

2007 LED Signal Lighting Upgrade Project: Illinois Clean Energy Community Foundation Agreement

Accounts Payable (1) cert.
 Transportation (3) cert.
 Communications (1) cert.

STATE OF ILLINOIS)
)
 COUNTY OF LAKE)

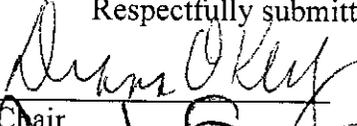
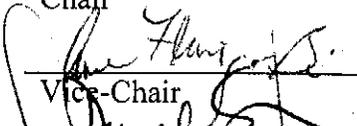
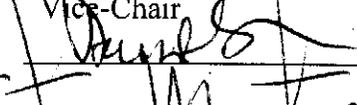
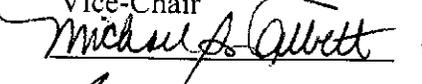
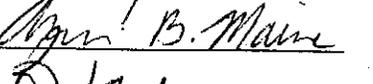
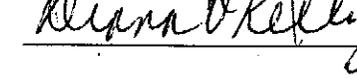
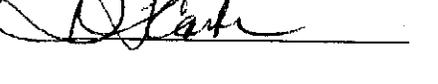
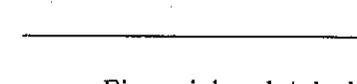
**COUNTY BOARD, LAKE COUNTY, ILLINOIS
 ADJOURNED REGULAR JUNE, A.D., 2007 SESSION
 JULY 10, A.D. 2007**

MADAM CHAIR AND MEMBERS OF THE COUNTY BOARD:

A joint resolution by the Public Works and Transportation Committee and the Financial and Administrative Committee providing for the execution of an agreement between Lake County and the Illinois Clean Energy Community Foundation providing the terms and conditions by which the Illinois Clean Energy Community Foundation will grant the Lake County Division of Transportation \$62,225.00 for the installation of energy efficient LED lighting modules within traffic control signals as part of the county's installation of traffic control signals or modernization of existing traffic control signals situated at various intersections throughout the county highway system.

We RECOMMEND adoption of this Resolution.

Respectfully submitted,

	Aye	Nay		Aye	Nay
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<div style="display: flex; justify-content: space-between;"> <div style="text-align: right;">  Vice-Chair </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> </div> <div style="text-align: center;"> <input type="checkbox"/> </div> </div>	✓	—	<div style="display: flex; justify-content: space-between;"> <div style="text-align: right;">  Vice-Chair </div> <div style="text-align: center;"> <input type="checkbox"/> </div> <div style="text-align: center;"> <input type="checkbox"/> </div> </div>	—	—
<div style="display: flex; justify-content: space-between;"> <div style="text-align: right;">  Michael A. Albett </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> </div> <div style="text-align: center;"> <input type="checkbox"/> </div> </div>	✓	—	<div style="display: flex; justify-content: space-between;"> <div style="text-align: right;">  Susan Flannery </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> </div> <div style="text-align: center;"> <input type="checkbox"/> </div> </div>	✓	—
<div style="display: flex; justify-content: space-between;"> <div style="text-align: right;">  April B. Maine </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> </div> <div style="text-align: center;"> <input type="checkbox"/> </div> </div>	✓	—	<div style="display: flex; justify-content: space-between;"> <div style="text-align: right;">  Susan Flannery </div> <div style="text-align: center;"> <input type="checkbox"/> </div> <div style="text-align: center;"> <input type="checkbox"/> </div> </div>	—	—
<div style="display: flex; justify-content: space-between;"> <div style="text-align: right;">  D. Stark </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> </div> <div style="text-align: center;"> <input type="checkbox"/> </div> </div>	✓	—	<div style="display: flex; justify-content: space-between;"> <div style="text-align: right;">  Susan Flannery </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> </div> <div style="text-align: center;"> <input type="checkbox"/> </div> </div>	✓	—

Public Works and Transportation Committee

Financial and Administrative Committee

RESOLUTION

WHEREAS, the use of light emitting diodes (*LED*) lighting modules at traffic signals are more energy efficient than the use of incandescent bulbs; and

WHEREAS, Lake County by and through its Division of Transportation is in the process of modernizing or installing traffic control signals at the following intersections:

Existing Traffic Signals to be Retrofitted with L.E.D

- 1 Gilmer Road @ Hawley Street
- 2 Long Grove Road @ Quentin Road
- 3 Bonner Road @ Old Rand Road/Main Street
- 4 Fairfield Road @ Rollins Road
- 5 Fairfield Road @ Lake Shore Drive
- 6 Lewis Avenue @ Thirty Third Street
- 7 Lewis Avenue @ Twenty First Street
- 8 Lewis Avenue @ Twenty Seventh Street
- 9 St. Mary's Road @ Atkinson Road
- 10 St. Mary's Road @ Oak Spring Road

