

RESOLUTION NO. R-2016-31

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RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AMENDMENT #1 TO THE LOCAL PUBLIC AGENCY AGREEMENT FOR FEDERAL PARTICIPATION TO BE ENTERED INTO BY THE VILLAGE OF MAYWOOD AND THE ILLINOIS DEPARTMENT OF TRANSPORTATION ("IDOT") AND FOR THE APPROPRIATION OF VILLAGE FUNDS FOR THE PURPOSE OF PAYING FOR THE LOCAL AGENCY SHARE RELATED TO THE CONSTRUCTION OF THE MAYWOOD TRAIN STATION – MAIN STREET FROM FIFTH AVENUE TO FOURTH AVENUE, UNDER IDOT PROJECT NUMBER CMM-4003(277), STATE JOB NO. C-91-211-14, MFT SECTION NO. 13-00136-00-RR

WHEREAS, the President and Board of Trustees of the Village of Maywood, Illinois, a home rule Illinois municipal corporation, desire to participate in the Illinois Department of Transportation's ("IDOT") Congestion Mitigation & Air Quality Program ("CMAQ Program") for the purpose of funding a portion of the construction of a new Maywood Train Station and certain appurtenant improvements to Main Street between Fifth Avenue and Fourth Avenue in accordance with the terms set forth in Amendment #1 to the Local Public Agency Agreement for Federal Participation (the "Amendment #1 to LPA Agreement"), a copy of which is attached hereto and made a part hereof as Exhibit "A"; and

WHEREAS, the improvements to be constructed under Amendment #1 to LPA Agreement (Exhibit "A") consist of the new Maywood Train Station building, train station platform improvements and parking facilities, and are located on Main Street between Fifth Avenue and Fourth Avenue within the Village's corporate boundaries and are estimated to cost \$2,172,718.00 (the "Project"); and

WHEREAS, the State of Illinois, through IDOT, has agreed to participate and provide the funding for the actual construction costs associated with the Project through the CMAQ Program at a level of 80% of the actual construction cost, but not to exceed an amount equal to \$1,447,000.00, in accordance with the terms set forth in the attached Amendment #1 to LPA Agreement (Exhibit "A"); and

WHEREAS, the Village agrees to pay 100% of the construction engineering services costs under a separate construction engineering services agreement to be entered into with Christopher B. Burke Engineering, Ltd.; and

WHEREAS, the Village agrees to pay the local share of the Project (estimated total: \$725,718.00), which equals 20% of all related construction costs as matching dollar contributions to the 80% of funds paid by the CMAQ Program, subject to the not to exceed threshold of \$1,447,000.00, and 100% of all remaining related construction costs in excess of the total dollar amounts paid by the CMAQ Program and the Village's 20% matching funds for the Project; and

WHEREAS, the President and Board of Trustees of the Village of Maywood agree to appropriate and authorize the expenditure of an amount equal to \$725,718.00 from the Village's St. Charles Tax Increment Fund Escrow No. 2, or general corporate funds, to pay the Village's portion of all related construction costs for the Project improvements under IDOT Project Number CMM-4003(277), State Job No. C-91-211-14, MFT Section No. 13-00136-00-RR; and

WHEREAS, the President and Board of Trustees of the Village of Maywood have the authority to approve and enter into the attached Amendment #1 to LPA Agreement (Exhibit "A") and to appropriate and authorize the expenditure of its St. Charles Tax Increment Fund Escrow No. 2, or general corporate funds, for the Project pursuant to its home rule powers and contracting authority provided by Article VII, Sections 6 and 10(a) of the Illinois Constitution of 1970, as well as the Illinois Intergovernmental Cooperation Act (5 ILCS 220/1 *et seq.*), and finds that entering into Amendment #1 to LPA Agreement is in the best interests of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, ILLINOIS, PURSUANT TO ITS HOME RULE POWERS AS PROVIDED BY ARTICLE VII, SECTIONS 6 AND 10(a) OF THE ILLINOIS CONSTITUTION OF 1970 AND THE INTERGOVERNMENTAL COOPERATION ACT (5 ILCS 220/1 *et seq.*) AS FOLLOWS:

SECTION 1: Each paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Resolution.

