that the Village has acquired Federal ITEP funds to fund the median landscaping and irrigation system. Whereas the acceleration of the project schedule has resulted in the inability to process this project for federal authorization, the State agrees to pay for 80% of the Median Landscaping and Irrigation in lieu of the Federal ITEP funds.

Note: The cost participation for the Median Landscaping and Irrigation shall be 80% State/ 20% Village up to a maximum amount of \$101,463. The Village shall be 100% responsible for all costs for the Median Landscaping and Irrigation above \$101,463.