

**AN ORDINANCE APPROVING THE ENGAGEMENT
OF LAND ACQUISITION SERVICES FOR GORDON DRIVE PROJECT**

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

SECTION 1: The engagement of Bernardin Lochmueller & Associates, Inc as consulting engineers for Land Acquisition Services for the acquisition of the right-of-way for a project involving the reconstruction of two box culverts on Gordon Drive. The purpose of the land acquisition services will be to provide the negotiations services for the acquisition of parcels of right of way and temporary construction easements, and obtain the certification of the Land Acquisition process from the Illinois Department of Transportation is hereby approved.

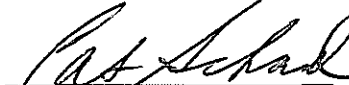
SECTION 2: The Director of Administration is authorized and directed to engage the services of Bernardin Lochmueller & Associates, Inc, pursuant to a formal engagement agreement, and the proper officers of the Village are authorized and directed to carry out the engagement agreement according to its terms.

SECTION 3: This Ordinance is effective immediately.

PASSED this 9th day of June, 2009.


Thomas S. Gray, Village President

ATTEST:


Pat Schad, Village Clerk



AYES:

6 HERR, MAH, BOYLE, REYNOLDS
KAUHANACH, SCHATTEMAN

NAYS:

0

PASSED:

0

APPROVED: 6-9-09

ABSENT: 6-9-09

ORDINANCE CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF SANGAMON)

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Chatham, Sangamon County, Illinois.

I do further certify that the ordinance attached hereto is a full, true, and exact copy of Ordinance No. 09-23, adopted by the President and Board of Trustees of said Village on the 9th day of June, 2009, said Ordinance being entitled:

**AN ORDINANCE APPROVING THE ENGAGEMENT
OF LAND ACQUISITION SERVICES FOR GORDON DRIVE PROJECT**

I do further certify that prior to the making of this certificate, the said Ordinance was spread at length upon the permanent records of said Village, where it now appears and remains.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Village this 9th day of June, 2009.



Pat Schad, Village Clerk

BERNARDIN • LOCHMUELLER & ASSOCIATES, INC.

3 Oak Drive • Maryville, Illinois 62062 • www.blainc.com
Phone 618.288.4665 • Toll Free 800.921.3897 • Fax 618.288.4666

One Source for a World of Solutions

April 20, 2009

Mr. Mike Williamsen
58 Green Trail Drive
Chatham, IL 62629

RE: Land Acquisition Services
Chatham, Illinois

Dear Mr. Williamsen:

Bernardin, Lochmueller & Associates, Inc. (BLA) is pleased to provide this proposal for Land Acquisition Services for the acquisition of the right-of-way for a project involving the reconstruction of two box culverts in Chatham, Illinois. The purpose of our land acquisition services will be to provide the negotiations services for the acquisition of parcels of right of way and temporary construction easements, and obtain the certification of the Land Acquisition process from the Illinois Department of Transportation (IDOT).

PROJECT DESCRIPTION

The Village of Chatham (Village) proposes to reconstruct two box culverts that will require the acquisition of right-of-way and temporary easements from four parcels. The parcel counts referred to in the Scope of Services are estimated, and upon receipt of the final plat of highways the actual parcel count and total fees shall be determined.

SCOPE OF SERVICES

Waivers of Appraisal, Non-Complex Appraisals, and Review Appraisals

The Village will secure the services of an IDOT-approved appraiser and review appraiser and provide the approved appraisals to BLA for the commencement of negotiations.

Title Commitments

IDOT requires that the ownership of property be determined by a title company for all parcels that are being acquired in fee simple title. The Village will secure the services of a title company that will provide title commitments for the four parcels that will be acquired for this project. The title commitments will be provided to BLA prior to the beginning of Negotiations.

