

VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL WORKSHOP
MAY 27, 2008 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
IDOT Grants for Ogden Avenue Corridor	✓ Resolution Ordinance Motion Discussion Only	Robin A. Weaver Interim Director of Public Works

SYNOPSIS

A resolution has been prepared approving an extension to the Intergovernmental Agreement with the Illinois Department of Transportation (IDOT) to support a one-year extension of the Illinois Tomorrow Corridor Planning Grant. The current agreement expires on June 30, 2008. This amendment will extend the agreement to June 30, 2009, allowing the Village to utilize the remaining \$113,017 in unexpended grant funds.

FISCAL IMPACT

The grants support 90 percent of the estimated project costs. The Village's share is funded through the Ogden Avenue TIF Fund and the Capital Fund.

RECOMMENDATION

Approval on June 3, 2008, consent agenda.

BACKGROUND

The Village currently has two grants that were awarded by IDOT for the purposes of corridor planning and management. Both grants expire on June 30, 2008, but may be extended at no cost. To date, the Village has used \$66,461 of the grants for the development of a right-of-way plan, which was developed by Burns & McDonnell. The Village seeks this extension in order to utilize the balance of funds to support final design plans for many of the aspects identified in the final right-of-way plan.

The Ogden Avenue Strategy approved by the Village Council calls for the preparation of a comprehensive right-of-way plan. The grants will provide guidelines for the redevelopment of the Downers Grove Ogden Avenue Corridor and will serve as the blueprint to guide major improvements in streetscape, pedestrian safety, infrastructure, and landscaping throughout the corridor.

The Illinois Tomorrow Corridor Planning Grant was approved in December 2003 and was extended in June 2006. The original scope of this grant was not well defined. The Council previously approved an amendment to the grant agreement that extended the expiration date to June 30, 2008, and changed the scope to include the following items:

- Design for overhead utility burial (ComEd must complete this design work)
- Gateway landscaping and signage design
- Street and right-of-way vacations

The second grant is for the development of a corridor management module. The scope includes the development of a right-of-way survey and sidewalk design plan to guide the redevelopment of the Ogden Avenue Corridor. This integrated corridor management module will depict proposed right-of-way improvements, including lighting, streetscape elements, pedestrian access, green space and aesthetic landscaping features. They will be required to provide the Village with the following deliverables: design

criteria report including cost estimates for options chosen, colorized exhibits depicting corridor plan elements, lighting requirements and photometrics and assessment of existing photometrics. The basis for this plan will be the sidewalk plan currently being designed.

ATTACHMENTS

Resolution

Grant Agreement

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING EXECUTION OF A FIRST AMENDMENT FOR THE
STATE PLANNING RESEARCH FUNDED AGREEMENT WITH THE VILLAGE OF
DOWNERS GROVE STATE PROGRAM #07T0079**

BE IT RESOLVED by the Village Council of the Village of Downers Grove, DuPage County,
Illinois as follows:

1. That the form and substance of a certain Amendment (the “Amendment”), between the
between the Village of Downers Grove (the “Governmental Body”) and the Illinois Department of
Transportation (the “Department”) for the extension of the Illinois Tomorrow Corridor Planning Grant for
the Ogden Avenue Corridor as set forth in the form of the Amendment submitted to this meeting with the
recommendation of the Village Manager, is hereby approved.

2. That the Mayor and Village Clerk are hereby respectively authorized and directed for and
on behalf of the Village to execute, attest, seal and deliver the Amendment, substantially in the form
approved in the foregoing paragraph of this Resolution, together with such changes as the Manager shall
deem necessary.

3. That the proper officials, agents and employees of the Village are hereby authorized and
directed to take such further action as they may deem necessary or appropriate to perform all obligations
and commitments of the Village in accordance with the provision of the Amendment.

4. That all resolutions or parts of resolutions in conflict with the provision of this Resolution
are hereby repealed.

5. That this Resolution shall be in full force and effect from and after its passage as provided
by law.

Mayor

Passed:

Attest: _____
Village Clerk



Illinois Department of Transportation

FIRST AMENDMENT FOR THE STATE PLANNING RESEARCH FUNDED AGREEMENT WITH THE VILLAGE OF DOWNERS GROVE STATE OBLIGATION # 07T0079

The undersigned DEPARTMENT and GOVERNMENTAL BODY agree that the following shall amend the AGREEMENT referenced herein. All terms and conditions set forth in the original agreement, not amended herein, shall remain in full force and effect as written. In the event of conflict, the terms of this amendment shall prevail. This amendment is in the best interest of the State and is authorized by law.

