

RESOLUTION NO. 2022-R-03

A RESOLUTION AUTHORIZING THE WEST CHICAGO FIRE PROTECTION DISTRICT TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION

WHEREAS, the Board of Trustees (hereinafter the "Board") of the West Chicago Fire Protection District, DuPage County, Illinois, (hereinafter the "District") has the duty and authority to enter into contracts; and

WHEREAS, Article VII, Section 10 of the Illinois Constitution of 1970 authorizes units of local government to cooperate with each other in order to accomplish common goals and objectives; and

WHEREAS, 5 ILCS 220/3 entitled the "Intergovernmental Cooperative Act," provides that any power or powers, privilege or authority exercised or which may be exercised by a public agency may be exercised, transferred, combined and enjoyed jointly with any other public agency; and

WHEREAS, the District and the Illinois Department of Transportation (hereinafter the "Department"), are both public agencies as defined by statute; and

WHEREAS, the District desires to enter into an AGREEMENT with the Department for the improvement of FAP 338 / IL 59 at its intersections with Joliet Street / Edgewood Walk and with James Street, and

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

WHEREAS, the Board has determined that it is in the best interest of the District to enter into an agreement with the Department to facilitate the FAP 338/Illinois Route 59 Improvement Project.

NOW THEREFORE, BE IT RESOLVED, by the Board of Trustees of the West Chicago Fire Protection District, DuPage and Kane Counties, Illinois, Illinois, as follows:

Section One: The President and Secretary of the District's Board of Trustees are authorized to enter into an intergovernmental agreement with the Illinois Department of Transportation in substantially the same form as the Agreement attached hereto and made a part hereof as **Exhibit 1**.

Section Two: The District hereby appropriates the sum of THIRTEEN THOUSAND EIGHT HUNDRED dollars (\$13,800) or so much thereof as may be necessary, from any money now or hereinafter allotted to the District to pay its share of the cost of this improvement as provided in the AGREEMENT; and

Section Three: Upon award of the contract for this improvement, the District will pay to the STATE in a lump sum from any funds allotted to the District, 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.


Section Four: This Resolution shall be in full force and effect upon its adoption and shall supersede any agreement, resolution, or motion in conflict with any part herein, any such agreement, resolution, or motion or part thereof is hereby repealed.

ADOPTED this 22nd day of September, 2022 by a roll call vote as follows:

AYES: 5- Usedom, Grobs, Bantcher, Campos, Medeiros

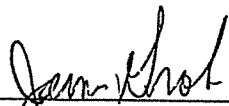
NAYS: 0 - NONE

ABSENT: 0 - NONE



President, Board of Trustees
West Chicago Fire Protection District

ATTEST:



Secretary, Board of Trustees
West Chicago Fire Protection District

State of Illinois)
)
County of DuPage)

SS

SECRETARY'S CERTIFICATE

I, **James Grobe**, the duly qualified and acting Secretary of the Board of Trustees of the West Chicago Fire Protection District, DuPage and Kane Counties, Illinois, do hereby state that attached hereto is a true and correct copy of a Resolution entitled:

RESOLUTION NO. 2022-R-03

A RESOLUTION AUTHORIZING THE WEST CHICAGO FIRE PROTECTION DISTRICT TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION

which Resolution was duly adopted by said Board of Trustees at a meeting held on the 22nd day of September, 2022.

I do further certify that a quorum of said Board of Trustees was present at said meeting, and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this 22nd day of September, 2022.



Secretary, Board of Trustees
West Chicago Fire Protection District

EXHIBIT A
ESTIMATE OF COST Contract 62P22

Type of Work	FEDERAL		STATE		WINFIELD TOWNSHIP		CITY OF WEST CHICAGO		WEST CHICAGO FIRE PROTECTION DISTRICT		TOTAL
	\$	%	\$	%	\$	%	\$	%	\$	%	
All roadway work excluding the following:	\$688,500	90%	\$76,500	10%							\$765,000
P&C Engineering (15%)	\$103,275	90%	\$11,475	10%							\$114,750
TRAFFIC SIGNALS											
IL 59 at Joliet St / Edgewood Walk	\$293,850	90%	\$16,325	5%	\$8,163	2.5%	\$8,163	2.5%			\$326,500
P&C Engineering (15%)	\$44,078	90%	\$2,449	5%	\$1,224	2.5%	\$1,224	2.5%			\$48,975
Emergency Vehicle Pre-emption System									\$6,000	100%	\$6,000
P&C Engineering (15%)									\$900	100%	\$900
IL 59 at James Avenue	\$286,200	90%	\$15,900	5%	\$15,900	5%					\$318,000
P&C Engineering (15%)	\$42,930	90%	\$2,385	5%	\$2,385	5%					\$47,700
Emergency Vehicle Pre-emption System									\$6,000	100%	\$6,000
P&C Engineering (15%)									\$900	100%	\$900
TOTAL	\$1,458,833		\$125,034		\$27,672		\$9,387		\$13,800		\$ 1,634,725

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 1

FAP 338 / IL 59
At Joliet St/Edgewood Walk and at James St
State Section: 2021-087-TS&N
DuPage County
Job No.: C-91-203-21
Contract No.: 62P22
JN-123-005

AGREEMENT

This Agreement entered into this 22nd day of
September, 2022 A.D., by and between the STATE OF
ILLINOIS, acting by and through its DEPARTMENT OF
TRANSPORTATION, hereinafter called the STATE, and the WEST
CHICAGO FIRE PROTECTION DISTRICT of the State of Illinois,
hereinafter called the DISTRICT.

