

A RESOLUTION APPROVING AN AGREEMENT
WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION

BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ARLINGTON HEIGHTS:

SECTION ONE: A certain agreement by and between the Village of Arlington Heights and the Illinois Department of Transportation, concerning resurfacing portions of Dunton Ave and Evergreen Ave between Northwest Hwy and the Union Pacific Railroad right-of-way, in Arlington Heights, Illinois, a true and correct copy of which is attached hereto, be and the same is hereby approved.

SECTION TWO: The Village President and Village Clerk are hereby authorized and directed to execute said agreement on behalf of the Village of Arlington Heights.

SECTION THREE: This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

AYES:

NAYS:

PASSED AND APPROVED this 17th day of June, 2019.

Village President

ATTEST:

Village Clerk

FAU 3612 US 14 (Northwest Highway)
W. of Arlington Heights Road to E. of State Street
State Section: (86[S,W-1]87Y&88Y)RS-3
Cook County
Job No. :C-91-366-12
Contract No.: 60T49
JN-119-009

AGREEMENT

This Agreement entered into this _____ day of _____, 2019 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 ARLINGTON HEIGHTS, of the State of Illinois, hereinafter called the VILLAGE.

WITNESSETH:

WHEREAS, the STATE, in order to facilitate the free flow of traffic and ensure safety to the motoring public, is desirous of improving approximately 22,748 feet of FAU Route 3612 US 14 (Northwest Highway) from West of Arlington Heights Road to East of State Street, STATE Section: (86[S,W-1]87Y&88Y)RS-3, STATE Job No.: C-91-366-12, State Contract Number: 60T49, as follows:

The PROJECT wil include resurfacing, installing ADA ramps and all other work necessary to complete the improvement in accordance with the approved plans and specifications; and

WHEREAS, the VILLAGE has requested that the STATE include in its contract the resurfacing of Dunton Avenue and Evergreen Avenue between US 14 (Northwest Highway) and the Union Pacific Railroad; and

WHEREAS, the STATE is agreeable to said request.

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

1. The STATE agrees to make the surveys, obtain all necessary rights of way, prepare plans and specifications, receive bids and award the contract, furnish engineering inspection during construction and cause the improvement to be built in accordance with the approved plans, specifications and contract.
2. The STATE agrees to pay for all right of way, construction and engineering cost subject to partial reimbursement by the VILLAGE, as hereinafter stipulated.
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 Exhibit A attached hereto and made a part hereof..
4. The VILLAGE has passed a resolution appropriating sufficient funds to pay its share of the cost for this improvement, a copy of which is attached hereto as Exhibit B and made a part hereof.
5. The VILLAGE agrees that upon receipt of an invoice from the STATE, the VILLAGE will pay to the STATE, in a lump sum from any funds allotted to the VILLAGE, an amount equal to 80% of its obligation incurred under this AGREEMENT, and will pay to said STATE the remainder of the obligation (including any non-participating costs on FA Projects) in a lump sum, upon completion of the project, based upon final costs.
6. The VILLAGE further agrees to pass a supplemental resolution to provide necessary funds for its share of the cost of this improvement if the amount appropriated in Exhibit B proves to be insufficient to cover said cost.

7. The VILLAGE agrees not to permit driveway entrance openings to be made in the curb, as constructed, or the construction of additional entrances, private or commercial, along US 14 (Northwest Highway) without the consent of the STATE.
8. The VILLAGE shall exercise its franchise rights to cause private utilities to be relocated, if required, at no expense to the STATE.
9. The VILLAGE agrees to cause its utilities installed on right of way after said right of way was acquired by the STATE or installed within the limits of a roadway after the said roadway's jurisdiction was assumed by the STATE, to be relocated and/or adjusted, if required, at no expense to the STATE.
10. The VILLAGE agrees to obtain from the STATE an approved permit for any VILLAGE owned utility relocated/adjusted as part of this improvement, and shall abide by all conditions set forth therein.
11. Upon final field inspection of the improvement and so long as US 14 (Northwest Highway) is used as a STATE Highway, the STATE agrees to maintain or cause to be maintained the median, the through traffic lanes, the left-turn lanes and right turn lanes, and the curb and gutter, stabilized shoulders and ditches adjacent to those traffic lanes and turn lanes.
12. Upon final field inspection of the improvement, the VILLAGE agrees to maintain or cause to be maintained those portions of the improvement which are not maintained by the STATE, including sidewalks, parkways, guardrails, crosswalk and stopline markings and VILLAGE owned utilities including appurtenances thereto.
13. The VILLAGE further agrees to continue its existing maintenance responsibilities on all side road approaches under its jurisdiction, including all left and right turn lanes on said side road approaches, up to the through edge of pavement of US 14 (Northwest Highway). Drainage

facilities, if any, at the aforementioned side roads located within the STATE right-of-way shall be the joint maintenance responsibility of the STATE and the VILLAGE unless there is an agreement specifying different responsibilities.

