



## Legislation Text

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**File #:** 24-0366, **Version:** 1

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**TO:** Mayor Richard C. Irvin and City Council

**FROM:** Tim Weidner, P.E., Engineering Coordinator

**DATE:** May 16, 2024

**SUBJECT:**

A Resolution authorizing the future execution of Phase 3 Construction Engineering Services Supplement with HR Green, Inc. in the not to exceed amount of \$100,000.00 and the appropriation of \$1,540,000.00 of REBUILD Illinois Bond Funds for the Indian Trail Road Reconstruction and High Street Intersection Project.

**PURPOSE:**

To approve an amount for the Phase 3 Construction Engineering Services Supplement with HR Green, Inc so an agreement can be executed in the future, and to appropriate additional REBUILD Illinois Bond Funds by Illinois Department of Transportation (IDOT) Resolution for Illinois Department of Transportation (IDOT) Motor Fuel Tax (MFT) Section Number 06-00260-02-PV.

**BACKGROUND:**

The Indian Trail Road Reconstruction and High Street Intersection Project has been under construction since the fall of 2023. The project involves improving the Indian Trail corridor by widening four lanes to five lanes to bring conformity to the corridor. Work will include completing traffic signal plans for the intersection of Indian Trail & High Street (previously stop controlled) and traffic signal modernization plans for the intersection of Indian Trail & Church Road. The intersections will be provided with ADA compliant ramps and Detectable Warnings. The improvements will also include a 5-6 feet wide sidewalk, 8-10 feet wide asphalt bike path and high visibility crosswalk for safe pedestrian/bicyclists crossing. There will be path connections to an existing regional trail (Illinois Prairie Path (Aurora Branch)) at High Street, plus a connection to the existing shared use path on Indian Trail constructed in Stage 1 of the project. Construction is roughly 20% complete. Currently we are anticipating that construction will finish in the spring or summer of 2025.

The project has secured federal funds ranging in percentages from 75% to 100%. The funding sources include Surface Transportation Program - Local (STU), Highway Safety Improvement Program (HSIP), and Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) Funds. The HSIP funds are for the improvement of the Indian Trail at High Street intersection and other funds for the rest of the corridor. A total of \$6,481,446.00 in federal funds has been secured for the Construction and Construction Engineering on this project.

In August 2022, the City issued a Request for Qualification (RFQ) for Phase III Construction engineering services per IDOT's qualification based selection (QBS) procurement requirement. HR

Green Inc. was selected as the Phase III Construction engineer and an agreement was approved in the amount of \$855,739.00 in February 2023 (R23-043). During IDOT review/approval of the agreement, IDOT required that the agreement be processed on their newer forms and utilizing recent HR Green data. Those changes increased the amount of the approved/executed agreement to \$903,897.00 with the same scope/hours.

The local share for this project has been REBUILD Illinois Bond Funds, which 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 City has received all the funds, \$13,042,322.82 in total, over a 3 year period from 2020-2022. 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.

The QBS 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.

#### **DISCUSSION:**

Since this project was last presented to City Council over a year ago, there have been a number of cost increases. At the time of agreement approval in February 2023, the estimated total cost of the Construction (C) was approximately \$7,353,000.00 for an early 2023 letting. The letting was delayed until June 2023 (which increased cost) and low bid amount was above estimate. The low bidder's (R.W. Dunteman) bid was \$8,148,713.00.

Furthermore, since construction began there have been a number of increases and the final construction value could come in close to \$8.8 Million. The addition of water main replacement cost is the most substantial cost, but below is a list of construction overages anticipated:

- Water Main Replacement - Approximately 1,500 ft. of water main will be replaced due to it being shallower in the ground than anticipated.
- Storm Sewer - Field adjustments/modifications were made to some of the proposed storm sewer pipe runs due to utility conflicts.
- Combination Mast Arms - Shown in the plans correctly but quantities were incorrect in the contract.
- APS Pedestrian Push Buttons - Updated Federal Standards now require pedestrian push buttons at signalized intersections to be APS (Accessible Pedestrian Signal) ped push buttons.
- LED Luminaires - Increase for the City's particular brand of LED's for the street lighting.
- Other minor field changes that have been cataloged to date.

Additionally there has been more engineering effort required due to this increased scope of work and other issues. See below for a list of additional engineering effort required.

