

Various Routes
State Section: D4 Mast Arm Replacement 2021
Peoria County
Location: Traffic Signal Mast Arm
Replacement at various locations
Job No. C-94-076-21
Contract No. 68G54
Catalog No.: 036220-00D
Agreement No.: JN-421-020

AGREEMENT

This Agreement, entered into this _____ day of _____ A.D., 2021, 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 STATE, 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, poles, signal heads, concrete foundations, underground conduit, light poles, luminaires, 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 | FHWA COST (%) | STATE COST (%) | CITY COST (%) | TOTAL COST |
|--|------------------|------------------|-----------------|------------------|
| Modernize TS at IL 8/116(MacArthur) & S.W. Jefferson, IL 29 (Jefferson) & Spring St.. | 120,800 (80) | 15,100 (10) | 15,100 (10) | 151,000 |
| Prelim. Eng. (5%) | 0 | 6,795 (90) | 755 (10) | 7,550 |
| Const. Eng. (10%) | 12,080 (80) | 1,510 (10) | 1,510 (10) | 15,100 |
| Modernize TS at IL 8 (N. Farmington Rd.) & W. Main St., S.W. Adams St. & S. Griswold St. | 147,200 (80) | 24,472 (13.3) | 12,328 (6.7) | 184,000 |
| Prelim. Eng. (5%) | 0 | 8,584 (93.3) | 616 (6.7) | 9,200 |
| Const. Eng. (10%) | 14,720 (80) | 2,447 (13.3) | 1,233 (6.7) | 18,400 |
| Modernize TS at IL 8/IL 116 (MacArthur) & S.W. Adams St. | 70,080 (80) | 13,140 (15) | 4,380 (5) | 87,600 |
| Prelim. Eng. (5%) | 0 | 4,161 (95) | 219 (5) | 4,380 |
| Const. Eng. (10%) | 7,008 (80) | 1,314 (15) | 438 (5) | 8,760 |
| Remaining Const. | 69,920 (80) | 17,480 (20) | 0 | 87,400 |
| Prelim. Eng. (5%) | 0 | 4,370 (100) | 0 | 4,370 |
| Const. Eng. (10%) | 6,992 (80) | 1,748 (20) | 0 | 8,740 |
| TOTALS | \$448,800 | \$101,121 | \$36,579 | \$586,500 |

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 2021 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 on 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 the traffic signal mast arms, poles, signal heads, concrete foundations, underground conduit, light poles, and luminaires installed herein in accordance with the existing Master Agreement executed on July 1, 2011 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. This 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.

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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.

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

(SEAL)

By: _____
Chrissie Peterson
Interim Corporation Counsel

Date: _____
Rick Powers, Public Works Director

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I approve the portions of the final plans for the above-captioned project that pertain to the maintenance obligations of the city of Peoria.

Patrick Urich, City Manager

Date



Route: Various

Agreement No.: JN-421-020

Section: D4 Mast Arm Replacement 2021

Catalog No.: 036220-00D

Counties: Peoria

Resolution No.: _____

**EXHIBIT "A"
FUNDING RESOLUTION**

WHEREAS, the CITY OF PEORIA (CITY) has entered into an AGREEMENT with the State of Illinois for the modernization of the existing signals at the intersections of IL 8/IL 116 (MacArthur) & S.W. Jefferson St., IL 29 (Jefferson) & Spring St., IL 8 (N. Farmington Rd.) & W. Main St., S.W. Adams St. & S. Griswold St., IL 8/IL 116 (MacArthur & S.W. Adams St.; and

WHEREAS, in compliance with the aforementioned AGREEMENT, it is necessary for the CITY to appropriate sufficient funds to pay its share of the cost of said improvement.

NOW, THEREFORE, BE IT RESOLVED, that there is hereby appropriated the sum of thirty-six thousand five hundred seventy-nine Dollars (\$36,579), or so much thereof as may be necessary, from any money now or hereafter allotted to the CITY to pay its share of the cost of this improvement as provided in the AGREEMENT; and

BE IT FURTHER RESOLVED, 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 in a lump sum, upon completion of the projected based on final costs.

BE IT FURTHER RESOLVED that the CITY agrees to pass a supplemental resolution to provide necessary funds for its share of the cost of this improvement if the amount appropriated herein proves to be insufficient to cover said cost.

STATE OF ILLINOIS)
) ss
COUNTY OF PEORIA)

I, _____, City Clerk in and for the CITY OF PEORIA, State of Illinois, hereby certify the foregoing to be a true, perfect, and complete copy of the resolution adopted by the CITY at its meeting on _____, 2021.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this _____ day of _____, AD., 2021.

Stefanie Tarr, City Clerk

(SEAL)

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 |

LOCATION MAP

VARIOUS ROUTES
D4 MAST ARM REPLACEMENT 2021
PEORIA COUNTY
PROJECT NO. STP-J1LG(133)
C-94-078-21

