

RESOLUTION NO. 22-28

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF DUPO, ILLINOIS, TO AUTHORIZE THE VILLAGE MAYOR TO ENTER INTO A NOTICE TO PROCEED UNDER THE ENGINEERING SERVICES AGREEMENT SUPPLEMENT #6 WITH BURNS & McDONNELL ENGINEERING, INC. FOR PRELIMINARY ENGINEERING SUPPLEMENTAL SERVICES FOR I-255 INTERCHANGE NEAR DAVIS STREET FERRY ROAD: FHWA Project #HEPP-0026(003)

WHEREAS, the Village of Dupo, Illinois desires to use Federal-aid funds through the State of Illinois to assist in developing and constructing a new I-255 Interchange near Davis Street Ferry Road, Dupo, St. Clair County, Illinois;

WHEREAS, it is necessary and required by the State of Illinois, through the Illinois Department of Transportation, to conduct certain Preliminary Engineering Supplemental Services for Phase I and Phase II Engineering and Land Acquisition Services of the aforementioned Interchange;

WHEREAS, the Illinois Department of Transportation ("IDOT") desires the Village of Dupo, Illinois to enter into an Amended Preliminary Engineering Services Agreement with Burns & McDonnell Engineering, Inc. for the performance of certain Preliminary Engineering Supplemental Services for Phase I and Phase II Engineering and Land Acquisition Services pertaining to the aforementioned Interchange, which has been accomplished as the Village awaits IDOT's approval of the Engineering Services Agreement Supplement #6;

WHEREAS, the Village of Dupo, Illinois desires to serve a Notice to Proceed with Burns & McDonnell Engineering, Inc. to provide Preliminary Engineering Supplemental Services for Phase I and Phase II Engineering and Land Acquisition Services pertaining to the aforementioned Interchange prior to IDOT's approval of Supplement #6 and without Village of Dupo counsel review of the agreement or the Notice to Proceed;

WHEREAS, it is necessary that the Village of Dupo serve a Notice to Proceed under the Local Public Agency Engineering Services Agreement in order to receive said supplemental services and funds; specifically, Preliminary Engineering Supplemental Agreement #6 of Phase I and Phase II Engineering and Land Acquisition Services for I-255 Interchange near Davis Ferry Road; and

WHEREAS, the Village of Dupo recognizes that IDOT has not yet provided a letter fully approving Supplement #6; and therefore, a risk that IDOT might not approve all of the associated costs with the Supplement.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

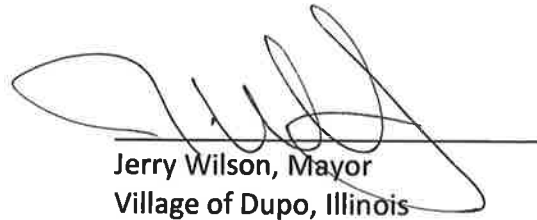
1. That the recitals set forth above in the preamble of this Resolution are hereby incorporated into this Resolution as recommendations of the Village Board of Trustees of the Village of Dupu, Illinois.
2. The Village Board of Trustees hereby approves the Mayor serving the Notice to Proceed with the Preliminary Engineering Supplemental Agreement #6 for Federal Participation in substantially the form attached to this Resolution as **Exhibit A**.
3. The Village Board of Trustees hereby authorizes and directs the Mayor to execute, and serve the Notice to Proceed for the Amended Preliminary Engineering Supplemental Agreement #6.
4. The Village Board of Trustees hereby authorizes the Mayor to take such additional actions as may be required or necessary to accomplish the aforementioned Preliminary Engineering Supplemental Agreement #6 for State or Federal Participation.
5. This Resolution shall be in full force and effect from and after its passage, as provided by law.

PASSED this 19th day of December, 2022 by the Village Mayor and the Village Board of Trustees of the Village of Dupu, St. Clair County, Illinois, and deposited and filed in the office of the Village Clerk in said Village on that date.

<u>Trustees</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Ron Dell	<u>X</u>	_____	_____	_____
Dawn Keys	<u>X</u>	_____	_____	_____
Tammy Taylor	<u>X</u>	_____	_____	_____
Joe Basinski	<u>X</u>	_____	_____	_____
Ken Phillips	<u>X</u>	_____	_____	_____
Kerry Foster	<u>X</u>	_____	_____	_____


[This space intentionally left blank.]

APPROVED AND PASSED by the Mayor of the Village of Dupo, Illinois this 19th day of December, 2022.



