

# DRAFT

## AGREEMENT

THIS AGREEMENT entered into this \_\_\_\_\_ day of \_\_\_\_\_ A.D., by and between the STATE OF ILLINOIS, acting by and through its Department of Transportation, hereinafter called the STATE, and Lake County, of the State of Illinois, hereinafter called the COUNTY.

## WITNESSETH

WHEREAS, the STATE, in order to facilitate the free flow of traffic and ensure safety to the motoring public as part of the Highway Safety Improvement Program is desirous of improving the existing signalized intersection on IL Rte 59 at Miller Rd as Section No. 2023-938-N, TS, Contract No. 62W59 and by improvement of trombone mast arm replacement in accordance with the plans and specifications; and,

WHEREAS, the COUNTY is desirous of said improvement in that same will be of immediate benefit to the COUNTY, and permanent in nature; and,

WHEREAS, the intersection of IL Rte 59 at Miller Rd lie within the corporate limits of the COUNTY.

NOW THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

1. The STATE agrees to prepare plans and specifications, receive bids, award the contract, furnish engineering inspection during construction, and cause the improvement to be built in accordance with the plans, specifications, and contract. The STATE also agrees to pay all construction and engineering costs subject to reimbursement by the COUNTY as hereinafter stipulated.
2. The COUNTY agrees to approve the plans and specifications by letter or resolution prior to the STATE advertising for the work to be performed hereunder.
3. It is mutually agreed that the proportional participation for the construction costs and engineering costs of this improvement shall be as follows:

<b>Trombone replacement</b>	<b>FEDERAL FUNDS</b>	<b>STATE FUNDS</b>	<b>COUNTY FUNDS</b>
IL Rte 59 at Miller Rd	90%	5%	5%

4. It is mutually agreed that the estimated construction costs and engineering costs of this improvement are divided as follows:

<b>IL RTE 59</b>	<b>FEDERAL FUNDS</b>	<b>STATE FUNDS</b>	<b>COUNTY FUNDS</b>	<b>TOTAL</b>
Trombone replacement				\$ 175,000.00
IL Rte 59 at Miller Rd	\$ 157,500.00	\$ 8,750.00	\$ 8,750.00	
Engineering (15%)	\$ 23,625.00	\$ 1,312.50	\$ 1,312.50	
<b>TOTAL</b>	<b>\$ 181,125.00</b>	<b>\$ 10,062.50</b>	<b>\$ 10,062.50</b>	

5. It is mutually agreed that the COUNTY will reimburse the STATE in an amount equal to the COUNTY'S share of the actual cost as determined in accordance with Item #4 above. It is mutually agreed that upon award of the contract for this improvement, the COUNTY will pay to the Department of Transportation of the State of Illinois, in a lump sum from any funds allotted to

pay to the said Department the remainder of its obligation (including any non-participating costs for FA projects) in a lump sum, upon completion of the project based upon final costs.

6. Upon acceptance by the Department of Transportation of the traffic signal improvement included herein, the financial responsibility for maintenance and electrical energy for the operation of the traffic signals shall remain as outlined in the current agreement between Lake County and the Department.
7. The actual maintenance will be performed by the STATE with its own forces or through an ongoing contractual agreement.
8. Payment by the STATE of any or all of its share of maintenance and energy costs is contingent upon the STATE receiving adequate funds in its annual appropriation.
9. The STATE retains the right to control the sequence of timing on the traffic signals.
10. The COUNTY agrees to exercise its franchise right to cause private utilities to be relocated at no expense to the STATE.
11. This agreement shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns.

County of Lake

By: \_\_\_\_\_  
Chair  
Lake County Board

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
CLERK

STATE OF ILLINOIS  
DEPARTMENT OF TRANSPORTATION

By: \_\_\_\_\_  
Jose Rios, P.E.  
Region One Engineer

Date: \_\_\_\_\_

PLAN APPROVAL

WHEREAS, in order to facilitate the improvement at the intersection of IL Rte 59 at Miller Rd, Lake County hereby approves the plans and specifications for the proposed traffic signal improvements at said intersection above.

APPROVED:

By: \_\_\_\_\_  
COUNTY ENGINEER

Date: \_\_\_\_\_