



**CITY OF URBANA, ILLINOIS
DEPARTMENT OF PUBLIC WORKS**

ADMINISTRATION

MEMORANDUM

TO: Bruce K. Walden, Chief Administrative Officer

FROM: William R. Gray, P. E., Public Works Director

DATE: January 23, 2003

RE: *City of Urbana and Champaign County
Amendment to the Intergovernmental Agreement
Windsor Road Combined Design Report*

INTRODUCTION

The Champaign-Urbana Urbanized Area Transportation Study {CUUATS} has identified the Windsor Road project as eligible for federal funding. This improvement is tentatively planned for Fiscal Year 2006. The limits of the improvement are between Philo Road and High Cross Road.

The first step or phase in satisfying the requirements for federal funding is to perform a Phase I Engineering Study or Combined Design Report. The Combined Design Report will identify environmental issues; identify utilities to be installed or relocated; take into consideration current or proposed development in the area; gather comments and concerns from the City and County developers, area residents, and property owners; identify projected traffic volumes, which in turn would identify the number of lanes required; identify necessary right-of-way to be acquired; perform a drainage study and engineering design; and identify construction costs.

This report is estimated to cost no more than \$210,000. Federal Surface Transportation Program-Urban Funds will pay for 50% or up to \$105,000 for this study. The balance of the \$105,000 would be split equally between the City and the County, for a maximum of \$52,500 for each agency. The County's commitment is based on a previously approved Fringe Road Agreement.

On Friday, January 24, 2003 the Champaign County Highway Committee will be considering the attached intergovernmental agreement. If approved, it will be forwarded with a resolution supporting the County Board Chair to sign the amended intergovernmental agreement. The County Board will consider this agreement at their meeting on Thursday, February 6, 2003.

The next probable federally funded Urbana project would be the Olympian Drive improvements between the Canadian National railroad tracks and Cunningham Avenue {U. S. 45}. Timing for this improvement, depending on the Curtis Road improvements and depending on federal funding, may not be until after 2010.

FISCAL IMPACTS

As previously stated, the Combined Design Report should be no more than \$210,000 in engineering fees. The City's share would be no more than \$52,500. This money is currently budgeted in the Capital Improvement Plan, using Motor Fuel Taxes. In the unlikely event unforeseen fees are incurred, the MFT resolution amount reflects a ten percent (10%) contingency.

RECOMMENDATION

It is recommended that an ordinance be prepared authorizing the Mayor and Clerk to sign the attached intergovernmental agreement and that the attached Motor Fuel Tax resolution be approved authorizing said funds.

Attachments

ORDINANCE NO. 2003-01-008

AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH THE COUNTY OF CHAMPAIGN

(Funding for Combined Design Report for Windsor Road)

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

Section 1. That an amended Intergovernmental Agreement Between the City of Urbana and the County of Champaign Concerning the Funding for a Combined Design Report for Windsor Road, in 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 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 _____, _____.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, _____.

Tod Satterthwaite, Mayor

An Amendment to the Intergovernmental Agreement Between the City of Urbana and the County of Champaign Concerning the Funding for a Combined Design Report for Windsor Road

[Windsor Road from High Cross Road (IL 130) to Philo Road]

* * *

This Agreement is entered into between the City of Urbana, Illinois (“City”) and the County of Champaign, Illinois (“County”), on this _____ day of _____ 2003, in consideration of the following premises and terms:

WHEREAS, Article VII Section 10 of the 1970 Constitution of the State of Illinois authorizes the City and the County to contract to perform and share services in any manner not prohibited by law; and

WHEREAS, 65 ILCS 5/11-91.2-1 and 605 ILCS 5/5-102, 5-105, 5-106, 5-408, 5-410, 5-410.1, 7-101, and 9-101, all provide statutory authority for the City and the County to enter into this cooperative agreement with respect to the construction, jurisdiction, and maintenance of roads and streets; and

WHEREAS, the responsibility to provide for a highway transportation system rests with the City, the County, and the State; and

WHEREAS, the City and the County find it to be in the public’s best interest and best interest of their constituents to perform a combined design report including an environmental impact study of Windsor Road from High Cross Road {IL 130} to Philo Road.

WHEREAS, the parties find it to be most cost effective to mutually conduct such report and to share in the costs as provided in this Agreement.

WHEREAS, the maximum contribution required of the City and the County is fifty-two thousand, five hundred dollars {\$52,500} each.