SECTION 2: The President and Board of Trustees of the Village Maywood approve and authorize the execution of Amendment #1 to LPA Agreement to be entered into with the Illinois Department of Transportation ("IDOT"), a copy of which is attached hereto as Exhibit "A" and made a part hereof. The President and Board of Trustees also agree to appropriate and authorize the expenditure of an amount equal to \$725,718.00 from the Village's St. Charles Tax Increment Fund Escrow No. 2, or general corporate funds, to pay the Village's portion of all related construction costs for the Project improvements under Illinois Department of Transportation Project Number CMM-4003(277), State Job No. C-91-211-14, MFT Section No. 13-00136-00-RR. Further, the President and Board of Trustees authorize and direct the Village President and Clerk, or their designees, to execute Amendment #1 to LPA Agreement and to execute and deliver all other instruments and documents that are necessary to fulfill the Village's obligations under Amendment #1 to LPA Agreement.

ADOPTED this 4th day of October, 2016, pursuant to a roll call vote as follows:

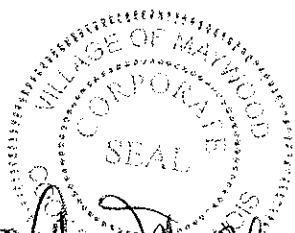
AYES: Mayor Edwenna Perkins, Trustee(s) H. Yarbrough, Sr.,
I. Brandon, M. Rogers and R. Rivers.

NAYS: None.

ABSENT: Trustee(s) A. Dorris and M. Lightford

APPROVED this 5th day of October, 2016, by the Village President of the Village of Maywood, and attested by the Village Clerk on the same day.

ATTEST:


Viola Minsby
Village Clerk


[Signature]
Deputy Clerk

[Signature]
Village President

EXHIBIT "A"

**Amendment #1 to the Local Public Agency Agreement for Federal Participation
Entered Into Between the Village of Maywood
and the Illinois Department of Transportation ("IDOT")**

(attached)

| | | | | | |
|---|---|---|---------------------------------------|--|--|
|  Illinois Department of Transportation Local Public Agency Amendment # 1 for Federal Participation | Local Public Agency Village of Maywood | State Contract <input checked="" type="checkbox"/> | Day Labor <input type="checkbox"/> | Local Contract <input type="checkbox"/> | RR Force Account <input type="checkbox"/> |
| | Section: 13-00136-00-RR | Fund Type: CMAQ | ITEP / SRTS / HSIP Number(s) | | |
| Construction | | Engineering | | Right-of-Way | |
| Job Number | Project Number | Job Number | Project Number | Job Number | Project Number |
| C-91-211-14 | CMM-4003(277) | | | | |

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 Maywood Train Station-Main Street Route MUN 3090 Length 0.16mi
 Termini Fifth Avenue to Fourth Avenue

Current Jurisdiction LPA TIP Number 04-14-0002 Existing Structure No N/A

Amended Division of Cost

| Type of Work | CMAQ | % | % | LPA | % | Total |
|--------------------------------|---------------------|-------|-----|-------------------|---------|---------------------|
| Participating Construction | 1,447,000 | (*) | () | 725,718 | (BAL) | 2,172,718 |
| Non-Participating Construction | | () | () | | () | |
| Preliminary Engineering | | () | () | | () | |
| Construction Engineering | | () | () | | () | |
| Right of Way | | () | () | | () | |
| Railroads | | () | () | | () | |
| Utilities | | () | () | | () | |
| Materials | | | | | | |
| TOTAL | \$ 1,447,000 | | | \$ 725,718 | | \$ 2,172,718 |

* Maximum FHWA (CMAQ-STA) participation 80% not to exceed \$1,447,000

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

Edwenna Perkins

Name of Official (Print or Type Name)

Mayor

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

(Signature)

Date

The above signature certifies the agency's TIN number 36-6005990 conducting business as a Governmental Entity.

