



Legislation Text

File #: 23-0783, **Version:** 1

TO: Mayor Richard C. Irvin
FROM: Tim Weidner, P.E., Engineering Coordinator
DATE: November 30, 2023

SUBJECT:

A Resolution authorizing the execution of a Joint Funding Agreement with the State of Illinois, the execution of a Phase 3 Construction Engineering Services Agreement with HR Green, Inc. in the not to exceed amount of \$473,545.00 and the appropriation of \$1,600,000.00 of REBUILD Illinois Bond Funds for the Indian Trail (Edgelawn to Highland) Signal Modernization and Resurfacing Project.

PURPOSE:

To execute the Joint Funding Agreement for State-Let Construction Work there by reserving sufficient funds to cover the local agency share of the project cost by resolution, to approve the Phase 3 Construction Engineering Services Agreement with HR Green, Inc and to appropriate REBUILD Illinois Bond Funds by Illinois Department of Transportation (IDOT) Resolution.

BACKGROUND:

A Phase 1 Study has been completed for this project, and the City is in various stages of design and construction for similar projects throughout the Indian Trail Corridor.

The project has secured federal funding to cover up to 80% of Construction and Construction Engineering costs. The funding sources include Surface Transportation Program - Local (STU) and Congestion Mitigation and Air Quality (CMAQ). A total of \$3,800,000.00 in federal funds has been secured for Construction and Construction Engineering on the project.

The project involves modernizing the signalized intersections along Indian Trail between Edgelawn Dr and Highland Ave. Modernization includes replacement of all aging signal equipment, widening of curb radii to meet design vehicle requirement, and improving pedestrian facilities to meet ADA compliance. The intersections will feature new signal heads with 4-face flashing yellow turn arrows, which are currently in use on Orchard Rd and are proposed in other upcoming projects throughout the City. Additionally, the existing roadway and 8-10 foot wide bike path will be resurfaced as part of this project. Select portions of the in-progress plan set are included as Exhibit 'E'. Additional general information and exhibits can be found on the project website (<https://www.aurora-il.org/2365/Indian-Trail-from-Edgelawn-Dr-to-Highland->).

The City is continuing work with their selected design consultant, Stanley Engineering, on final design plans under a previous City agreement. The plans are 99% complete and the "Initial Final" Plans, Specifications, and Estimates (PS&E) were submitted to IDOT on November 27, 2023. The project is targeting an early 2024 IDOT letting, pending land acquisition certification.

DISCUSSION:

Due to the complex nature of the project construction and documentation requirements by the Illinois Department of Transportation (IDOT) for federally funded projects, the City is required to hire a consultant for the Phase 3 Construction Engineering Services.

The City published a Qualification Based Selection (QBS) for the Indian Trail Reconstruction Phase 3 Engineering services with proposals due September 15, 2023. Six (6) firms submitted their qualifications. Staff reviewed the qualifications submitted and determined that HR Green, Inc. was the most qualified with the top 3 firm's scores attached as Exhibit 'D'. Exhibit 'D' also has a breakdown of the selection criteria and weighting and the score breakdowns in each category. HR Green, Inc. has successfully completed Phase 3 Construction Engineering Services on a number of federally funded projects for the City. The proposed Resident Engineer and team proposed on this project has worked on a number of other projects in the City. The attached Phase 3 Engineering Agreement (BLR 05530) from HR Green, Inc. in the amount of \$473,545.00 noted as Exhibit 'B' will provide full time construction and material inspection for this project.

This followed the Request for Qualifications process and is not subject to the local preference policy. The funding source, federal and REBUILD Illinois Bond Funds, are not subject to the local preference policy.

IDOT requires the City to execute the Joint Funding Agreement for State-Let Construction Work by setting aside the local matching funds for the project. IDOT will front fund the Construction cost and invoice the City of Aurora for its share of the construction cost. The Joint Funding Agreement (BLR 05310C) is attached for execution as Exhibit 'A'. The estimated total cost of the Construction (C) is approximately \$4,443,335. The city's portion of the construction cost would be approximately \$1,037,710. The City will have to front fund the Construction Engineering (CE) cost and 75%-80% of this cost will be reimbursed by IDOT, at a later date. The estimated total cost of CE as shown on Exhibit 'A' is \$500,000 (rounded up from the agreement amount). The City's portion of the CE cost would be approximately \$116,875.

The City has been coordinating with the Burlington Northern Santa Fe (BNSF) railroad throughout the project. As part of a separate project led by the BNSF, the railroad will replace the crossing material at the tracks in conjunction with this project. A separate legistar item will be brought before the City Council for consideration with an agreement between BNSF and the City. As part of that agreement, BNSF has asked the City to cost share in the improvements. These improvements are eligible for federal reimbursement, and are included in the agreement. Like the CE cost, the City will need to front fund the costs and ask IDOT for reimbursement.

Altogether, the approximate total cost of C&CE and railroad (City's Share) would be \$1,158,335.

Currently, both Exhibit 'A' and Exhibit 'B' are drafts that are under review by IDOT. IDOT has issued guidance that these forms must be locally executed and submitted by January 31, 2024 in order to stay on schedule for the March 2024 state letting. If the forms are amended by IDOT, the Mayor and City Clerk will execute the most current forms. IDOT review of these forms may change the specific values indicated in the memo and resolution.

IDOT requires a Resolution to appropriate the REBUILD Illinois Bond Funds prior to their expenditure for approved projects. The Resolution for Improvement - BLR 09110 (Exhibit 'C') appropriating REBUILD Illinois Bond Funds in the amount of \$1,600,000.00 is attached. The resolution amount is higher than the anticipated City's share in order to cover front funding the Construction Engineering cost, cover front funding the Railroad cost, and to add some contingency.

The REBUILD Illinois Bond Fund is a grant program using proceeds from general obligation (transportation, series A) bonds authorized in the REBUILD Illinois capital program to provide Local Agencies with the funds for transportation improvement projects. The funds can only be used on bridge and major highway projects that provide an average useful life of greater than or equal to 13 years.

Due to the nature of the federal funding on this project, IDOT requires that the City agree to pass a supplemental REBUILD Illinois Bond Fund or MFT resolution if necessary, to appropriate additional funds for completion of the project. City staff will review the low bids and concur with IDOT on the award of the project to the low bidder if the bids are within a reasonable approximate of the Engineer's Final Cost Estimate and bidding the project is in the City's best interest.

It is possible that the Mayor and Clerk need to execute additional forms on the project including a Local Public Agency Amendment (BLR 05311) or revised/supplemental BLR 05530. Generally, execution of the BLR 05311 would be to receive additional federal funds or to move federal funds between Construction and Construction Engineering. As mentioned in the resolution we are requesting that the Mayor and Clerk have the ability to execute these documents if they are required to carry the purposes of this resolution into execution, without any additional City Council action. If additional REBUILD Illinois Bond Fund or MFT funds are needed for the project, then the Supplemental Resolution (BLR 09110) will be presented before the City Council.

The 2024 City Budget is anticipated to provide for sufficient funds in Account 202-4020-418.76-39 (GC083, Indian Trail Signal - Edgelawn to Highland).

IMPACT STATEMENT:

Construction is anticipated to take place throughout 2024. Some construction work may take place in 2025 depending on the exact letting date, required utility relocations and other factors. Construction work under the City plan set will take place under traffic; no detour will be required. Traffic in each direction will be reduced from two lanes to one lane. Intermittent lane closures may occur during certain work activities. As part of a separate project the railroad will be replacing the crossing material, and the railroad will provide a detour for that work.