Jerry Wilson, Mayor
Village of Dupo, Illinois

ATTEST:



Mark Nadler, Village Clerk

(SEAL)



December 15, 2022

Mayor Jerald Wilson
Village of Dupo
107 North 2nd Street
Dupo, Illinois 62239

Re: Preliminary Engineering Supplemental Agreement #6
Phase II Engineering and Land Acquisition Services
I-255 Interchange near Davis Street Ferry Road
Village of Dupo
BMCD Project #116796

Dear Mayor Wilson:

Burns & McDonnell along with our team of subconsultants are nearing completion of the Phase II design and land acquisition services for the new I-255 Interchange project. In order to address final project requirements, the Village of Dupo and the Illinois Department of Transportation have requested supplemental engineering and land acquisition services beyond the scope of services of the Preliminary Services Agreement for Federal Participation executed March 2017 and approved by the Illinois Department of Transportation by letter dated April 23, 2018. Several of the supplemental services were discussed during meetings and in email correspondence over the last several months. The Village provided authorization to proceed with the tree condition survey in an email on November 10, 2022.

We have prepared the enclosed supplemental agreement for your consideration and use including the IDOT Local Public Agency Engineering Services Agreement and supporting Exhibits. Two draft letters are also enclosed for your use: one draft cover letter to IDOT and one draft letter authorizing Burns & McDonnell to perform the work.

If acceptable, please sign the letters and execute and seal page 6 of each of the five original Agreements. One of the originals is for Village records. Please scan and email a copy of the signed agreement and the letter authorizing Notice to Proceed to me at krestoff@burnsmcd.com. The remaining cover letter addressed to IDOT and four agreement originals are for IDOT review and processing.

# of copies	Enclosure
1	Draft Cover Letter to IDOT
1	Draft Letter to Burns & McDonnell approving and authorizing to proceed
5 originals	Local Public Agency Engineering Services Agreement (BLR 05530) Exhibit A – Scope of Services Exhibit B – Project Schedule Exhibit C – Qualification Based Selection (QBS) Checklist Exhibit D – Cost Estimate of Consultant Services Worksheet (BLR 05514) Exhibit E – KdG, a Division of Shive-Hattery CECS (BLR 05514) Exhibit F – Volkert – Land Acquisition CECS (BLR 05513) Exhibit G – Engineering Payment Report (BLR 05613)

The cost associated with the additional services is \$445,513.00. A breakdown of the estimated staff hours and costs are summarized in EXHIBIT D, COST ESTIMATE OF CONSULTANT SERVICES WORKSHEET (BLR 05514) enclosed. The supplemental agreement will need to be approved by IDOT



Mayor Jerald Wilson
Preliminary Engineering Supplemental Agreement #5
December 15, 2022
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Central Bureau to meet IDOT reimbursement requirements which can take 6 to 12 months based on experience with previous agreements.

The Village has indicated a desire to begin construction as soon as feasibly possible in 2023. Timely approval and authorization to proceed with the supplemental services is crucial to maintain the project schedule as the LPA agreement indicates we must have written authorization prior to performing the supplemental services.

We appreciate the continued opportunity to work with the Village of Dupon and look forward to the successful completion of this project. If you have any questions, please contact me at (618)619-2338.

Sincerely,

A handwritten signature in black ink, appearing to read "Kimberly A. Restoff".

Kimberly A. Restoff, P.E., PTOE
Project Manager

Enclosures

cc: Trustee Joe Basinski – Village of Dupon



Local Public Agency Engineering Services Agreement

Using Federal Funds? Yes No

Agreement For: Agreement Type: Number:

LOCAL PUBLIC AGENCY

Local Public Agency: County: Section Number: Job Number:

Project Number: Contact Name: Phone Number: Email:

SECTION PROVISIONS

Local Street/Road Name: Key Route: Length: Structure Number:

Location Termini:

Project Description:

Engineering Funding: MFT/TBP State Other

Anticipated Construction Funding: Federal MFT/TBP State Other

AGREEMENT FOR

Phase I - Preliminary Engineering Phase II - Design Engineering

CONSULTANT

Prime Consultant (Firm) Name: Contact Name: Phone Number: Email:

Address: City: State: Zip Code:

THIS AGREEMENT IS MADE between the above Local Public Agency (LPA) and Consultant (ENGINEER) and covers certain professional engineering services in connection with the improvement of the above SECTION. Project funding allotted to the LPA by the State of Illinois under the general supervision of the State Department of Transportation, hereinafter called the "DEPARTMENT," will be used entirely or in part to finance ENGINEERING services as described under AGREEMENT PROVISIONS.

Since the services contemplated under the AGREEMENT are professional in nature, it is understood that the ENGINEER, acting as an individual, partnership, firm or legal entity, qualifies for professional status and will be governed by professional ethics in its relationship to the LPA and the DEPARTMENT. The LPA acknowledges the professional and ethical status of the ENGINEER by entering into an AGREEMENT on the basis of its qualifications and experience and determining its compensation by mutually satisfactory negotiations.

WHEREVER IN THIS AGREEMENT or attached exhibits the following terms are used, they shall be interpreted to mean:

- Regional Engineer: Deputy Director, Office of Highways Project Implementation, Regional Engineer, Department of Transportation
- Resident Construction Supervisor: Authorized representative of the LPA in immediate charge of the engineering details of the construction PROJECT
- In Responsible Charge Contractor: A full time LPA employee authorized to administer inherently governmental PROJECT activities Company or Companies to which the construction contract was awarded