DUNS Number 026535018

APPROVED

State of Illinois
Department of Transportation

Randall S. Blankenhorn, Secretary

Date

By:

Aaron A. Weatherholt, Deputy Director of Highways

Date

Omer Osman, Director of Highways/Chief Engineer

Date

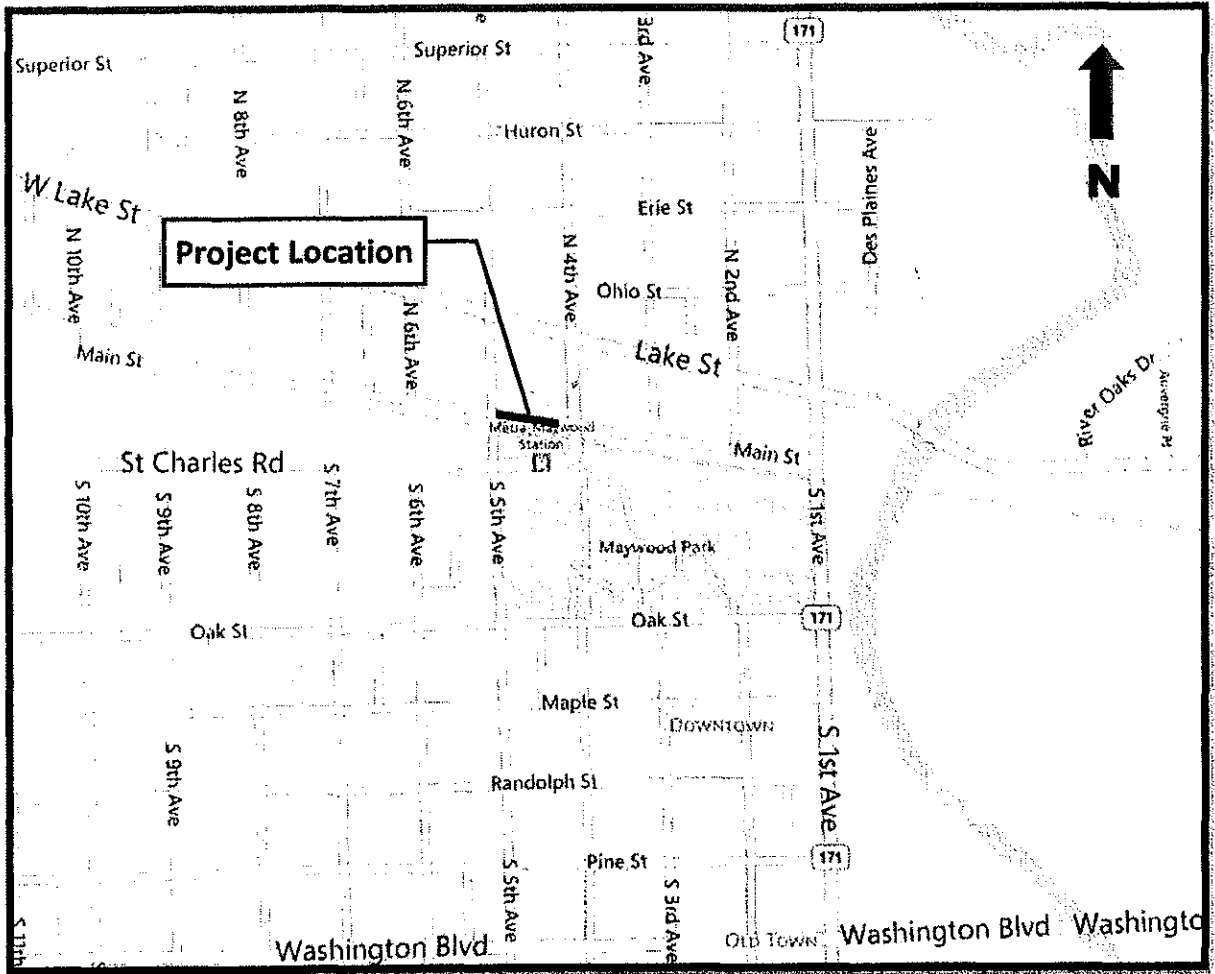
William M. Barnes, Chief Counsel

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.



**Maywood Train Station – Main Street
Fifth Avenue to Fourth Avenue
Village of Maywood**

Location Map

Maywood Train Station
Section 13-00136-00-RR