14. The VILLAGE has adopted a resolution, will send a letter, or sign the Plan Approval page which is part of this document, approving the plans and specifications as prepared.

15. Under penalties of perjury, the VILLAGE certifies that its correct Federal Tax Identification number is 36-6005774 and it is doing business as a GOVERNMENTAL ENTITY, whose mailing address is:

Village of Arlington Heights

33 S Arlington Heights Road

Arlington Heights, IL 60005

Remainder of page intentionally left blank

Obligations of the STATE and the VILLAGE 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 ARLINGTON HEIGHTS

By: _____
(Signature)

By: _____
(Print or Type)

Title: _____

Date: _____

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

By: _____
Anthony J. Quigley, P.E.
Region One Engineer

Date: _____

Attest:

Clerk

(SEAL)

PLAN APPROVAL

WHEREAS, in order to facilitate the improvement of FAU Route 3612, known as US 14 (Northwest Highway), Contract No.: 60T49, State Section: (86[S,W-1]87Y&88Y)RS-3, Job No.: C-91-366-12, the VILLAGE agrees to that portion of the plans and specifications relative to the VILLAGE's financial and maintenance obligations described herein.


Approved 
Title VILLAGE ENGINEER
Date 6/12/19

EXHIBIT A
ESTIMATE OF COST Contract 60T49

Type of Work	FEDERAL		STATE		VILLAGE OF ARLINGTON HEIGHTS		TOTAL
	\$	%	\$	%	\$	%	
All roadway work excluding the following:	\$3,260,000	80%	\$815,000	20%			\$4,075,000
P&C Engineering (15%)	\$489,000	80%	\$122,250	20%			\$611,250
Other Work							
Resurfacing of Dunton Ave. and Evergreen Ave. up to the Union Pacific Railroad					\$21,000	100%	\$21,000
Construction Engineering (10%)					\$2,100	100%	\$2,100
Railroad Flagger					\$9,000	100%	\$9,000
TOTAL	\$3,749,000		\$937,250		\$32,100		\$4,718,350

NOTE: Local participation shall be predicated upon the percentages shown above for the specified work. Local Agency cost shall be determined by multiplying the final quantities times contract unit price plus the percentage shown for construction and/or preliminary engineering unless otherwise noted.

Exhibit B

FUNDING RESOLUTION

WHEREAS, the VILLAGE OF ARLINGTON HEIGHTS (VILLAGE) has entered into an AGREEMENT with the STATE OF ILLINOIS (STATE) for the improvement of FAU Route 3512, US 14 (Northwest Highway) West of Arlington Heights Road to East of State Street, known as State Section: 1(86[S,W-1]87Y&88Y)RS-3, Contract No.: 60T49; and

WHEREAS, in compliance with the aforementioned AGREEMENT, it is necessary for the VILLAGE to appropriate sufficient funds to pay its share of the cost of said improvement,

NOW THEREFORE, BE IT RESOLVED, BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ARLINGTON HEIGHTS:

SECTION ONE: That there hereby appropriated the sum of Thirty Two Thousand One Hundred Dollars (\$32,100.00) or so much thereof as may be necessary, from any money now or hereinafter allotted to the VILLAGE, to pay its share of the cost of this improvement as provided in the AGREEMENT.

SECTION TWO: That that upon receipt of an invoice from the STATE, the VILLAGE will pay to the STATE in a lump sum from any funds allotted to the VILLAGE, an amount equal to 80% of its obligation incurred under this AGREEMENT, and will pay to said STATE the remainder of the obligation in a lump sum, upon completion of the project, based on final costs; and

SECTION THREE: That the VILLAGE agrees to pass a supplemental resolution to provide any necessary funds for its share of the cost of this improvement if the amount appropriated herein proves to be insufficient, to cover said cost.

SECTION FOUR: That this Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

AYES:

NAYS:

PASSED AND APPROVED this 17th day of June, 2019.

Village President

ATTEST:

Village Clerk

STATE OF ILLINOIS)
COUNTY OF COOK)

I, Rebecca Hume, Village Clerk in and for the Village of Arlington Heights hereby certify the foregoing to be a true perfect and complete copy of the resolution adopted by the Village Board at a meeting on June 17, 2019 A.D.

IN TESTIMONY WHEREOF, I have hereunto set my hand seal this _____ day of _____, 2019 A.D.

Village Clerk

(SEAL)