

ID # = 2007-0611

ID# 498.

THE BOARD OF COMMISSIONERS
TODD H. STROGER
PRESIDENT

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ROBERTO MALDONADO	8 th Dist.	ANTHONY J. PERAICA	16 th Dist.
		ELIZABETH ANN DOODY GORMAN	17 th Dist.

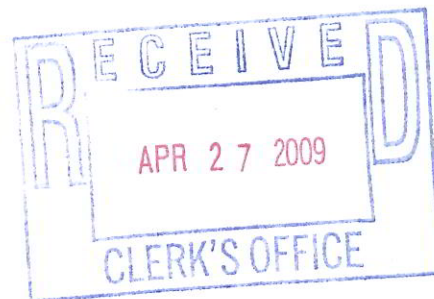


COOK COUNTY
BUREAU OF ADMINISTRATION
DEPARTMENT OF HIGHWAYS
Rupert F. Graham Jr., P.E.
Superintendent
George W. Dunne Cook County Office Building
69 West Washington Street 23rd Floor
Chicago, Illinois 60602-3007
Telephone (312) 603-1601
Fax (312) 603-9945

April 16, 2009

Honorable Daniel J. McLaughlin
Mayor
Village of Orland Park
15655 S. Ravinia Avenue
Orland Park, Illinois 60462-4634

Attn: Mr. Peter J. Casey
Director of Public Works



RE: Amendment to Reimbursement Agreement
104th Avenue
167th Street to 159th Street
Section: 06-W2509-05-FP

Dear Mayor McLaughlin:

Enclosed herewith, please find a conformed copy of the subject Amendment to Reimbursement Agreement for your files.

Very truly yours,

John J. Beissel, P.E.
Chief Engineer
Transportation & Planning Bureau

FOR: Rupert F. Graham Jr., P.E.
Superintendent of Highways
Cook County, Illinois

Enclosures

AMENDMENT TO REIMBURSEMENT AGREEMENT

THE COUNTY OF COOK
VILLAGE OF ORLAND PARK

104TH AVENUE
167th Street to 159th Street
Section: 06-W2509-05-FP

This Agreement Amendment, made and entered into by and between the COUNTY OF COOK, a body politic and corporate of the State of Illinois, hereinafter called "COUNTY", and the VILLAGE OF ORLAND PARK, a body politic and corporate in the State of Illinois, hereinafter called "VILLAGE".

WITNESSETH

Whereas, the VILLAGE and COUNTY entered into a Reimbursement Agreement for Part B Design Engineering for the improvement of 104th Avenue from 167th Street to 159th Street on October 1, 2007 and on December 4, 2007, respectively, hereinafter referred to as "AGREEMENT";

Whereas, the AGREEMENT specified the improvement scope, responsibilities and obligations for design engineering of the improvement;

Whereas, the VILLAGE is Lead Agency for design of the improvement;

Whereas, the VILLAGE has incurred additional costs for design engineering and geotechnical services for the timber pile embankment platform in the poor soil area along 104th Avenue and included pile driving observation, testing and analysis, as described in an October 27, 2008 letter from VILLAGE and incorporated herein by reference, that were not anticipated in the original AGREEMENT; and,

Whereas, the COUNTY concurs with said additional costs as presented, said additional design engineering cost \$61,195.00 and said additional geotechnical services cost \$19,370.00.

Now, Therefore, in consideration of the mutual covenants contained herein and the above recitals and other good and valuable considerations, the parties hereto agree as follows:

It is mutually agreed that the above Recitals are incorporated herein and made part hereof. The following is amended into the AGREEMENT and all other portions of the AGREEMENT not specifically addressed in the following shall remain in effect and unaltered:

Under Article "1. The VILLAGE shall:" subsection a., the stipulation for the engineering consultant proposal is amended to increase the costs of Design Engineering from \$377,755.00 (\$80,565.00 increase), to increase the costs of geotechnical analysis from \$60,000.00 (\$19,370.00 increase) and to reflect the revised scope of services, as follows:

- a. serve as lead for Part B Design Engineering and select an engineering consultant and secure COUNTY approval of a contract proposal for Part B Design Engineering (estimated cost not to exceed \$458,320.00 and includes \$79,370.00 for geotechnical analysis, design, soil borings, pile driving observation and testing; said consultant to prepare construction design plans, estimates and specifications for the PROJECT as further described herein, in a format acceptable to the COUNTY;

Under Article "1. The VILLAGE shall:" subsection b., the VILLAGE's obligation is amended to increase its share of design engineering costs from \$79,439.00 (\$15,299.00 increase) as follows:

- b. pay twenty-five (25%) percent of the costs (excluding the costs for geotechnical analysis) for design engineering for the PROJECT, (estimated VILLAGE share \$94,738.00);