NOW, THEREFORE, the City and the County, in consideration of the mutual promises and covenants contained herein, agree as follows:

Section 1. Engineer Selection

The City shall select and contract with an engineer to perform a combined design report for Windsor Road from High Cross Road to Philo Road. The City shall not enter into a contract for these studies without prior written approval from the County Engineer with regard to the engineer, scope of work to be performed, and contractual terms of the contract between the County and the selected engineer. The contract shall provide that the engineer shall consult with all parties to an equal extent with regard to the content of the studies and approval of the final report.

Section 2. Commencement of Work

The City and County agree to reasonably cooperate to allow the engineer selected to commence work by March 1, 2003, and complete work within eighteen {18} months of the start of the study.

Section 3. Project Funding

The parties agree that the engineer's fee and expenses shall not exceed two hundred ten thousand dollars {\$210,000}. Federal STP-Urban funds shall pay fifty percent {50%} of the cost of said report. The City and County each agree to split between them equally the remaining fifty percent {50%} of the cost of the report.

Section 4. Future Project Funding

The parties agree in principle to each agree to split between them equally fifty percent {50%} of the local share cost to engineer, relocate utilities, acquire right-of-way, and construct Windsor Road from High Cross Road to Philo Road with the timing and method of handling such costs to be the subject of a more detailed agreement at the appropriate time.

Section 5. Invoices and Payments

The City will be responsible for the Project and shall invoice the County for its share of the Project costs. The County shall pay invoices within thirty {30} days of receipt. The City shall provide reasonable documentation to the County regarding the actual cost of the work as costs are incurred.

Section 6. Further Actions

The City and the County hereby agree to take any official action necessary to accomplish their respective obligations as set forth in this Agreement, including the passage of legally sufficient resolutions or ordinances, the appropriation or budgeting of money, and any and all other undertakings set forth in this Agreement. The Chair of the County Board and the Mayor of the City are hereby authorized by the approval of this Agreement by the respective governing bodies of the County and the City to execute any such documents necessary to carry out the terms of this Agreement.

Section 7. Effective Date of the Agreement

This Agreement shall be effective on the date of the last of the County Board or City Council to approve this Agreement.

Section 8. Termination

The parties agree that, if the Report has not begun by September 30, 2004, this Agreement shall terminate without further action by the parties.

Section 9. Amendment

No amendment to this Agreement shall be effective unless it is in writing and signed by the parties hereto.

Section 10. Notices

Notice with respect to any matter contained herein shall be sent first class and mailed to:

CITY:

***Mayor
City of Urbana
400 South Vine Street
Urbana, Illinois 61801***

***Public Works Director
City of Urbana
706 South Glover Avenue
Urbana, Illinois 61802***

COUNTY:

***County Board Chair
County of Champaign
1776 East Washington Street
Urbana, Illinois 61802***

***County Engineer
County of Champaign
1776 East Washington Street
Urbana, Illinois 61802***

* * *

IN WITNESS WHEREOF, the parties have executed this Agreement.

CITY OF URBANA, ILLINOIS

COUNTY OF CHAMPAIGN

By: _____
Mayor

By: _____
County Board Chair

ATTEST: _____
City Clerk

ATTEST: _____
County Clerk

APPROVED AS TO FORM:

Date of County Board Approval:

City Attorney

Date: _____

Date of City Council Approval:

Date: _____

* * *

Illinois Department of Transportation

Resolution for Improvement by Municipality Under the Illinois Highway Code (Windsor Road from Philo Road to High Cross Road)

BE IT RESOLVED, by the City Council of the City of Urbana Illinois Council or President and Board of Trustees
City, Town or Village

that the following described street(s) be improved under the Illinois Highway Code:

Name of Thoroughfare	Route	From	To
Windsor Road		Philo Road	High Cross Road

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of an engineering study for a combined design report.

_____ and shall be constructed _____ wide and be designated as Section 00-00361-00-ES

2. That there is hereby appropriated the (additional Yes No) SUM of Fifty Seven Thousand, Seven Hundred Fifty Dollars (\$57,750.00) for the improvement of said section from the municipality's allotment of Motor Fuel Tax funds.

3. That work shall be done by Contract; and, Specify Contract or Day Labor

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

APPROVED

Date

Department of Transportation

District Engineer

I, Phyllis D. Clark, City Clerk in and for the City of Urbana City, Town or Village County of Champaign - , hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the City Council Council or President and Board of Trustees at a meeting on _____ Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this _____ day of _____

(SEAL)

Clerk City, Town or Village