

**PUBLIC WORKS MEMORANDUM  
NO. 2020-05**

**DATE:** January 9, 2020

**TO:** Honorable Mayor Julie Moore Wolfe and City Council Members

**FROM:** Scot Wrighton, City Manager  
Matthew C. Newell, P.E., Public Works Director

**SUBJECT:** Resolution Authorizing Amendment #1 to the Local Public Agency Agreement for Federal Participation for the Relocation of Utilities and the Purchase of Right of Way for the Improvement of Brush College Road over Faries Parkway and the Norfolk Southern Railroad Tracks,  
City Project 2009-33  
Section 09-00933-01-BR

**SUMMARY RECOMMENDATION:**

It is recommended that the City Council approve the attached Resolution authorizing the Mayor to sign and the City Clerk to attest to Amendment #1 to the Local Public Agency Agreement for Federal Participation for the relocation of utilities and the purchase of right of way for the Brush College Road / Faries Parkway railroad grade separation. The Amendment authorizes an additional \$2.2 million for a total of \$5.8 million in Federal funds from the \$25 million Illinois Competitive Freight Program grant awarded to the City.

**PRIOR COUNCIL ACTION:**

See Appendix A for prior Council action on this item.

**BACKGROUND:**

On June 5, 2018, the City received the announcement of the award of a \$25 million grant through the Illinois Competitive Freight Program for the Brush College / Faries Parkway Grade Separation Project. On August 19, 2019, the City Council authorized a Local Public Agency Agreement for Federal Participation for the relocation of utilities and the purchase of Right of Way for the improvement. The agreement authorized the expenditure of \$3.6 million in Federal funds and \$3.218 million in State Motor Fuel Tax (MFT) funds allocated to the City.

The design work for the project has passed the 30% completion milestone which the Illinois Department of Transportation (IDOT) requires in order to authorize the expenditure of Federal funding to acquire the remaining right of way for the project. A 30% design should be far enough along to establish the project's right of way needs with greater certainty. Upon approval of this amendment by the City and IDOT, the City will authorize Crawford, Murphy & Tilly, Inc. (CMT), to proceed with negotiating the remaining right of way purchases. Twenty-seven properties have been identified that will have a portion of the property acquired for the project.

Amendment #1 to the August 19, 2019, City-State Agreement increases the Federal participation by \$2.2 million, from \$3.6 million to \$5.8 million, and reduces the City's expected expenditure of State MFT funds by \$400,000, from \$3.218 million to \$2.818 million. Due to the reduction in the City's anticipated use of State MFT funds, no additional State MFT funding authorizations are required with this action.

In the coming months, it is expected that the Illinois Commerce Commission will approve the expenditure of Railroad Grade Crossing Protection Funds that will further reduce the expected impact to the City's allocation of State MFT funds.

### **Project Funding Summary**

The current status of project funding is provided in Table 1 below. The City is currently working with the Illinois Commerce Commission to gain an advance of \$2,950,000 of the \$12 million in Grade Crossing Protection funds allocated for the project.

<b>Table 1. Preliminary Project Estimates</b>					
<b>Project Phase</b>	<b>Total Estimated Cost</b>	<b>Proposed Freight Funds</b>	<b>Illinois Jobs Now! Funds</b>	<b>Proposed ICC Funds</b>	<b>Proposed City Funds (State MFT)</b>
<b>Right of Way Acquisition</b>	\$5,800,000	\$3,040,000	\$2,000,000		\$760,000
<b>Engineering**</b>	\$3,350,000	\$2,400,000		\$950,000	
<b>Utility Relocation**</b>	\$4,818,000	\$2,760,000		\$2,000,000	\$58,000
<b>Construction Engineering</b>	\$950,000			\$50,000	\$900,000
<b>Construction</b>	\$27,100,000	\$16,800,000		\$9,000,000	\$1,300,000
<b>Totals</b>	<b>\$42,018,000</b>	<b>\$25,000,000</b>	<b>\$2,000,000</b>	<b>\$12,000,000</b>	<b>\$3,018,000</b>

\*\* Actual final costs with agreements in place.

**POTENTIAL OBJECTION:** There are no known objections.

**INPUT FROM OTHER SOURCES:** Illinois Department of Transportation, Crawford, Murphy & Tilly, Inc.

**LEGAL REVIEW:** The agreement is a standard IDOT form.

**STAFF REFERENCE:** Matt Newell, Public Works Director. Matt will attend the City Council meeting to answer any questions of the Council on this item.

### **SCHEDULE: DESIGN AND CONSTRUCTION:**

Design work is over 30% complete. The design is to be completed for an early 2021 IDOT project letting. Construction is planned to begin spring of 2021.

### **BUDGET IMPLICATIONS:**

**Budget Impact:** Amendment #1 to the Local Public Agency Agreement increases the Federal participation by \$2.2 million, from \$3.6 million to \$5.8 million, and reduces the City's expected expenditure of State MFT funds by \$400,000, from \$3.218 million to \$2.818 million. It is expected that \$2 million of the City's expenditure for the utility relocation will be reimbursed by the Grade Crossing Protection Fund. The City typically pays all engineering, utility, relocation and right of way costs and is then reimbursed by the State.

**Staffing Impact:** Staff time is allocated to manage this project.

Attach: 3