



## MEMORANDUM

**TO:** Mayor Laurel L. Prussing and Members of the City Council

**FROM:** William R. Gray, Public Works Director  
Gale L. Jamison, Assistant City Engineer

**DATE:** July 5, 2012

**RE:** Local Agency/State Agreement with the Illinois Department of Transportation  
IL 130 (High Cross Road) Improvements: US 150 (University Avenue) to Florida Avenue Extended

**AN ORDINANCE REVISING THE ANNUAL BUDGET ORDINANCE  
(IL. Route 130 Improvements, State Grant)**

### ISSUES AND DISCUSSION

As a part of the proposed Menards development, significant improvements were required to IL 130 (High Cross Road) from US 150 (University Avenue) to the intersection of Florida Avenue extended and IL 130. The proposed improvements consist of reconstructing IL 130 from two to four lanes with raised median, hot-mix asphalt widening and resurfacing, concrete curbs and gutters, storm sewers, roadway lighting, pavement markings and other miscellaneous improvements. New traffic signals are proposed at the Washington Street and High Cross Road intersection. The proposed improvements were planned to extend on the west leg of Washington Street through the intersection with Pfeffer Road and to the east leg of Washington Street to the limits of the required intersection improvements. The improvements on the west leg of the future Florida Avenue intersection with High Cross Road will extend through the proposed frontage road within the Menards development. The preliminary design of the proposed improvements was completed by Menards' consultant Crawford Murphy & Tilly, Inc. (CMT), Springfield, Illinois and preliminarily approved by the Illinois Department of Transportation (IDOT).

In 2009, in anticipation of the proposed Menards development, the City requested and was granted \$2,500,000 in Illinois Jobs Now (IJN) funding towards the cost of the required improvements to IL 130. The economic downturn delayed the Menards development; however, in order to facilitate timely expenditure of the grant funds, the City entered into an agreement in February 2010 with CMT, to develop the scope for a \$2,500,000 project between US 150 and Washington Street. In March 2011, discussions with IDOT staff suggested moving IJN money in the amount of \$5,925,000 for an

interchange access justification and design study on I-74 east of Urbana to this project. With the assistance of local legislators, the City requested that the funds designated for the I-74 interchange study be reallocated and combined with the \$2,500,000 previously granted towards the improvements to create total grant funding of \$8,275,000 to be utilized for the design and construction of the proposed IL 130 improvements required as part of the Menards development. That request was granted by IDOT in May 2011. The 2012 – 2015 Transportation Improvement Program was amended by CUUATS in December 2011 to reflect the funding reallocation.

Public Works has negotiated a contract with CMT to provide updated preliminary engineering services that address the requirements associated with using state funding. The attached proposed Local Agency/State Agreement allows the expenditure of grant funds in the amount of \$150,000 for those preliminary engineering services. The engineering services agreement with CMT is available for review upon request. A budget amendment ordinance is attached providing for the expenditures of the IJN money.

### **FISCAL IMPACTS**

The proposed engineering services and subsequent improvements are to be funded entirely with State IJN funds with no local or developer match anticipated.

### **RECOMMENDATION**

It is recommended that the City Council approve:

**A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A LOCAL AGENCY/STATE AGREEMENT WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION (Illinois Route 130, US 150 to Windsor Road)**

and

**AN ORDINANCE REVISING THE ANNUAL BUDGET ORDINANCE (IL Route 130 Improvements, State Grant)**

RESOLUTION NO. 2012-07-050R

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A LOCAL AGENCY/STATE AGREEMENT WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION

(Illinois Route 130, US 150 to Windsor Road)

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That an agreement by and between the City of Urbana, Illinois and the Illinois Department of Transportation in substantially the form of the copy of said agreement attached hereto and hereby incorporated by reference, be and the same is hereby authorized and approved.

Section 2. That the Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute and deliver, and the City Clerk of the City of Urbana, Illinois, be and the same is hereby authorized to attest to said execution of said Agreement as so authorized and approved for and on behalf of the City of Urbana, Illinois.

PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Laurel Lunt Prussing, Mayor



## Agreement Provisions

1. It is mutually agreed that the PROJECT will be processed, let and constructed in accordance with Motor Fuel Tax standards, policies and procedures.
  2. Construction of the PROJECT will utilize domestic steel as required by Section 106.01 of the current edition of the Standard Specifications for Road and Bridge Construction.
  3. The LA will certify to the STATE that all necessary right-of-way, temporary and permanent easements, and temporary use permits have been obtained or are not required, prior to the LA advertising for bids for the PROJECT.
  4. The PROJECT will be let and awarded by the LA upon approval of the plans and specifications by the STATE.
  5. The LA agrees to retain jurisdiction and to maintain or cause to be maintained the completed PROJECT in a manner satisfactory to the STATE unless otherwise specified by addendum.
  6. Upon approval of the final plans and specifications by the STATE and the LA, the LA agrees to accept bids and award the contract to the lowest responsible bidder after receipt of a satisfactory bid and concurrence in the award has been received from the STATE. If necessary the LA agrees to provide, or cause to be provided, all of the initial funding necessary to complete the project subject to reimbursement by the STATE.
  7. The LA shall maintain, for a minimum of 3 years after the completion of the project, adequate books, records, and supporting documents to verify the amounts, recipients and uses of all disbursements of funds passing in conjunction with this Agreement. All books, records, and supporting documents related to the project shall be available for review and audit by the Auditor General and the Department. The LA agrees to cooperate fully with any audit conducted by the Auditor General and the Department and to provide full access to all relevant materials. Failure to maintain the books, records and supporting documents required by this section shall establish a presumption in favor of the STATE for the recovery of any funds paid by the STATE under the contract of which adequate books, records, and supporting documentation are not available to support their purported disbursement.
  8. To complete this phase of the project within three years from the date this agreement is approved by the STATE if this portion of the project described in the Project Description does not exceed \$1,000,000 (five years if the project costs exceed \$1,000,000).
  9. Upon completion of this phase of the project, the LA will submit to the STATE a complete and detailed final invoice with all applicable supporting documentation of all incurred costs, less previous payments, no later than one year from the date of completion of this phase of the project. If a final invoice is not received within one year of completion of this phase of the project, the most recent invoice may be considered the final invoice and the obligation of funds closed.
  10. Obligations of the STATE shall cease immediately without penalty or further payment being required if, in any fiscal year, the Illinois General Assembly fails to appropriate or otherwise make available funds for the work contemplated herein.
  11. All projects for the construction of fixed works which are financed in whole or in part with funds provided by this Agreement shall be subject to the Prevailing Wage Act (820 ILCS 130/0.01 et seq.) unless the provisions of that Act exempt its application.
  12. This Agreement shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns.
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**EXHIBITS**

Additional information and/or stipulations are hereby attached and identified below as being a part of this Agreement.  
Exhibit A - Location Map

The LA further agrees, as a condition of payment, that it accepts and will comply with the applicable provisions set forth in this Agreement and all exhibits indicated above.

**APPROVED**

Local Agency

Laurel Lunt Prussing

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 is 376000524 conducting business as a Governmental Entity.

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

**APPROVED**

State of Illinois  
Department of Transportation

Ann L. Schneider, Secretary of Transportation

Date

By:

(Delegate's Signature)

(Delegate's Name - Printed)

William R. Frey, Interim Director of Highways/Chief Engineer

Date

Ellen J. Schanzle-Haskins, Chief Counsel

Date

Matthew R. Hughes, Director of Finance and Administration

Date

Local Agency Urbana, City of	Section 09-00481-00-EG
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**ORDINANCE NUMBER 2012-07-072**

**AN ORDINANCE REVISING THE ANNUAL BUDGET ORDINANCE**

**(IL. Route 130 Improvements, State Grant)**

WHEREAS, the Annual Budget Ordinance of and for the City of Urbana, Champaign County, Illinois, for the fiscal year beginning July 1, 2012, and ending June 30, 2013, (the "Annual Budget Ordinance") has been duly adopted according to sections 8-2-9.1 et seq. of the Illinois Municipal Code (the "Municipal Code") and Division 2, entitled "Budget", of Article VI, entitled "Finances and Purchases", of Chapter 2, entitled "Administration", of the Code of Ordinances, City of Urbana, Illinois (the "City Code"); and

WHEREAS, the City Council of the said City of Urbana finds it necessary to revise said Annual Budget Ordinance by deleting, adding to, changing or creating sub-classes within object classes and object classes themselves; and

WHEREAS, funds are available to effectuate the purpose of such revision; and

WHEREAS, such revision is not one that may be made by the Budget Director under the authority so delegated to the Budget Director pursuant to section 8-2-9.6 of the Municipal Code and section 2-133 of the City Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That the Annual Budget be and the same is hereby revised to provide as follows:

FUND: Capital Improvement

ADD REVENUE: State IDOT Grant \$150,000

ADD EXPENSE : Il. Route 130 Engineering \$150,000

Section 2. This Ordinance shall be effective immediately upon passage and approval and shall not be published.

Section 3. This Ordinance is hereby passed by the affirmative vote of two-thirds of the members of the corporate authorities then holding office, the "ayes" and "nays" being called at a regular meeting of said Council.

PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

AYES:  
NAYS:  
ABSTAINED:

\_\_\_\_\_  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Laurel Lunt Prussing, Mayor