Negotiations for Right-of-way and Temporary Easements

BLA will furnish negotiation services for the acquisition of four parcels that consist of fee simple title and/or temporary construction easements. The fee for these services will be at the per parcel rate for Negotiations as shown in the Fee and Schedule section. BLA will prepare all deeds and temporary easements necessary to obtain the required property interest, and will deliver the signed conveyance documents to the Sangamon County Recorder's Office for recording of deeds. BLA will be reimbursed by the Village for the recording fees charged by Sangamon County at direct cost.

BLA will make every reasonable effort to acquire the right of way and easements from the owners for the approved appraisal amounts. In the event that BLA, after making every reasonable effort (a minimum of two personal contacts and a maximum of five personal contacts) to negotiate with a property owner, is unable to obtain a settlement with the owner on the approved amount, BLA shall prepare a written summary of the progress of negotiations for the Village. The Village will then provide instruction to BLA as to the next step to be taken to complete the acquisition. Once the Village determines whether the needed right-of-way is to be acquired through further negotiations or the project is to be suspended, BLA will complete the negotiations under that directive, submit the parcel file to the Village and will be compensated for negotiation services at the per parcel rate for Negotiations.

Certification of Land Acquisition Process by the Illinois Department of Transportation

The Village will provide BLA with the names of the appraiser and review appraiser who will be providing the appraisal services on this project prior to the appraisers beginning their work. BLA will submit a letter to IDOT District 6 on behalf of the Village, requesting the approval of the appraiser, review appraiser and BLA's negotiator on this project. Upon receipt of approval from IDOT, the Village may then give the appraiser and review appraiser their Notice to Proceed.

BLA will meet with IDOT representatives as needed to assure that proper procedures are being followed. Upon completion of acquisition activities, BLA will prepare Parcel Compliance Checklists for each parcel and the Project Compliance Checklist, and will obtain certification of the Land Acquisition process from IDOT. The fee for these services will be included in the lump sum fee for Certification of Land Acquisition Process as shown in the Fee and Schedule section.

FEE AND SCHEDULE

BLA will furnish Negotiations on four parcels for \$1,400.00 per parcel. Certification of the Land Acquisition Process will be invoiced on lump sum fee basis in the amount of \$2,500.00. We recommend establishing a budget of \$8,100.00 based on the rates for Negotiations and Certification of Land Acquisition Process for the acquisition of right of way and easements as shown below in Table 1.

If during the course of this project, BLA has reason to believe the actual fee for services could exceed the estimated cost, BLA will contact the Village for authorization to continue.

Table 1 - Estimated Fees

Task	Fees Per Parcel	Fee (Estimated)
Negotiations	\$1,400.00	\$5,600.00
Recording of Documents		At direct cost
Certification of Land Acquisition Process	Lump sum	\$2,500.00

We will begin work on preliminary acquisition activities within three days of receiving the signed *Acceptance of Proposal for Professional Services*. These preliminary activities include project set-up, contact with IDOT to initiate the project, and discussions with the Village to ascertain their formatting of conveyance documents. Upon receipt of the plat of highways, the title commitment and approved appraisals, negotiations with property owners for the acquisition of right of way will then begin and all owners will be contacted and offers presented within thirty days of receipt of those items.

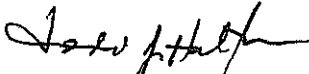
ACCEPTANCE

If the work order outlined herein is acceptable, please provide formal authorization to proceed by signing on the acceptance line below and returning a copy for our records (a self-addressed, postage-paid envelope is enclosed for your convenience). This sheet provides important information regarding report distribution and invoicing. Formal authorization is necessary prior to initiation of the activities outlined herein. BLA services will be performed for the signatory of the enclosed form, and their lender (if applicable). Written consent must be provided by BLA should anyone other than the client (signatory) wish to excerpt, or rely on, the results of our activities.

If you have any questions or wish to revise the scope of this proposal, please call.

Respectfully,

Bernardin, Lochmueller & Associates, Inc.



Todd J. Halfman, P.E.
Senior Engineer

TJH

PLEASE SIGN BELOW TO INDICATE ACCEPTANCE OF THIS PROPOSAL.

Name

Title

Billing Address:

