



## Legislation Text

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**File #:** 24-0364, **Version:** 2

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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 execution of a Local Public Agency Amendment #1 with the State of Illinois, the execution of a Phase 1 Preliminary Engineering Supplement with Baxter & Woodman, Inc. in the not to exceed amount of \$24,301.00, and the appropriation of \$21,391.00 of MFT Funds for the South Edgelawn Drive at BNSF Railway Tracks Crossing Project.

**PURPOSE:**

To execute the Local Public Agency Amendment #1 there by reserving sufficient funds to cover the local agency share of the project cost by resolution, to approve the Phase 1 Preliminary Engineering Services Supplement with Baxter & Woodman, Inc. and to Appropriate Motor Fuel Tax (MFT) Funds by Illinois Department of Transportation (IDOT) Resolution for MFT # 20-00335-00-FL.

**BACKGROUND:**

The City recently received Design Approval from IDOT on the Phase 1 Preliminary Engineering study regarding the construction of a bike and pedestrian crossing at the BNSF Railroad at Edgelawn Drive. Baxter & Woodman has been under contract with the City to complete the Phase 1 Preliminary Engineering in the amount of \$35,698.09 (approved by City Council as R21-160).

**DISCUSSION:**

During the Phase 1 study, Baxter & Woodman completed a number of work items not identified in the original Phase 1 agreement, mostly related to items required by outside agencies. These included:

- Right-of-way and easement research.
- Alternatives analysis as required by the railroads and IDOT.
- Public information meeting as required by IDOT and the Federal Highway Administration (FHWA).

The attached Phase 1 Engineering Supplement (BLR 05530) from Baxter & Woodman, Inc. in the not to exceed amount of \$24,301.00 noted as Exhibit B summarizes the level of effort and scope for this supplement.

Like the original engineering agreement, this supplement is federally eligible and covered at 90% federal funds. Therefore, the true cost increase to the City for this supplement is \$2,430.10. The attached Local Public Agency Amendment #1 (BLR 05311) is shown as Exhibit A and will need to be executed to utilize those funds. The City will front fund engineering costs and will be reimbursed 90% of the costs.

Currently, both Exhibit A and Exhibit B are drafts that are under review by IDOT. If the forms are amended by IDOT or CBLRS (Central Office), the Mayor and City Clerk will execute the most current forms.

IDOT requires a Resolution to Appropriate the MFT Funds prior to their expenditure for approved projects. The Resolution for Improvement - BLR 09110 (Exhibit C) appropriating MFT Funds in the amount of \$21,391.00 is attached. The resolution amount is higher than the anticipated City's share in order to cover front funding the Engineering cost.

Funding for this project is available in account 203-4060-431.79-99 (CIP GB136).

**IMPACT STATEMENT:**

No impact.

**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 Local Public Agency Amendment #1 with the State of Illinois, the execution of a Phase 1 Preliminary Engineering Supplement with Baxter & Woodman, Inc. in the not to exceed amount of \$24,301.00, and the appropriation of \$21,391.00 of MFT Funds for the South Edgelawn Drive at BNSF Railway Tracks Crossing 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 enhance bicycle and pedestrian facilities through South Edgelawn Drive at BNSF Railway Tracks Crossing Project for better connectivity and accessibility to regional, local trails and amenities on the west side of Aurora. Project limits - are from the commercial driveway to the south of the BNSF tracks to the Virgil Gilman Trail north of the BNSF Railroad tracks, the project is approximately 0.07 miles in length, that consists of constructing 8 feet wide asphalt bike path on the east side of Edgelawn Drive over the BNSF Railway tracks, bike lane/bike route pavement marking, signage, railroad track crossing material, railroad gate/flasher infrastructure,

circuitry and other pertinent work. The project has a State Job No.: P-91-013-21, Federal Project No.: A0S8(977) and MFT Section No.: 20-00335-00-FL; and

WHEREAS, South Edgelawn Drive at BNSF Railway Tracks Crossing Project has been awarded Local Rail-Highway Crossing Safety Program federal funds in the amount of \$490,680.00 in total (for all engineering and construction) and the City is currently pursuing additional federal funding; and

WHEREAS, the use of additional federal funds requires the City to execute the Local Public Agency Amendment #1 with the State of Illinois (IDOT), a copy of which draft agreement is attached hereto and incorporated herein as Exhibit A; and

WHEREAS, the use of federal funds requires the City to execute the Phase 1 Preliminary Engineering Supplement with Baxter & Woodman, Inc., 1548 Bond Street, Suite 103, Naperville, Illinois 60563 by way of appropriating funds in the not to exceed amount of \$24,301.00 (front funding Phase 1 Preliminary Engineering) of which the agreement is attached; and

WHEREAS, there is a need to appropriate Motor Fuel Tax (MFT # 20-00335-00-FL) funds for this project in the amount of \$21,391.00 a copy of which resolution is attached for approval, and

WHEREAS, the City of Aurora 2024 Budget provides funds by way of the following account:

GB136	Edgelawn Dr at BNSF RR	203-4060-431.79-99	\$24,301
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NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Aurora, Illinois, as follows: that the Local Public Agency Amendment #1 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 1 Preliminary Engineering Supplement with Baxter & Woodman, Inc. in substantially the same form as attached to this Resolution as Exhibit B in the not to exceed amount of twenty four thousand three hundred and one dollars (\$24,301.00) shall be and hereby is approved; and further

BE IT RESOLVED, that twenty one thousand three hundred and ninety one dollars (\$21,391.00) of available REBUILD Illinois Bond Funds, Motor Fuel Tax Section Number 20-00335-00-FL shall be and hereby is appropriated for the purposes set forth in this resolution; 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.