

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Grants Coordinator **DATE:** February 4, 2003
(Name)

RECOMMENDATION FROM: _____ **FILE REF:** _____
(Board or Department)

NATURE OF ACTION:

- Ordinance
- Resolution
- Motion
- Other

STEPS NEEDED TO IMPLEMENT ACTION:

Motion to Adopt "A RESOLUTION AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY", as presented.

aw

SUMMARY OF ITEM:

Adoption of the attached resolution shall authorize receipt of grant designated as C173299 from the Illinois Environmental Protection Agency for funds in the amount of \$711,948. These funds will be used to support infrastructure costs in providing an alternate drinking water source to homeowners with contaminated wells. Note, the matching funds will be supported by a loan through the DuPage Water Commission.

RECORD OF ACTION TAKEN:

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING
THE EXECUTION OF A GRANT AGREEMENT
BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**

WHEREAS, the State of Illinois enacted an Environmental Protection Act which provides in part for the control of water pollution in Illinois; and

WHEREAS, the Pollution Control Board pursuant to said Act has adopted regulations establishing water quality standards and effluent limitations which must be attained by the Village of Downers Grove in providing an alternative drinking water source to affected homeowners with contaminated wells; and

WHEREAS, grant funds have been provided by the State of Illinois to assist local governments in the construction of facilities which will ensure compliance with the standards and limitations established by the Environmental Protection Act and regulations adopted pursuant thereto; and

WHEREAS, the Village of Downers Grove has made application for a grant from the State of Illinois for the design and construction of an extension of the water main which will satisfy the requirements of the Environmental Protection Act and the regulations adopted pursuant thereto; and

WHEREAS, the Environmental Protection Agency of the State of Illinois has made an offer of grant for said project designated as C173299 a copy of which is attached as Exhibit A hereto; and

WHEREAS, the corporate authorities, after due investigation and consideration, have determined that acceptance of said grant offer and entering into a grant agreement with the State of Illinois will serve the public good and is necessary to ensure compliance with the Environmental Protection Act and regulations adopted thereunder;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Village Council of the Village of Downers Grove, DuPage County, Illinois:

1. That the Mayor and Village Council hereby find as facts all of the recitals in the Preamble of this Resolution, as well as the description of the project contained in the grant offer (Exhibit A hereto).

2. That the Mayor and Village Council hereby accept said offer and agree to all terms and conditions thereof, including all special conditions, general conditions and assurances contained therein and made a part hereof by reference and also agree that the grant funds awarded will be used solely for the purposes of the project as approved by the Environmental Protection Agency of the State of Illinois in accordance with the terms and conditions of said grant offer.

3. That the Mayor is authorized and directed to execute the said grant offer on or before _____, 2003, a copy of which is attached hereto as exhibit A.

4. That the clerk be and is hereby directed to file a certified copy of this Resolution with the said executed grant offer and transmit sufficient copies of the same to the Environmental Protection Agency of the State of Illinois at Springfield, Illinois on or before February 15, 2003.

5. This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

Mayor

Passed:

Attest: _____
Village Clerk

Corporate Seal

CERTIFICATION

I, April Holden, Clerk of the Village of Downers Grove, DuPage County, Illinois do hereby certify that the foregoing copy is a true, correct and accurate copy of the original of said Resolution passed the day of _____, 2003.

Corporate Seal

GRANT AGREEMENT		GRANT NUMBER
State of Illinois Grant, Pursuant to the appropriation of state and federal funds, Illinois Environmental Protection Agency, Bureau of Water, P.O. Box 19276, Springfield, Illinois 62794-9276.		C173299
COPY		
PART I GENERAL INFORMATION		
1. GRANT ADMINISTRATION DATA		
A. GRANT TYPE Build Illinois	B. STEP 1 (), 2 (), 3 (X)	
2. GRANTEE ORGANIZATION		
A. NAME/ADDRESS/COUNTY Village of Downers Grove 801 Burlington Avenue Downers Grove, IL 60515-4776 DuPage County	B. GRANTEE CONTACT (Name and Title) Riccardo Ginex	
	C. AREA CODE/TELEPHONE NUMBER 630/434-5500	
	D. CONSULTANT (Firm Name and Telephone Number)	
PART II PROJECT DESCRIPTION		
<p>The project includes construction of the following:</p> <ul style="list-style-type: none"> ○ 3,608 L.F. of 8-inch ductile iron water main. ○ 1,205 L.F. of 12-inch ductile iron water main. ○ 270 L.F. of 6-inch ductile iron water main. ○ 13 gate valves. ○ 56 water services in public right-of-way. ○ restoration. 		
(HEREIN CALLED THE "PROJECT")		
GRANT AGREEMENT CONTINUED ON PAGE 2		

GRANT AGREEMENT - PAGE 2

GRANT NUMBER

State of Illinois Grant, Pursuant to the appropriation of state and federal funds, Illinois Environmental Protection Agency.

C173299

COPY

PART III

ESTIMATED PROJECT BUDGET

1. PROJECT COST CATEGORY	ESTIMATED ALLOWABLE PROJECT COST			
	STEP 1	STEP 2	STEP 3	TOTALS
ARCHITECTURAL/ENGINEERING FEES				
CONSTRUCTION AND PROJECT IMPROVEMENT COSTS			924,608	924,608
CONTINGENCIES			92,461	92,461
OTHER				
TOTALS			1,017,069	1,017,069
2. APPROVED GRANT AMOUNT				711,948
3. COSTS EXCLUDED FROM ESTIMATED ALLOWABLE PROJECT COST				

PART IV

OFFER AND ACCEPTANCE

1. OFFER FOR THE STATE OF ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

The Director (herein called the "Director") of the Illinois Environmental Protection Agency (herein called the "Agency"), in accordance with the authority given in the appropriation by the General Assembly made pursuant thereto, hereby offers to make a State of Illinois Grant to the Grantee, up to and not exceeding the above specified amount, for the support of the efforts contained in the Project Description above.

This Grant Offer is subject to all applicable State and local statutory provisions, the Special Conditions, Assurances, and the terms specified in the Letter of Transmittal, attached hereto and included herein by reference.

[Handwritten Signature]
 DIRECTOR

1/8/03
 DATE

THIS OFFER MUST BE ACCEPTED, IF AT ALL, ON OR BEFORE February 15, 2003

2. ACCEPTANCE ON BEHALF OF THE GRANTEE

I the undersigned, being duly authorized to take such action, as evidenced by the attached CERTIFIED COPY OF AUTHORIZATION BY GRANTEE'S GOVERNING BODY, do hereby accept this offer and agree to all terms and conditions including the Special Conditions, Assurances, and the terms specified in the Letter of Transmittal, attached hereto and included herein by references, and also agree that the Grant funds awarded will be used solely for the purposes of the project, as approved by the State of Illinois Environmental Protection Agency.

SIGNATURE OF REPRESENTATIVE

DATE

NAME AND TITLE OF AUTHORIZED REPRESENTATIVE (Type or Print)

Project: Village of Downers Grove
C17 3299

SPECIAL GRANT CONDITIONS

This Grant Offer is based upon the project cost as furnished to the Agency by the Applicant. The Agency may, at the Agency's sole option, increase or decrease the amount of this Grant Offer by issuance of a Supplemental Grant Offer. This Grant Offer is limited to the scope of work which is identified in the "Project Description."

1. PROJECT SCHEDULE

For the purposes of this agreement, the start date will be the date the agreement is executed by the governmental entity and the complete date will be the date of final payment. Any obligation of the State of Illinois and the Agency to make any payment of Grant funds shall terminate unless this project work is initiated and completed in accordance with the following schedule:

<u>TASK</u>	<u>SCHEDULE</u>
Completion of design including submission of Step 3 (construction) application	January, 2003
Advertise for construction bids	April, 2003
Award of construction contract	June, 2003
Completion of construction	March, 2004

2. REPORTING REQUIREMENTS

The Village of Downers Grove shall immediately notify the Agency, if the Village receives any monetary award whose source is a legal action or proceeding that was based on claims of groundwater contamination. If the monetary award was made to the Village to compensate the Village for the costs associated with providing potable water, because of the groundwater contamination, then the Village shall return to the State a prorated share of the grant monies. The prorated share returned to the State shall be based on the amount of the grant divided by the eligible project cost times the amount of monetary award from any settlement or court decision up to the maximum amount of the grant.

3. PROJECT DOCUMENTS

Prior to authorization to advertise for bids, the applicant shall submit for review and receive written Agency approval of the following documentation:

a. User Charge System and Water Ordinance

b. Administrative Items

1. Certification regarding project site, right-of-way, easements and permits
2. Certification regarding local financing.
3. Certification regarding operation and maintenance.
4. Revised project completion schedule, if applicable.
5. Contract certification.
6. Drug free workplace certification.

c. Engineering Items

1. Approved plans and specifications with Agency construction permit.
2. Cost estimate in bid format based on completed plans and specifications.
3. Justification for resurfacing of roadway beyond the trench width.
4. Documentation of provisions for adequate resident engineering inspection and supervision of project.

The Applicant shall not advertise for bids without written Agency authorization to proceed.

4. PAYMENTS

Grant payments will be made, predicated upon timely application for payments by the grantee, subject to appropriation of funds by the Illinois General Assembly and subsequent sale of bonds.

The Agency will withhold 5% of the estimated final grant amount pending a final inspection of the completed project by the Agency, hiring of properly certified operators by the applicant and a final audit by the Agency.

5. WAIVER OF CERTAIN GENERAL CONDITIONS

In accordance with the state General Condition on waiver of conditions, the Agency hereby waives the following General Condition for this project.

SECTION 661.701(c)1 – Costs relating to service connections.

6. BUILD ILLINOIS GRANT

This Build Illinois grant may not exceed 70% of the eligible project costs.

7. COMPLIANCE WITH ACT AND REGULATIONS

The Agency shall not make any payments under this Grant Offer if the construction project has been completed and is being operated in violation of any of the provisions of the Environmental Protection Agency (Ill. Rev. Stat. 1985, Ch. 111 ½, par. 1001 et seq.) or Water Pollution Regulations of Illinois (Title 35: Chapter 1: Pollution Control Board) adopted thereunder.

8. SUBCONTRACTS UNDER CONSTRUCTION CONTRACTS

The award or execution of all subcontracts by a prime contractor and the procurement and negotiation procedures used by such prime contractor in awarding or executing such subcontracts shall comply with:

- 1) All provisions of federal, State and local law;
- 2) All provisions of the General Conditions with respect to fraud and other unlawful or corrupt practices; and
- 3) All provisions of the General Conditions with respect to access to facilities, records and audit of records.