

FAP Route 22 (IL 78) and FAP Route 64 (IL 29)  
State Section: (135)TS-2;(58CS)TS  
Location: Traffic Signal Mast Arm  
replacements in Peoria and Canton  
Peoria and Fulton Counties  
Job No. C-94-038-23  
Agreement No. JN-423-012  
Contract No. 68H55  
Catalog No. 036381-00D

AGREEMENT

This Agreement, entered into this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2023, by and between the STATE OF ILLINOIS, acting by and through its DEPARTMENT OF TRANSPORTATION, hereinafter called the STATE, and the CITY OF PEORIA, of the State of Illinois, hereinafter called the CITY.

WITNESSETH:

WHEREAS, the CITY, in order to facilitate the free flow of traffic and ensure safety to the motoring public, is desirous of modernizing existing signal installations by installing new traffic signal mast arms, posts, signal heads, concrete foundations, underground conduit, electrical cabling, luminaires, pedestrian pushbutton posts with Accessible Pedestrian Signals (APS), and by performing all other work necessary to complete the improvements in accordance with the approved plans and specifications; and

WHEREAS, the CITY is desirous of said improvement in that same will be of immediate benefit to the motoring and pedestrian public and permanent in nature:

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

1. The STATE agrees to make the surveys, prepare plans and specifications, receive bids and award the contract, furnish engineering inspection during construction, and cause the improvement to be built in accordance with plans, specifications, and contract.
2. The STATE agrees to pay all construction and engineering costs subject to reimbursement by the CITY as hereinafter stipulated.
3. It is mutually agreed by and between the parties hereto that the estimated cost proration for this improvement is as follows:

TYPE OF WORK		FEDERAL COST (%)		STATE COST (%)		CITY COST (%)		TOTAL COST
<b><u>Mast Arm Replacement:</u></b>								
IL 29 (Adams St) & Spring St		\$110,080	80%	\$13,760	10%	\$13,760	10%	\$137,600
Prelim. Eng.	5%	\$0	0%	\$6,192	90%	\$688	10%	\$6,880
Const. Eng.	10%	\$11,008	80%	\$1,376	10%	\$1,376	10%	\$13,760
<b><u>Lighting:</u></b>								
IL 29 (Adams St) & Spring St		\$0	0%	\$0	0%	\$2,600	100%	\$2,600
Prelim. Eng.	5%	\$0	0%	\$0	0%	\$130	100%	\$130
Const. Eng.	10%	\$0	0%	\$0	0%	\$260	100%	\$260
<b><u>Remaining Construction:</u></b>								
		\$242,320	80%	\$60,580	20%			\$302,900
Prelim. Eng.	5%	\$12,116	80%	\$3,029	20%			\$15,145
Const. Eng.	10%	\$24,232	80%	\$6,058	20%			\$30,290
<b>TOTALS</b>		<b>\$399,756</b>		<b>\$90,995</b>		<b>\$18,814</b>		<b>\$509,565</b>

Participation and reimbursement shall be predicated by the percentages shown above for the specified work. Costs shall be determined by multiplying the final quantities times contract unit prices plus 15% for construction and preliminary engineering. Participation toward the traffic signals items shown above shall not exceed 125% of their estimated construction and engineering cost.

4. The CITY has passed a resolution appropriating within its 2023 budget sufficient funds to pay its share of the cost of this improvement, a copy of which is attached hereto as "Exhibit A" and made a part of hereof. The CITY further agrees that upon award of the contract for this improvement, the CITY will pay to the DEPARTMENT OF TRANSPORTATION of the STATE OF ILLINOIS in a lump sum from any funds allotted to the CITY, an amount equal to 80% of its obligation incurred under this Agreement, and will pay to the said DEPARTMENT the remainder of the obligation (including any non-participating costs of FA Projects) in a lump sum, upon completion of the project based upon final costs.
5. The CITY agrees to provide prior to the STATE's advertising for the work to be performed hereunder approval of the plan's specifications, by resolution or letter.
6. The CITY shall exercise its franchise right to cause private utilities to be relocated, if required, at no expense to the STATE
7. The CITY agrees to cause its utilities installed on right-of-way after said right-of-way was acquired by the STATE or installed within the limits of a roadway after the said roadway's jurisdiction was assumed by the STATE, to be relocated and/or adjusted, if required, at no expense to the STATE.
8. Upon final inspection of the improvement, the STATE and CITY will continue their respective maintenance responsibilities for traffic signal mast arms, posts, signal heads, concrete foundations, underground conduit, luminaires, and pedestrian pushbutton posts with Accessible Pedestrian Signals (APS) installed herein in accordance with the existing Master Agreement executed on July 1, 2021 or in accordance with any such Master Agreement that may be executed in the future.

9. The parties hereby mutually agree that the obligations of the parties will cease immediately without penalty being required if, in any fiscal year, the Illinois General Assembly or Federal funding source fails to appropriate or otherwise make available funds for this contract.
10. The Agreement and the covenants contained herein shall be null and void in the event the contract covering the construction work contemplated herein is not awarded within three years subsequent to execution of the Agreement.
11. The CITY certifies that its correct Federal Taxpayer Identification Number is 37-6001761 and the CITY is doing business as a municipality whose mailing address is 419 Fulton Street, Peoria, Illinois 61602.

This Agreement shall be binding upon and to the benefit of the parties hereto, their successors and assigns.

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STATE OF ILLINOIS  
DEPARTMENT OF TRANSPORTATION

CITY OF PEORIA

By: \_\_\_\_\_  
Kensil A. Garnett, P.E.  
Region Three Engineer

By: \_\_\_\_\_  
Patrick Urich, City Manager

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
Stefanie Tarr, City Clerk

REVIEWED AND APPROVED

(SEAL)

By: \_\_\_\_\_  
Patrick Hayes  
Corporation Counsel

By: \_\_\_\_\_  
Rick Powers, Public Works Director

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**ATTACHMENT 1**

**TIN CERTIFICATION**

The CITY certifies that:

1. The number shown on this form is the CITY's correct taxpayer identification number (or the CITY) is waiting for a number to be issued to them), and
2. The CITY is not subject to backup withholding because: (a) the CITY is exempt from backup withholding, or (b) the CITY has not been notified by the Internal Revenue Service (IRS) that the CITY is subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that the CITY no longer subject to back-up withholding, and
3. The CITY's person with signatory authority for this AGREEMENT is a U. S. person (including a U.S. resident alien).

**Taxpayer Identification Number:** 37-6001761

Legal Status

- |   |   |
|---|---|
| <input type="checkbox"/> Individual   | <input checked="" type="checkbox"/> Government  |
| <input type="checkbox"/> Sole Proprietor  | <input type="checkbox"/> Nonresident Alien  |
| <input type="checkbox"/> Partnership/Legal Corporation  | <input type="checkbox"/> Estate or Trust  |
| <input type="checkbox"/> Tax-exempt   | <input type="checkbox"/> Pharmacy (Non Corp.)   |
| <input type="checkbox"/> Corporation providing or billing medical and/or health care services     | <input type="checkbox"/> Pharmacy/Funeral home /Cemetery                                  |
| <input type="checkbox"/> Corporation NOT providing or billing medical and/or health care services | <input type="checkbox"/> Limited Liability Company (select applicable tax classification) |
| <input type="checkbox"/> Other _____  | <input type="checkbox"/> D= Disregarded entity  |
|   | <input type="checkbox"/> C= Corporation   |
|   | <input type="checkbox"/> P= Partnership   |