1. DESCRIPTION OF AGREEMENT:

The agreement provides for the right-of-way survey and sidewalk design plan to guide the redevelopment of the Ogden Avenue corridor.

2. EFFECTIVE DATE OF AMENDMENT:

Amendment is effective upon execution.

3. DESCRIPTION OF AMENDMENT:

Amendment extends the time needed to complete the Scope of Work to June 30, 2009. Also, Attachment A lists additional terms that are added and/or revised to Part 2 General Provisions and Part 7 Agreement Award Information. The funding provision embodied in the original agreement is not altered by this amendment.

4. ATTACHMENTS AND INCORPORATIONS:

Attachment A.

IN WITNESS WHEREOF, the PARTIES have caused this AGREEMENT AMENDMENT to be executed on the dates shown below by representatives authorized to bind the DEPARTMENT and GOVERNMENTAL BODY.

FOR THE GOVERNMENTAL BODY

Signature of Authorized Representative

Type or Print Name of Authorized Representative

Date

Title of Authorized Representative

Governmental Body Name	Village of Downers Grove
Legal Address	801 Burlington Avenue
City, State, Zip	Downers Grove, IL 60515-4776

FOR THE DEPARTMENT:

Ellen Schanzle-Haskins, Chief Counsel (approved as to form)

Ann L. Schneider, Director, Finance & Administration

Richard J. Smith, Director, Planning & Programming

Milton R. Sees, P.E., Secretary of Transportation

Date

FOR STATE USE ONLY

Contract # 07T0079

Exempt from Code X

Source Selection: IFB (including Multi-step) ___ RFP ___ RFP/P&A ___ Small ___ Sole Source ___ Emergency ___

Attachment A

The following clause revises Part 2 General Provisions, Paragraph F. contained in the original AGREEMENT:

F. Subcontracting/Procurement Procedures/Employment of Department Personnel.

1. Subcontracting. Subcontracting, assignment or transfer of all or part of the interests of the Governmental Body concerning any of the obligations covered by this Agreement is prohibited without prior written consent of the Department.

2. Procurement of Goods or Services – Federal Funds. For purchases of products or services with any Federal funds that cost more than \$3,000.00 but less than the simplified acquisition threshold fixed at 41 U.S.C 403(11), (currently set at \$100,000.00) the Governmental Body shall obtain price or rate quotations from an adequate number (at least three) of qualified sources. Procurement of products or services with any Federal funds that are in excess of the simplified acquisition threshold fixed at 41 U.S.C. 403(11), (currently set at \$100,000.00) will require the Governmental Body to use the Invitation for Bid process or the Request for Proposal process. In the absence of formal codified procedures of the Governmental Body, the procedures of the Department will be used, provided that the procurement procedures conform to the provisions in Part 3(K) below. The Governmental Body may only procure products or services from one source with any Federal funds if: (1) the products or services are available only from a single source; or (2) the Department authorizes such a procedure; or, (3) after solicitation of a number of sources, competition is determined inadequate.

3. Procurement of Goods or Services – State Funds. For purchases of products or services with any State of Illinois funds that cost more than \$10,000.00, (\$5,000.00 for professional and artistic services) but less than the small purchase amount set by the Illinois Procurement Code Rules, (currently set at \$31,300.00 and \$20,000.00 for professional and artistic services) the Governmental Body shall obtain price or rate quotations from an adequate number (at least three) of qualified sources. Procurement of products or services with any State of Illinois funds in excess of the small purchase amount (currently set at \$31,300.00 for goods and services and \$20,000.00 for professional and artistic services) will require the Governmental Body to use the Invitation for Bid process or the Request for Proposal process. In the absence of formal codified procedures of the Governmental Body, the procedures of the Department will be used. The Governmental Body may only procure products or services from one source with any State of Illinois funds if: (1) the products or services are available only from a single source; or (2) the Department authorizes such a procedure; or, (3) after solicitation of a number of sources, competition is determined inadequate.

The Governmental Body shall include a requirement in all contracts with third parties that the contractor or consultant will comply with the requirements of this Agreement in performing such contract, and that the contract is subject to the terms and conditions of this Agreement.

4. Employment of Department Personnel. Governmental Body will not employ any person or persons currently employed by the DEPARTMENT for any work required by the terms of this Agreement.

