

...T

A RESOLUTION APPROVING THE LOCAL PUBLIC AGENCY AGREEMENT FOR FEDERAL PARTICIPATION TO BE ENTERED INTO BY THE VILLAGE OF ORLAND PARK AND THE ILLINOIS DEPARTMENT OF TRANSPORTATION (“IDOT”) AND FOR THE APPROPRIATION OF VILLAGE FUNDS FOR THE PURPOSE OF PAYING FOR THE LOCAL AGENCY SHARE RELATED TO THE 104th AVENUE MULTI-USE PATH UNDER IDOT PROJECT NUMBER M-4003(627) STATE JOB NO. D-91-142-16, CMAQ SECTION NO. 15-00077-00-BT

...B

WHEREAS, the President and Board of Trustees of the Village of Orland Park, Illinois a home rule Illinois municipal corporation, desire to participate in the Illinois Department of Transportation’s (“IDOT”) Congestion Mitigation and Air Quality Program (“CMAQ Program”) for the purpose of funding a multi-use path along 104th Avenue between 159th Street and 163rd Place in accordance with the terms set forth in the Local Public Agency Agreement for Federal Participation (the “LPA Agreement”), a copy of which is attached hereto and made a part hereof **Exhibit “A”**; and

WHEREAS, the improvements to be constructed under the LPA Agreement (**Exhibit “A”**) consist of a multi-use path of approximately .57 miles along 104th Avenue between 159th Street and 163rd Place (the “Project”). The IDOT has estimated the Total Project Costs to be TWO MILLION ONE HUNDRED THOUSAND DOLLARS (2,100,000.00); and

WHEREAS, the State of Illinois, through the IDOT, has agreed to participate and provide the funding for the actual construction costs associated with the Project through the ITEP Grant Program at a level of approximately 64% of the actual construction cost, but not to exceed an amount equal to ONE MILLION THREE HUNDRED FIFTY TWO THOUSAND TWO HUNDRED AND FIFTY DOLLARS (\$1,352,250.00), in accordance with the terms set forth in the attached LPA Agreement (**Exhibit “A”**); and

WHEREAS, further, Cook County has agreed to contribute approximately 23% of the funding for the actual construction costs associated with the Project, at a not to exceed amount equal to FOUR HUNDRED EIGHTY SIX THOUSAND FIVE HUNDRED DOLLARS (\$486,500.00), which is reflected in the note regarding division of cost further delineating local funding set forth in the attached LPA Agreement (**Exhibit “A”**); and

WHEREAS, Village agrees to pay the local share of the Project, which equals 100% of the all related Project construction costs in excess of the \$1,838,750 allocated by Federal and alternate local funding; and

WHEREAS, the President and Board of Trustees of the Village of Orland Park agree to appropriate and authorize the expenditure of an amount equal to TWO HUNDRED SIXTY ONE THOUSAND TWO HUNDRED AND FIFTY DOLLARS (\$261,250.00), to pay the Village’s share of all related construction costs for the Project improvements under IDOT Project Number M-4003(627), State Job No. D-91-142-16, CMAQ Section No. 15-00077-00-BT; and

WHEREAS, the President and Board of Trustees of the Village of Orland Park have the authority to approve and enter into the attached LPA Agreement (**Exhibit “A”**) and to appropriate and authorize the expenditure of its Funds for the Project pursuant to its home rule powers and contracting authority provided by Article VII, Sections 6 and 10(a) of the Illinois Constitution of 1970, as well as the Illinois

Intergovernmental Cooperation Act (5 ILCS 220/1 et seq.), and finds that entering into the LPA Agreement is in the best interests of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ORLAND PARK, COOK AND WILL COUNTIES ILLINOIS, THAT:

SECTION 1: Each paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Resolution.

SECTION 2: The President and Board of Trustees of the Village Orland Park authorize the approval and execution of the Local Public Agency Agreement for Federal Participation to be entered into with the Illinois Department of Transportation (“IDOT”), a copy of which is attached hereto as Exhibit “A” and made a part hereof. The President and Board of Trustees also agree to appropriate and authorize the expenditure of an amount equal to Two Hundred Sixty One Thousand Two Hundred Fifty dollars (\$261,250.00) to pay the Village’s share of all related construction costs for the Project improvements under Illinois Department of Transportation Project Number M-4003(627), State Job No. D-91-142-16, CMAQ Section No. 15-00077-00-BT. Further, the President and Board of Trustees authorize and direct the Village President and Clerk, or their designees, to execute the LPA Agreement and to execute and deliver all other instruments and documents that are necessary to fulfill the Village’s obligations under the LPA Agreement.

SECTION 3: The President and Board of Trustees also authorize and direct the Village President, the Village Clerk, the Village Manager and the Village Attorney to execute and deliver all other Project instruments and documents and arrange to pay all Village Board-authorized costs that are necessary to fulfill the Village’s obligations under the LPA Agreement. In addition, the Village Board authorizes and directs the President and Clerk, or their designees, to execute any updated version of the attached LPA Agreement, which may contain certain non-substantive and non-financial modifications that are approved by the Village Attorney.

SECTION 4: All resolutions, or parts of resolutions, in conflict with the provisions of this Resolution, to the extent of such conflict, are repealed.

SECTION 5: Each section, paragraph, clause and provision of this Resolution is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Resolution, nor any part thereof, other than that part affected by such decision.

SECTION 6: All actions of the Corporate Authorities, agents and employees of the Village that are in conformity with the purpose and intent of this Resolution, whether taken before or after the adoption of this Resolution, are ratified, confirmed and approved.

SECTION 7: This Resolution shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as required by law.

Exhibit "A"

**Local Public Agency Agreement for Federal Participation Entered
into Between the Village of Orland Park
and the Illinois Department of Transportation ("IDOT")**

(attached)