

ORDINANCE NO. 95-14

AN ORDINANCE APPROVING AN AGREEMENT WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION FOR ENGINEERING OF THE INTERURBAN BIKE TRAIL

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM, ILLINOIS, AS FOLLOWS:

SECTION 1: That certain Agreement with the Illinois Department of Transportation attached hereto as exhibit A, is hereby approved.

SECTION 2: The President is authorized and directed to sign said Agreement on behalf of the Village. The Clerk is authorized and directed to attest said Agreement on behalf of the Village. The proper officers of the Village are authorized and directed to implement said Agreement on behalf of the Village.

SECTION 3: This Ordinance is effective upon its passage and approval.

Linda L. Koester, President
Village of Chatham

ATTEST:

Penny Moomey
Penny Moomey, Village Clerk

AYES: 4
NAYS: 2
ABSENT: 0
PASSED: 2/28/95
APPROVED: 2/28/95

Local Agency Springfield Park District 2500 South 11th St. Springfield, IL 62705	 Illinois Department of Transportation Local Agency Agreement For Federal Participation	Section 95-P4000-01-BT		
		Fund Type S.T.E.		
		State Contract	Day Labor	Local Contract X

This Agreement is made and entered into between the above local agency (LA) and the State of Illinois, acting by and through its Department of Transportation, hereinafter referred to as "STATE". The STATE and LA jointly propose to improve the designated location as shown below. 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 United States Federal Highway Administration hereinafter referred to as FHWA.

Location

Name Interurban Bike Trail - Route _____ Length 7.0 Miles
 Termini with Sections 8, 17, 20, 29 & 32 of Woodside Township and Sections 6, 7, and 31 in
Ball Township

Current Jurisdiction City of Springfield and Village of Chatham

Project Description

Existing Str. No. _____

Prepare necessary plans, procure permits for the construction of a bike and pedestrian trail as shown in Exhibit A.

Division of Cost

Type of Work	FHWA	%	State	%	* LA	%	Total
Participating Construction	\$	()	\$	()	\$	()	\$
Non-Participating Construction	\$	()	\$	()	\$	()	\$
Preliminary Engineering	\$57,787.15	(80)	\$	()	\$14,446.80	(Bal.)	\$ 72,233.95
Construction Engineering	\$	()	\$	()	\$	()	\$
Right of Way	\$	()	\$	()	\$	()	\$
Railroads	\$	()	\$	()	\$	()	\$
Utilities	\$	()	\$	()	\$	()	\$
Sub Total	\$57,787.15		\$		\$14,446.80		\$
Other Funding Not Included Above			\$				\$
Source of Other Funding:							
Total Project Cost							\$ 72,233.95

NOTE: The above costs and percentages are approximate and subject to change. The percentage(s) recorded and maintained by the STATE, 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 percentages. The Federal share of construction engineering may not exceed 15% of the Federal share of the final construction cost.

* The estimated breakdown for the Park District share and the Village share shall be 75% Springfield Park District and 25% Village of Chatham (based on mileage). Therefore:

Local Agency Appropriation Park Dist. = \$10,835.1
 Chatham = \$3,611.70

The LA on Jan. 19, 1995, appropriated, by separate resolution, ordinance or road improvement statement, \$ _____ to pay the LA's share of the cost and will appropriate additional funds, if required to cover the LA's total cost. LA's share of the cost to be paid with MFT Funds. Other Funds.

Method of Financing (State Contract Work)

