

**VILLAGE OF DOWNERS GROVE**  
**Report for the Village**  
**7/2/2019**

<b>SUBJECT:</b>	<b>SUBMITTED BY:</b>
Intergovernmental Agreement with Community School District 99	Nan Newlon Director of Public Works

**SYNOPSIS**

A resolution has been prepared to authorize execution of an Intergovernmental Agreement with Community High School District 99 for transportation planning and engineering services for traffic safety enhancements at Downers Grove North and South High Schools.

**STRATEGIC PLAN ALIGNMENT**

The goals for 2017-2019 includes *Top Quality Infrastructure*.

**FISCAL IMPACT**

N/A

**RECOMMENDATION**

Approval on the July 9, 2019 Consent Agenda.

**BACKGROUND**

Village and District 99 staff have worked together to review pedestrian safety concerns and traffic operations in the vicinity of both Downers Grove North and South. It was agreed that the most effective way to move forward would be to engage a consultant with traffic and community planning expertise in this area. A Request for Qualifications was advertised and Sam Schwartz was selected to proceed with preparation of a scope of work and cost proposal. The IGA provides that the cost of this work will be equally shared by the Village and District 99. This project is anticipated to begin in July 2019 and continue through December 2019.

**ATTACHMENTS**

Resolution  
Intergovernmental Agreement

**RESOLUTION NO. \_\_\_\_****A RESOLUTION AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE BOARD OF EDUCATION OF DOWNERS GROVE SCHOOL DISTRICT NO. 99 AND THE VILLAGE OF DOWNERS GROVE FOR TRAFFIC SAFETY ENHANCEMENTS AT THE HIGH SCHOOLS**

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 Intergovernmental Agreement (the "Agreement"), between the Village of Downers Grove (the "Village") and the Board of Education of Downers Grove School District 99 (the "District"), for traffic safety enhancements at Downers Grove North and South High Schools, as set forth in the form of the Agreement 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 Agreement, 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 provisions of the Agreement.

4. That all resolutions or parts of resolutions in conflict with the provisions 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

**AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE BOARD OF  
EDUCATION OF DOWNERS GROVE SCHOOL DISTRICT NO. 99 AND THE  
VILLAGE OF DOWNERS GROVE  
FOR TRAFFIC SAFETY ENHANCEMENTS AT THE HIGH SCHOOLS**

THIS INTERGOVERNMENTAL AGREEMENT is entered into by and between THE BOARD OF EDUCATION OF DOWNERS GROVE SCHOOL DISTRICT NO. 99, with offices at 6301 Springside, Downers Grove, Illinois (hereinafter referred to as “the District”), and the VILLAGE OF DOWNERS GROVE, ILLINOIS, an Illinois municipal corporation, (hereinafter referred to as the “Village”), concerning planning and engineering services and potential construction of traffic safety enhancements at Downers Grove North and South High Schools; and

WHEREAS, Article VII, Section 10, of the Illinois Constitution of 1970 encourages and provides for units of local government to contract or otherwise associate among themselves to obtain or share services and to exercise, combine, or transfer any power or function in any manner not prohibited by law or by ordinance and may use their credit, revenues, and other resources to pay costs related to intergovernmental activities; and

WHEREAS, the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.* further authorizes intergovernmental cooperation; and

WHEREAS, the Village and the District are “units of local government” as defined by Article VII, Section 1, of the Constitution of the State of Illinois and are authorized to contract and agree with one another on matters of mutual concern; and

WHEREAS, the District owns and operates both Downers Grove North and South High Schools; and

WHEREAS, student and pedestrian safety is of the utmost concern for both the Village and the District; and

WHEREAS, the District and the Village desire to cooperate in an effort to study and design pedestrian and vehicular safety enhancements at both high schools; and

WHEREAS, the Village has entered into an agreement with Sam Schwartz to perform transportation planning and engineering services for traffic safety enhancements at Downers Grove North and South High Schools.

NOW, THEREFORE, in consideration of the above stated preambles and the mutual covenants and promises hereinafter contained, the District and the Village formally covenant, agree, and bind themselves as follows to wit:

1. The above recitals are hereby incorporated into this Agreement as if fully set forth in this paragraph 1.

2. This Agreement is intended to govern any study, planning, or design of potential safety enhancements at Downers Grove North and South High Schools (hereinafter referred to as “the Project”).

3. The District and the Village shall share equally any and all costs related to the Project. The District shall reimburse the Village for the District’s portion of said costs within sixty (60) days of receipt of an invoice.

4. The District grants to Downers Grove, its agents and contractors the right to enter upon, on, over, across, under, in and through the District’s property to perform any and all work associated with the Project.

5. This Agreement represents the entire agreement between the parties. This Agreement shall only be amended by a written instrument approved and signed by all parties hereto. Such amendment shall take effect immediately upon its execution. This Agreement shall be binding upon any successors or assigns to either Party to this Agreement.

6. This Agreement shall be governed, interpreted and construed in accordance with the laws of the State of Illinois. The forum for any legal disputes between Downers Grove and Darien shall be DuPage County, Illinois.

7. Any statement or writing to be presented to a Party hereunder shall be so presented by personal delivery or by deposit in the United States mail, with postage properly prepaid, and properly addressed to the offices of the other Party, and shall be deemed presented on date of postmark.

8. If any section, paragraph, clause or provision of this Agreement shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Agreement.

**THE BOARD OF EDUCATION OF  
DOWNERS GROVE SCHOOL  
DISTRICT NO. 99**

**VILLAGE OF DOWNERS GROVE**

By: \_\_\_\_\_  
Its: President

By: \_\_\_\_\_  
Its: Mayor

ATTEST:

ATTEST:

\_\_\_\_\_  
Secretary/Clerk

\_\_\_\_\_  
Village Clerk

Date: \_\_\_\_\_, 2019

Date: \_\_\_\_\_, 2019