Part 7 Agreement Award Information is added to the Agreement.

**PART 7
AGREEMENT AWARD NOTIFICATION
REQUIRED FOR ALL PROJECTS**

Does this project receive Federal funds? Yes No

Amount of Federal funds: \$120,000
Federal Project Number: SPR-PL-3000(37)
CFDA Number* 20.205
Federal Agency Federal Highway Administration
Program Title IL Highway Planning Research Program

Description: Illinois Tomorrow Agreement for a right-of-way survey and sidewalk design plan to guide the redevelopment of the Ogden Avenue corridor.

*For CFDA (Catalog of Federal Domestic Assistance) Number, refer to original Federal Award/Grant Agreement.

ANNUAL CERTIFICATION FOR COMPLIANCE WITH FEDERAL OMB-CIRCULAR A-133

NOTE: ANNUAL COMPLIANCE WITH THIS REQUIREMENT IS MANDATORY FOR EVERY YEAR IN WHICH THE DEPARTMENT REIMBURSES COSTS FOR THIS PROJECT TO ANY STATES, LOCAL GOVERNMENTS OR

NONPROFIT ORGANIZATIONS. FAILURE TO COMPLY WITH THE ANNUAL CERTIFICATION TO THE DEPARTMENT WILL RESULT IN THE SUSPENSION OF PAYMENTS TO REIMBURSE PROJECT COSTS.

In accordance with OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*, such non-federal entities that expend \$500,000 or more in federal awards in a year are required to have a single audit performed in accordance with OMB Circular A-133. The Illinois Department of Transportation (IDOT) is required by Federal law to obtain and review the single audit of all entities that had any Federally participating funds pass through it, irrespective of the amount provided by IDOT. It is the responsibility of the agencies expending Federal funds to comply with the requirements of OMB Circular A-133 and determine whether they are required to have a single audit performed.

In order to comply with this requirement, your agency must provide the following information to the Department on an annual basis for every year in which you receive reimbursement from the Department for costs associated with this project:

1. If your agency expended \$500,000 (or the current OMB Circular A-133 qualifying amount) or more in federal awards from all sources, including other agencies, in a year, you are required to have a single audit performed in accordance with OMB Circular A-133 *and submit a copy of the report to the Department within the earlier of 30 days after completion of the single audit or no more than nine months after the end of your fiscal year end. **This is an annual requirement for every year in which you receive payments to reimburse costs for this project.***
2. If your agency did not expend \$500,000 (or the current OMB Circular A-133 qualifying amount) or more in federal awards from all sources, including other agencies, in any fiscal year for which you expend payments from the Department for reimbursement of project costs and were not required to conduct a single audit, you must complete and return the certification statement on the following page. ***This is an annual requirement for every year in which you receive payments to reimburse costs for this project.***
3. If your agency receives multiple awards from the Department, only one annual submittal of this information is required.

Please submit a copy of your OMB Circular A-133 single audit or the Single Audit Not Required Certification to:

**Illinois Department of Transportation
Audit Section, Rm. 124
2300 South Dirksen Parkway
Springfield, IL 62764**

Attn: Julie Brooks

The single audit must be comprised of four parts. You have the option of including the four parts in one report or a combination of reports. The four parts are commonly known as:

1. Comprehensive Annual Financial Report (Financial Statements).
2. Schedule of Expenditures of Federal Awards and Independent Auditor's Report thereon.
3. Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and other matters based on an Audit of Financial Statements performed in accordance with Government Auditing Standards.
4. Independent Auditor's Report on Compliance with Requirements Applicable to each Major Program and on Internal Control over Compliance in accordance with OMB Circular A-133.

Additional information which should be submitted:

1. Corrective Action Plan(s), if applicable.
2. Management Letter, if applicable.
3. Status of Prior Year Findings, if applicable.

For your convenience, you may also submit the information via email to Julie Brooks at Julie.Brooks@illinois.gov or via fax at 217/785-7624. If you have any questions, please contact Julie Brooks or me at 217/782-5148.

NOTE: Do Not Return This Page Signed With The Amendment

Single Audit Not Required

I certify that _____ did not expend \$500,000 or more in federal awards in our fiscal year _____, and was not required to have a single audit conducted.

(Signature)

(Title)

Subrecipient Contact Information

Subrecipient: Village of Downers Grove

Contact Person: _____

Title: _____

Address: _____

Phone No. _____

, IL

Fax No. _____

Fiscal Year End: _____

Email address: _____