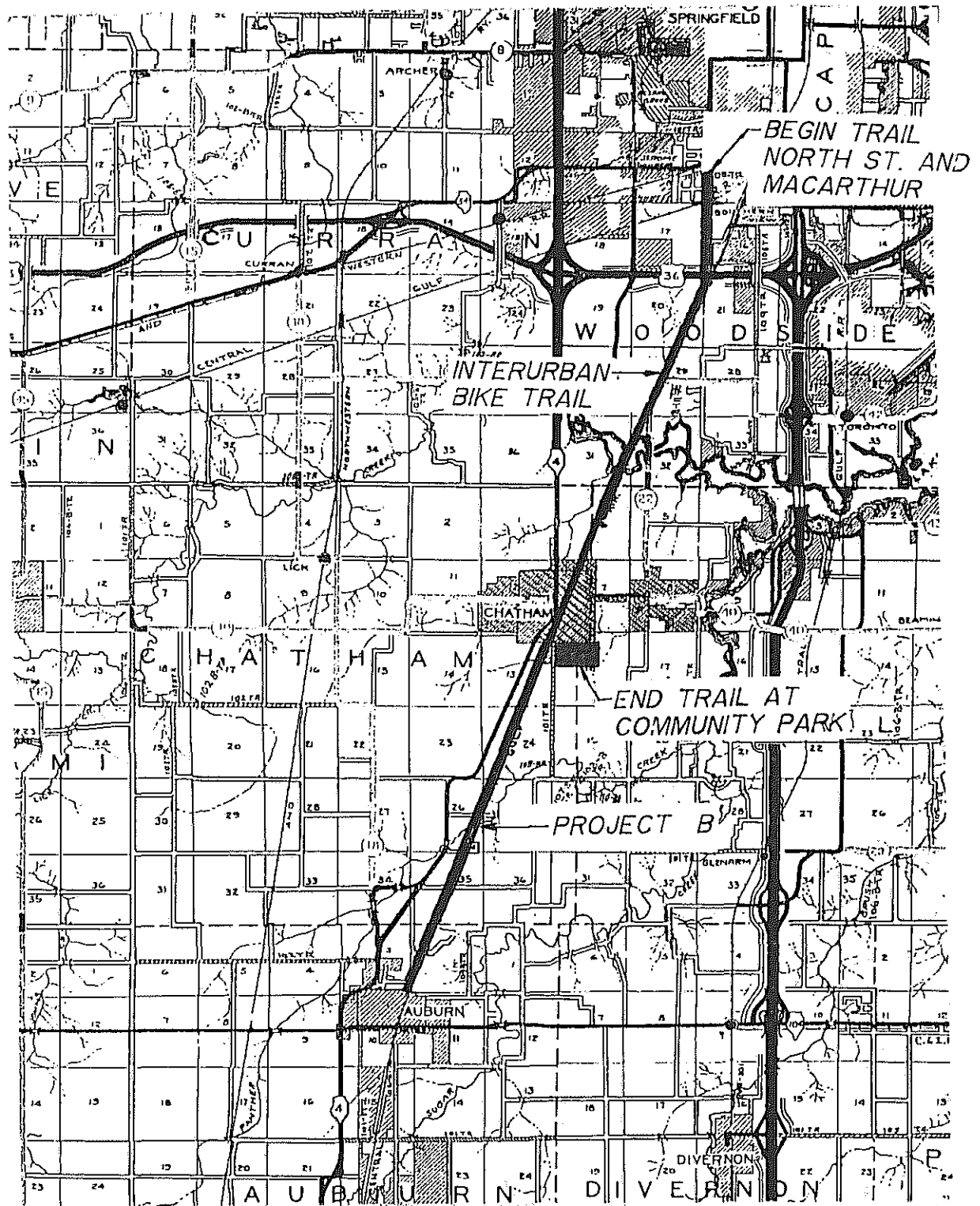
METHOD A ---Lump Sum (95% of LA Obligation) \$ _____
 METHOD B --- _____ Monthly Payments of \$ _____
 METHOD C --- LA's Share \$ _____ divided by estimated total cost multiplied by actual progress payment.
 (See page two for details of the above methods and the financing of Day Labor and Local Contracts)

Construction		Engineering		Right-of-Way	
Job Number	Project Number	Job Number	Project Number	Job Number	Project Number
C96-219-95	STPTE-000D6-(40)	D-96-206-95	STPTE-000D6-(39)		

- (14) And certifies to the best of its knowledge and belief its officials:
- (a) are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) have not within a three-year period preceding this Agreement been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State or local) transaction or contract under a public transaction: violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property;
 - (c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, local) with commission of any of the offenses enumerated in item (b) of this certification; and
 - (d) have not within a three-year period preceding the Agreement had one or more public transactions (Federal, State, local) terminated for cause or default.
- (15) To include the certifications, listed in item 14 above and all other certifications required by State statutes, in every contract, including procurement of materials and leases of equipment.
- (16) That execution of this agreement constitutes the LOCAL AGENCY'S concurrence in the award of the construction contract to the responsible low bidder as determined by the STATE.
- (17) That for agreements exceeding \$100,000 in federal funds, execution of this Agreement constitutes the LOCAL AGENCY'S certification that:
- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or any employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.
 - (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress, in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
 - (c) The LOCAL AGENCY shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
- (18) To regulate parking and traffic in accordance with the approved project report.

THE STATE AGREES:

- (1) To provide such guidance, assistance and supervision and to monitor and perform audits to the extent necessary to assure validity of the LA's certification of compliance with Titles II and III requirements.
- (2) (STATE Contracts Only) To receive bids for the construction of the proposed improvement when the plans have been approved by the STATE (and FHWA, if required) and to award a contract for construction of the proposed improvement, after receipt of a satisfactory bid.
- (3) (Day Labor Only) To authorize the LA to proceed with the construction of the improvement when Agreed-Unit Prices are approved and to reimburse the LA for that portion of the cost payable from Federal and/or State funds based on the Agreed Unit Prices and Engineer's Payment Estimates in accordance with the Division of Cost on page one.
- (4) (Local Contracts) That for agreements with Federal and/or State funds in engineering, right-of-way and/or utility work:
 - (a) To reimburse the LOCAL AGENCY for the Federal and/or State share of engineering, right-of-way and/or utility work on the basis of periodic billings, provided said billings contain sufficient cost information and, if said services are performed by a consultant, and show evidence of payment by the LOCAL AGENCY.
 - (b) To provide independent assurance sampling, to furnish off-site material inspection and testing at sources normally visited by STATE inspectors of steel, cement, aggregates, structural steel and other materials customarily tested by the STATE.



SPRINGFIELD PARK DISTRICT ——— 5.3 MILES

VILLAGE OF CHATHAM ——— 1.7 MILES

PROJECT B ——— FUTURE

EXHIBIT A