- Utility conflict coordination with multiple facilities including ComEd, AT&T, Nicor, WOW, Verizon, Comcast, Aurora, Metronet & Zayo.
- Facilitating field changes to avoid utility conflicts and ultimately keep the project moving forward.
- Maintenance of Traffic modifications including the addition of the Church Road detour.
- Water Main replacement field observation.
- Water Main permitting assistance.
- Tracking of contractor change orders.

Based on current progress we are estimating that the construction engineering budget will require a supplement to cover additional full time inspection totaling approximately \$100,000. There is no agreement available at this time; a supplement will be processed at a later date once confirming we need it and once we determine if more federal funds were obtained. The total amount of HR Green's agreement with the supplement would be \$1,003,897.00 (\$100,000 more than the IDOT approved amount).

The purpose of this City Council action is to approve additional expenditures to the amount of Construction and Construction Engineering currently anticipated. 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 'A') appropriating REBUILD Illinois Bond Funds in the amount of \$1,540,000.00 is attached.

The amount listed above is currently a worst case scenario. City staff has already worked with the Kane-Kendall Council of Mayors (KKCOM) to request federal funding. Staff was told that additional funding is possible, but not immediately. Essentially more construction work needs to be completed so already obligated funds are expended. Sometime this fall, staff will re-engage with KKCOM about requesting additional federal funding. At the time of initial City Council action, the approximate total cost of C&CE (City's Share) was anticipated to be \$1,728,462.00. If enough additional federal funding is obtained, the C&CE City Share for this project could be under \$2 Million.

The 2024 City Budget provides \$3,540,000 in Account 202-4060-431.79-99 (GB099, E. Indian Trail - Mitchell to Farnsworth #2). Additional funding will be budgeted in 2025 if required.

**IMPACT STATEMENT:**

Construction is underway. Construction will primarily take place under traffic, with traffic in each direction reduced from two lanes to one lane. Intermittent lane closures may occur during certain work activities. On May 10, 2024 the north leg of Church Road was closed and a detour posted. The detour should be in place for approximately 2 weeks, possibly more depending on the weather.

**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 future execution of Phase 3 Construction Engineering Services Supplement with HR Green, Inc. in the not to exceed amount of \$100,000.00 and the appropriation of

\$1,540,000.00 of REBUILD Illinois Bond Funds for the Indian Trail Road Reconstruction and High Street Intersection 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 reconstruct Indian Trail from Mitchell Road to Church Road, including a new traffic signal at the intersection of Indian Trail and High Street. The project has a State Job Number: C-91-080-22, Federal Project Number: 9JJD(950) and MFT Section Number: 06-00260-02-PV; and

WHEREAS, the Indian Trail Project has been awarded Surface Transportation Program - Local (STU) federal funding in the amount not to exceed \$1,351,103, Highway Safety Improvement Program (HSIP) federal funding in the amount not to exceed \$877,566, Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) federal funding in the amount not to exceed \$4,252,777, with additional funding to be requested. 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 a future Phase 3 Construction Engineering Supplement with HR Green, Inc., 2363 Sequoia Drive Suite #101, Aurora, IL 60506 by way of appropriating funds in the not to exceed amount of \$100,000.00 (front funding Construction Engineering); and

WHEREAS, there is a need to appropriate REBUILD Illinois Bond Funds (MFT Section # 06-00260-02-PV) funds for this project in the amount of \$1,540,000.00, a copy of which resolution is attached for approval; and

WHEREAS, the 2024 City Budget provides for \$3,450,000 in Account 202-4060-431.79-99 (GB099, E. Indian Trail - Mitchell to Farnsworth #2) for this project, with any additional funding (if required) to be approved in the 2025 City Budget.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Aurora, Illinois, as follows: that a Phase 3 Construction Engineering Supplement with HR Green, Inc. in the not to exceed amount of one hundred thousand dollars and zero cents (\$100,000.00) shall be and hereby is approved; and further

BE IT RESOLVED, that one million five hundred forty thousand dollars and zero cents (\$1,540,000.00 .00), or as much as may be needed to match the required funding to completed the proposed improvement, of available REBUILD Illinois Bond Funds Funds, Motor Fuel Tax Section Number 06-00260-02-PV 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 'A'.