



TO: Mayor Diane Marlin and City Council Members

FROM: Carol Mitten, City Administrator *agm*

DATE: November 14, 2019

SUBJECT: Olympian Drive (Apollo Drive to Lincoln Avenue) – Local Public Agency Amendment #3 for Federal Participation Resolution (Resolution No. 2019-11-047R)

Background

In 2009, the cities of Champaign and Urbana and Champaign County were awarded a \$5,000,000 grant from the Illinois Department of Transportation (IDOT) as part of the Illinois Jobs Now! (IJN!) Program, with the grant being memorialized in an agreement with IDOT. The funds were to be used for the design engineering and land acquisition for right-of-way for the proposed roadway.

To facilitate the project, Champaign, Urbana, and Champaign County entered into an Intergovernmental Agreement (Resolution No. 2010-03-007R), that, among other things, named Urbana as the lead agency and broke the overall project into three components:

Project A (99-00259-01-PV)	All work required to complete Olympian Drive from Apollo Drive to Lincoln Avenue
Project B (95-00298-00-EG)	All work required to complete Olympian Drive from Lincoln Avenue to Cunningham Avenue
Project C (99-00259-01-PV)	All work required to complete Olympian Drive from 1,400 feet west of Champion Avenue to Duncan Road

Although the projects were governed by a single IGA, for IDOT purposes, they were three distinct projects.

Issue

The IJN! Program did not require a local match. The grant funds, as provided in the IDOT agreement, were to be provided from IDOT as reimbursements to the locality once evidence of payment for qualifying activities was provided.

In the case of the Olympian Drive projects, qualifying expenditures under the IJN! grant were commingled among the three projects outlined above. In order to get full reimbursement under the program, the allocations among the projects needed to be corrected, which has been done.

Proposed Resolution

The proposed resolution for Council consideration (Resolution No. 2019-11-047R) would allow IDOT to close out the grant and allow Urbana to receive up to an additional \$200,000 in reimbursement of qualifying expenditures under the IJN! program. With the assistance of IDOT and Urbana engineering staff, we have identified \$192,229.41 of reimbursable expenditures after the commingled expenditures were properly separated.

Recommendation

I recommend that the City Council approve the proposed resolution.

RESOLUTION NO. 2019-11-047R

A RESOLUTION AMENDING AN ILLINOIS JOBS NOW! GRANT AGREEMENT

WHEREAS, the City of Urbana ("City") is an Illinois home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and the statutes of the State of Illinois; and

WHEREAS, the City recognizes that it is appropriate and beneficial for the City and its departments to apply for and receive grants from private, state, and federal agencies that advance and promote the public health, safety, and welfare of the City of Urbana; and

WHEREAS, the City, along with the City of Champaign and Champaign County applied for and received a grant in the amount of \$5,000,000 from the Illinois Jobs Now! program in 2009 in connection with undertaking engineering work and acquiring property as part of the Olympian Drive extension project; and

WHEREAS, the City and the Illinois Department of Transportation entered into an agreement whereby the City would receive part of the \$5,000,000 grant; and

WHEREAS, the Illinois Department of Transportation, as part of closing out the grant for the Olympian Drive extension project from Apollo Drive to Lincoln Avenue (IDOT Project # M-5181(050), Section 99-00259-01-PV) has advised that the City should enter into an amendment to the aforesaid grant contract and submit final reimbursement requests in order to receive final payment of amounts remaining on the grant; and

WHEREAS, the City Council deems it appropriate to accept the additional grant funds up to \$200,000 per the attached Local Public Agency Amendment #3 for Federal Participation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Urbana, Champaign County, Illinois, as follows:

Section 1. The Mayor of the City of Urbana, Illinois, shall be and hereby is authorized to enter into Local Public Agency Amendment # 3 for Federal Participation in substantially the form appended hereto and made a part hereof as an exhibit.

Section 2. The Mayor of the City of Urbana, Illinois, shall be and hereby is authorized to execute and deliver and the City Clerk of the City of Urbana, Illinois who shall be and hereby is authorized to attest to said execution of Local Public Agency Amendment # 3 for Federal Participation in substantially the form appended hereto and made a part hereof.

PASSED BY THE CITY COUNCIL this ____ day of _____, _____.

AYES:

NAYS:


ABSENT:

ABSTAINED:

Charles A. Smyth, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, _____.

Diane Wolfe Marlin, Mayor

 Illinois Department of Transportation Local Public Agency Amendment # 3 for Federal Participation	Local Public Agency Urbana, City of	State Contract <input checked="" type="checkbox"/>	Day Labor <input type="checkbox"/>	Local Contract <input type="checkbox"/>	RR Force Account <input type="checkbox"/>
	Section: 99-00259-01-PV	Fund Type: STU	ITEP / SRTS / HSIP Number(s)		
Construction		Engineering		Right-of-Way	
Job Number	Project Number	Job Number	Project Number	Job Number	Project Number
C-95-322-12	M-5181(050)				

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 Olympian Drive Route FAP 813 Length 1.14mi
 Termini Apollo Drive to Lincoln Avenue

Current Jurisdiction City of Urbana/Champaign TIP Number UR-14-09 Existing Structure No N/A

Amended Division of Cost (Addendum #1)

Type of Work	%	%	LPA	%	Total
Participating Construction	()	()		()	
Non-Participating Construction	()	()		()	
Preliminary Engineering	()	()		()	
Construction Engineering	()	()		()	
Right of Way	()	()		()	
Railroads	()	()		()	
Utilities	()	()		()	
Materials					
TOTAL	\$ _____	\$ _____	\$ _____		\$ _____
	See Addendum #1				

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.

Addendum #1

(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

Diane W. Marlin

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
376000254 conducting business as a Governmental
Entity.

DUNS Number 868287798

APPROVED

State of Illinois
Department of Transportation

Randall S. Blankenhorn, Secretary of Transportation

Date

By:

Erin Aleman, Director of Planning & Programming

Date

Erin Aleman, Director of Planning & Programming

Date

Philip C. Kaufmann, 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.

Olympian Drive
 99-00259-01-PV
 City of Urbana
 (Champaign County)
 C-95-322-12

Addendum #1

Division of Costs

Type of Work	GCPF		IJN!		STU		LPA		Total
Participating Construction	\$6,057,740	(1)	\$2,240,670	(2)	\$1,613,275	(3)		BAL	\$9,911,685.00
Construction Engineering (GCPF Eligible)	\$367,190	(1)	\$244,794	(2)				BAL	\$611,984.00
Construction Engineering			\$327,320	(2)				BAL	\$327,320.00
Railroad Flaggers	\$99,000	(1)			\$66,000	(3)		BAL	\$165,000.00
Utilities (GCPF Eligible)	\$13,540	(1)	\$9,030	(2)				BAL	\$22,570.00
Utilities			\$45,100	(2)				BAL	\$45,100.00
TOTAL	\$6,537,470.00		\$2,866,914.00		\$1,679,275.00				\$11,083,659.00

1. 60% Grade Crossing Protection Funds NTE \$6,537,470 to be used first.
2. 100% IJN! funds NTE \$2,866,914 to be used as second as match.
3. 80% STU funds not to exceed \$1,679,275.
4. Balance LPA.