WITNESSETH:

WHEREAS, the STATE, in order to facilitate the free flow of traffic and
ensure safety to the motoring public, is desirous of improving FAP 338
/ IL 59 at its intersections with Joliet Street / Edgewood Walk and with
James Street, STATE Section 2021-087-TS&N, STATE Job No.: C-91-
203-21, State Contract Number 62P22 as follows:

The proposed scope of work includes traffic signal modernizations,
emergency vehicle pre-emption equipment, turning lane revisions,
resurfacing and all other work necessary to complete the improvement
in accordance with the approved plans and specifications; and

WHEREAS, the DISTRICT is desirous of said improvement in that same will be of immediate benefit to the DISTRICT residents and permanent in nature;

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 DISTRICT, 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 DISTRICT 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. The DISTRICT agrees that upon award of the contract for this improvement, the DISTRICT will pay to the STATE, in a lump sum from any funds allotted to the DISTRICT, an amount equal to 80% of its obligation incurred under this AGREEMENT, based on bid prices, 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.

5. The DISTRICT 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.
6. The DISTRICT has adopted a resolution, will send a letter, or sign the Plan Approval page which is part of this document, prior to the STATE advertising for the work to be performed hereunder, approving the plans and specifications as prepared.
7. Upon final field inspection of the improvement and so long as IL 59 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, vertical pavement markings and the curb and gutter, stabilized shoulders and ditches adjacent to those traffic lanes and turn lanes.
8. Upon acceptance by the STATE of the traffic signal work included herein the financial responsibility for maintenance and electrical energy for the operation of the traffic signals shall continue as listed in the current Agreements between the STATE and the city of West Chicago and the STATE and Winfield Township.
9. It is mutually agreed that the actual traffic signal maintenance will be performed by the STATE either with its own forces or through an ongoing contractual agreement.
10. The STATE's Electrical Maintenance Contractor shall maintain the "Emergency Vehicle Pre-Emption System" equipment, located at the traffic signals and shall invoice the DISTRICT for the costs related to said maintenance.

11. The DISTRICT shall maintain the emitters and associated appurtenances at its own expense. The emitters shall be maintained and tested by the DISTRICT in accordance with the recommendations of the manufacturer.

12. It is mutually agreed, if, in the future, the STATE adopts a roadway or traffic signal improvement passing through the traffic signals included herein which requires modernization or reconstruction to said traffic signals then the DISTRICT agrees to be financially responsible for all costs to relocate the emergency vehicle detection equipment in conjunction with the STATE's proposed improvement.

13. Under penalty of perjury, the DISTRICT certifies that its correct Federal Tax Identification number is and it is doing business as a GOVERNMENTAL ENTITY, whose mailing address is:

West Chicago Fire Protection District

200 Fremont Street

West Chicago, IL 60185

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

SEE NEXT PAGE FOR SIGNATURES

Obligations of the STATE and the DISTRICT 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.

WEST CHICAGO FIRE PROTECTION
DISTRICT

By: *[Signature]*
(Signature)

Attest:

[Signature]
Secretary

By: STEVEN USEDOM
(Print or Type)

Secretary Title:

Date: Sept 22, 2022

(SEAL)

STATE OF
ILLINOIS
DEPARTMENT OF
TRANSPORTATION

By:

Jose Rios, P.E.

Region One Engineer

Date:

Job No.: C-91-203-21
Agreement No.: JN-123-005

PLAN APPROVAL

WHEREAS, in order to facilitate the improvement of FAP 338 / IL 59 at Joliet St / Edgewood Walk and at James St, Contract No. 62P22, State Section 2021-087-TS&N, the DISTRICT agrees to that portion of the plans and specifications relative to the DISTRICT's financial and maintenance obligations described herein, prior to the STATE's advertising for the aforescribed proposed improvement.

Approved: 

Title Board President

Date September 22nd, 2022

"Exhibit B"
FUNDING RESOLUTION

WHEREAS, the WEST CHICAGO FIRE PROTECTION DISTRICT (DISTRICT) has entered into an AGREEMENT with the STATE OF ILLINOIS (STATE) for the improvement of FAP 338 / IL 59 at Joliet Street /Edgewood Walk and at James Street, known as State Section 2121-087-TS&N, Contract No. 62P22, and

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

NOW THEREFORE, BE IT RESOLVED, that there is hereby appropriated the sum of Thirteen Thousand Eight Hundred Dollars (\$13,800.00), or so much thereof as may be necessary, from any money now or hereinafter allotted to the DISTRICT, to pay its share of the cost of this improvement as provided in the AGREEMENT; and

BE IT FURTHER RESOLVED, that upon award of the contract for this improvement, the DISTRICT will pay to the STATE in a lump sum from any funds allotted to the DISTRICT, an amount equal to 80% of its obligation incurred under this AGREEMENT, based on bid prices, and will pay to said STATE the remainder of the obligation in a lump sum, upon completion of the project, based on final costs.

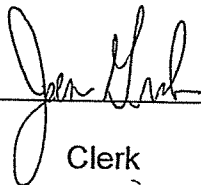
BE IT FURTHER RESOLVED, that the DISTRICT agrees to pass a supplemental resolution to provide any necessary funds for its share of the cost

of this improvement if the amount appropriated herein proves to be insufficient, to cover said cost.

STATE OF ILLINOIS)
COUNTY OF DUPAGE)

I, James Gadske, Clerk in and for the WEST CHICAGO FIRE
PROTECTION DISTRICT, hereby certify the foregoing to be a true perfect and
complete copy of the resolution adopted by the DISTRICT Board of Trustees at a
meeting on September 22, 2022 A.D.

IN TESTIMONY WHEREOF, I have hereunto set my hand seal this 22nd day of
September, 2022 A.D.


Clerk

(SEAL)