RECOMMENDATIONS:

Please forward this to Finance Committee for approval.

cc: Finance Committee



CITY OF AURORA, ILLINOIS

RESOLUTION NO. _____
DATE OF PASSAGE _____

A Resolution authorizing the execution of a Joint Funding Agreement with the State of Illinois, the execution of a Phase 3 Construction Engineering Services Agreement with HR Green, Inc. in the not to exceed amount of \$473,545.00 and the appropriation of \$1,600,000.00 of REBUILD Illinois Bond Funds for the Indian Trail (Edgelawn to Highland) Signal Modernization and Resurfacing Project. WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the City seeks to modernize the signalized intersections and resurface Indian Trail from Edgelawn Drive to Highland Avenue. The project has a State Job Number: C-91-103-22, Federal Project Number: UERU(176) and MFT Section Number: 21-00339-00-CH; and

WHEREAS, the Indian Trail Project has been awarded Surface Transportation Program - Local (STU) federal funding in the amount not to exceed \$2,500,000 and Congestion Mitigation and Air Quality (CMAQ) federal funding in the amount not to exceed \$1,300,000. These funds will be used for Construction and Construction Engineering and necessitate the use of funding provided through the Illinois Department of Transportation (IDOT); and

WHEREAS, the use of federal funds requires the City to execute the Joint Funding Agreement for State-Let Construction Work with IDOT by way of appropriating the funds in the amount of \$1,037,710.00 (local match for Construction) of which the agreement is attached; and

WHEREAS, the use of federal funds requires the City to execute the Phase 3 Construction Engineering Agreement with HR Green, Inc., 2363 Sequoia Drive Suite #101, Aurora, IL 60506 by way of appropriating funds in the not to exceed amount of \$473,545.00 (front funding Construction Engineering) of which the agreement is attached; and

WHEREAS, the use of federal funds requires the City to appropriate funds in the not to exceed amount of \$15,000.00 (front funding railroad costs) of which an agreement will be approved at a later date; and

WHEREAS, there is a need to appropriate REBUILD Illinois Bond Funds (MFT Section # 21-00339-00-CH) funds for this project in the amount of \$1,600,000.00, a copy of which resolution is attached for approval; and

WHEREAS, depending on the low bid prices and final construction costs there may be a need to appropriate additional REBUILD Illinois Bond Funds for this project; and

WHEREAS, City staff has the authority to coordinate with IDOT in the award and execution of the contract; and

WHEREAS, the 2024 City Budget is anticipated to provide for sufficient funds in Account 202-4020-418.76-39 (GC083, Indian Trail Signal - Edgelawn to Highland).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Aurora, Illinois, as follows: that the Joint Funding Agreement for State-Let Construction Work with the State of Illinois in substantially the same form as attached to this Resolution as Exhibit 'A' shall be and hereby is approved; and further

BE IT RESOLVED, that Phase 3 Construction Engineering Agreement with HR Green, Inc. in substantially the same form as attached to this Resolution as Exhibit 'B' in the amount of four hundred seventy-three thousand five hundred forty-five dollars (\$473,545.00) shall be and hereby is approved; and further

BE IT RESOLVED, that one million six hundred thousand dollars (\$1,600,000.00), or as much as may be needed to match the required funding to completed the proposed improvement, of available REBUILD Illinois Bond Funds, Motor Fuel Tax Section Number 21-00339-00-CH shall be and hereby is appropriated for the purposes set forth in this resolution; and further

BE IT RESOLVED, that the City agrees to pass a supplemental REBUILD Illinois Bond Fund resolution if necessary, or MFT resolution if necessary, to appropriate additional funds for completion of the project; and further

BE IT RESOLVED, that the Mayor and the Clerk respectively, shall be and hereby are directed to execute all the aforementioned documents on behalf of the City and any other documents required to carry the purposes of this resolution into execution, including, but not limited to the document entitled "Resolution for Improvement Under the Illinois Highway Code, Form (BLR 09110)" attached to this Resolution as Exhibit 'C'