Under Article "1. The VILLAGE shall:" subsection g., the COUNTY's obligation is amended to reflect its share of costs for both design engineering and geotechnical analysis, by increasing its total share of costs from \$298,316.00 (\$65,266.00 increase), and by increasing its share of geotechnical analysis costs from \$60,000.00 (\$19,370.00 increase), as follows:

- g. bill the COUNTY for one hundred (100%) percent of the costs for additional geotechnical analysis, design, soil borings, pile driving observation and testing (estimated County share \$79,370.00) and for seventy-five (75%) percent of the remaining design engineering costs (estimated COUNTY share \$284,212.00) for the PROJECT (estimated total COUNTY share \$363,582.00) as follows: the first (equal to 50% of total COUNTY share), following execution of this agreement by COUNTY; and on a progressive basis thereafter, following expenditure of the initial 50% of total COUNTY share;

Under Article "2. The COUNTY shall:" subsection b., the COUNTY's obligation is amended to reflect its share of costs for both design engineering and geotechnical analysis, by increasing its total share of costs from \$298,316.00 (\$65,266.00 increase), and by increasing its share of geotechnical analysis costs from \$60,000.00 (\$19,370.00 increase), as follows:

- b. pay one hundred (100%) percent of the costs for additional geotechnical analysis, design, soil borings, pile driving observation and testing (estimated COUNTY share \$79,370.00) and seventy-five (75%) percent of the remaining design engineering costs (estimated COUNTY share \$284,212.00) for the PROJECT (estimated total COUNTY share \$363,582.00) as specified in 1.g. hereinbefore, when invoiced by the VILLAGE;

The COUNTY and VILLAGE agree that their respective successors and assigns shall be bound by the terms of this Amendment.

(Signature Page Follows)

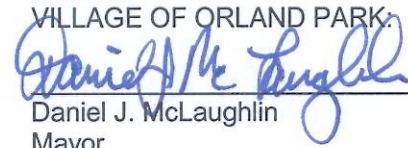
IN WITNESS WHEREOF, the COUNTY and VILLAGE have caused this Amendment to be executed by their respective officials on the dates as shown.

EXECUTED BY COUNTY:



President
Board of County Commissioners

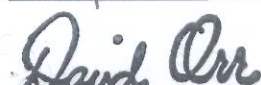
EXECUTED BY
VILLAGE OF ORLAND PARK:



Daniel J. McLaughlin
Mayor

This 1st day of April A.D. 2009.

ATTEST:



County Clerk

(SEAL)

This 26th day of January A.D. 2009.

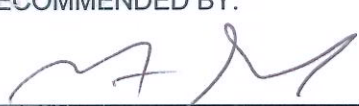
ATTEST:



Village Clerk

(SEAL)

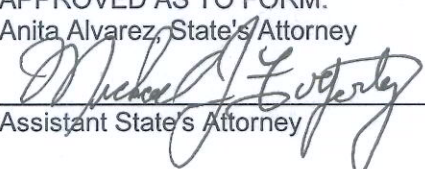
RECOMMENDED BY:



Superintendent of Highways

APPROVED AS TO FORM:

Anita Alvarez, State's Attorney



Assistant State's Attorney

I, DAVID D. ORR, County Clerk of Cook County, in the State of Illinois aforesaid and keeper of the records and files of said Cook County, do hereby certify that The Board of Commissioners of The County of Cook, at their regular meeting held on April 1, 2009, passed the following Resolution:

**09-R-
RESOLUTION**

Sponsored by

THE HONORABLE TODD H. STROGER

PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS

RESOLVED, by the members of The Board of Commissioners of Cook County, Illinois, on behalf of the County of Cook, to authorize and direct its President to execute, by original signature or his authorized signature stamp, two (2) copies of an Amendment to a Reimbursement Agreement with the Village of Orland Park, said Amendment attached, wherein the Village is Lead Agency for Part B Design Engineering of an improvement and said Agreement is amended to increase the County's participatory share of costs for design engineering and geotechnical analysis, not to exceed \$363,582.00 (originally estimated \$298,316.00); and, Cook County is to reimburse the Village of Orland Park for said costs as part of the 104th Avenue (167th Street to 159th Street) Improvement, Section: 06-W2509-05-FP; and, the Department of Highways is directed to take the necessary actions called for under the terms of the Amendment and is further directed to return one executed copy of said Amendment with this Resolution attached to the Village of Orland Park to evidence the formal Agreement hereby resulting, and be bound by the terms thereof on behalf of the County.

All of which appears from the records and files of my office.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the SEAL of said County at my office in the City of Chicago, in said County, this 1st day of April A.D. 2009.



County Clerk

(SEAL)

APPROVED BY BOARD OF
COOK COUNTY COMMISSIONERS

APR 01 2009

COM _____