

RESOLUTION R-04-14

**A RESOLUTION AUTHORIZING THE EXECUTION OF A SECOND ADDENDUM TO AN
AGREEMENT DATED SEPTEMBER 10, 2002 BETWEEN
THE STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION, THE CITY OF
WHEATON, AND THE COUNTY OF DUPAGE
FOR PHASE I PRELIMINARY ENGINEERING OF THE INTERSECTION OF ROOSEVELT
ROAD (ILLINOIS ROUTE 38) AT COUNTY FARM ROAD**

WHEREAS, the State of Illinois, the City of Wheaton, and the County of DuPage executed an agreement on September 10, 2002 and an addendum on November 6, 2008, for the purpose of jointly initiating Phase I Preliminary Engineering for an improvement of the intersection of Roosevelt Road (Illinois Route 38) at County Farm Road; and

WHEREAS, since the execution of the aforementioned agreement and addendum, it has been determined that additional funds are necessary to complete the Phase I Preliminary Engineering; and

WHEREAS, the State, the City, and the County are still desirous of the Phase I Preliminary Engineering in that same will benefit all parties.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Wheaton, Illinois, that the Mayor is hereby authorized to execute a second addendum to the agreement dated September 10, 2002 between the State of Illinois Department of Transportation, the City of Wheaton, and the County of DuPage for Phase I Preliminary Engineering of the intersection of Roosevelt Road (Illinois Route 38) at County Farm Road.

ADOPTED, this 21st day of January, 2014.



Michael J. Gresk
Mayor

ATTEST:



Shaw Bennett Hagan
City Clerk

	<u>Roll Call Vote</u>
Ayes:	Councilman Prendiville
	Councilman Rutledge
	Councilman Saline
	Mayor Pro Tem Suess
	Councilwoman Pacino Sanguinetti
	Councilman Scalzo
Nays:	None
Absent:	Mayor Gresk

Motion Carried Unanimously

FAP 347 (Illinois Route 38)
at County Farm Road
State Section: 2001-165 I
DuPage County
C-91-506-01
Agreement No.: JN-108-519

SECOND ADDENDUM AGREEMENT

THIS SECOND ADDENDUM AGREEMENT entered into this _____ day of _____, 2014 A.D., by and between the STATE OF ILLINOIS, acting by and through its DEPARTMENT OF TRANSPORTATION, hereinafter called the STATE, the City of Wheaton, hereinafter called the CITY, and the County of DuPage, of the State of Illinois, hereinafter called the COUNTY.

WITNESSETH:

WHEREAS, the STATE, the CITY, and the COUNTY, executed an Agreement on September 10th, 2002 and an Addendum Agreement on November 6th, 2008, for purpose of jointly initiating Phase I Preliminary Engineering for the improvement of the intersection of Illinois Route 38 (FAP 347) at County Farm Road, known as FAP Route 347, State Section: 2001-165 I, City Section: 01-00093-00-ES, County Section: 00-00179-15-ES, State Job No.: C-91-506-01; and

WHEREAS, since the execution of the aforementioned Agreement and Addendum Agreement, it has been determined that additional funds in the amount of \$22,819.25 is required to complete the Phase I Preliminary Engineering; and

WHEREAS, the STATE, the CITY, and the COUNTY are still desirous of the Phase I Preliminary Engineering in that same will be of benefit to all parties;

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

1. That Page 3, Item 4 of the aforementioned Agreement is revised as follows:

It is mutually agreed by and between the parties hereto that the estimated cost of the Phase I Preliminary Engineering is \$362,073.25.

2. That Page 3, Item 5 of the aforementioned Agreement is revised as follows:

The STATE agrees to reimburse the COUNTY for 33.3% of the cost of the Phase I Preliminary Engineering for only the engineering related to the intersection of Illinois Route 38 at County Farm Road. The STATE's financial participation shall be up to a maximum of \$95,106.40.

THIS SECOND ADDENDUM AGREEMENT shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns.

ATTEST:

DUPAGE COUNTY

By _____

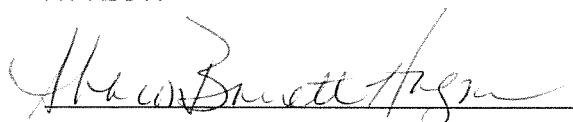
Gary A. King, County Clerk

Daniel J. Cronin, Chairman,
DuPage County Board

(SEAL)

Date: _____

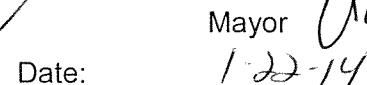
ATTEST:



City Clerk

CITY OF WHEATON

By _____



Michael J. Grace

Mayor

Date: _____

1-22-14

(SEAL)

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

By: _____

Ann L. Schneider

Secretary of Transportation

By: _____

Omer A. Osman

Director of Highways/Chief Engineer

Date: _____

Date: _____

State Job Number: C-91-506-01
Agreement No.: JN-108-519