Existing Traffic Signals Under Contract to be Modernized with L.E.D

- 1 Butterfield Road @ Winchester Road
- 2 Butterfield Road @ Illinois Route 137, Peterson Road
- 3 Delany Road @ Sunset Avenue
- 4 Sunset Avenue @ Northwestern Avenue
- 5 Washington Street @ Washington Terrace
- 6 Washington Street @ McAree Road
- 7 Washington Street @ Lewis Avenue
- 8 Washington Street @ Butrick Street
- 9 Washington Street @ Jackson Street
- 10 Washington Street @ West Street
- 11 Washington Street @ Martin Luther King Avenue
- 12 Washington Street @ County Street
- 13 Washington Street @ Genesee Street

WHEREAS, in accordance with 605 ILCS 5/5-101.7, the Lake County Board has the authority to accept money donated from any source for county highway purposes; and

WHEREAS, Lake County by and through its Division of Transportation has been selected and approved by the Illinois Clean Energy Community Foundation for grant funding assistance of \$62,225.00 to provide for the installation of energy efficient light emitting

diodes (*LED*) lighting modules within the traffic control signals at various intersections such as listed in this resolution; and

WHEREAS, Lake County and the Illinois Clean Energy Community Foundation are desirous of entering into an agreement for the above-proposed improvement setting forth the terms and obligations to each agency, a draft copy of which is attached hereto.

NOW, THEREFORE BE IT RESOLVED that the Chair of the County Board the County Clerk and the County Engineer of Lake County, be authorized, and they are hereby directed to execute an agreement pertaining to the receipt of a grant in the amount of \$62,225.00 from the Illinois Clean Energy Community Foundation for the above-said improvements. The County Engineer shall transmit in writing the final agreement to be executed by the Chair of the Lake County Board and the County Clerk.

BE IT FURTHER RESOLVED, that the communications department of the County Administrator's office is hereby authorized and directed to work with the County Engineer in meeting the public information requirements of said agreement.

BE IT FURTHER RESOLVED, that the County Engineer is hereby authorized, empowered and directed to proceed with fulfilling the terms and conditions of said grant from the Illinois Clean Energy Community Foundation.

Dated at Waukegan, Illinois
this 10th day of July 2007



May 1, 2007

Mr. Anthony N. Khawaja
County Traffic Engineer
Lake County Division of Transportation
600 W. Winchester Road
Libertyville, IL 60048

Re: LED Traffic Signal Lighting Upgrade
Project

Dear Mr. Khawaja:

The Illinois Clean Energy Community Foundation ("the Foundation") is awarding a grant of \$62,225 to the Lake County Division of Transportation ("the Grantee") for the above-referenced project.

This letter defines the terms and conditions of the grant and constitutes the grant agreement ("the Agreement") between the Foundation and the Grantee. Please read it carefully. If the Grantee agrees to the terms and conditions in the agreement, please return one complete counter-signed copy of the Agreement. Contact the Foundation if you have any questions.

Duration and Payment of Grant

This grant is to be used during the period May 1, 2007 through August 31, 2008 (the "Grant Period"). Upon satisfactory completion of the Project as defined herein, the Foundation will make a single payment to the Grantee based on the total number of LED modules installed through the Project. That payment will be no more than \$62,225 the maximum amount for which the Project as proposed, is eligible. If the actual number of LED modules installed is less than described in the grant application submitted to the Foundation by the Grantee, the amount of the grant will be reduced accordingly. The grant amount will not be increased in the event that the Project results in installation of a greater number of LED modules than described in the grant application.

The Foundation reserves the right to suspend, modify or cancel any payments that might otherwise be due under this grant, to require a refund of any unexpended grant funds or both, if:

1. such action is necessary to comply with any applicable law or regulation;
2. the Grantee has used the grant funds for purposes other than as described in the Agreement or otherwise violated any part of the Agreement; and/or
3. the Grantee's performance under the grant has not been satisfactory.

The Foundation's judgment on these matters will be final and binding.

Purpose and Use of Grant

This grant is for the Energy Efficiency LED Traffic Signal Upgrade Project (the "Project") described in the Project proposal and budget submitted to the Foundation by the Grantee and dated February 19, 2007. The Grantee confirms that this grant will be used solely for the specific tax-exempt purposes described in the Project proposal and budget and no substantial variance will be made without the Foundation's prior written approval.

The Grantee also confirms that the Project is under its complete control and that it has and will exercise control over the process of selecting any vendors, contractors or consultants involved in the Project. The Grantee and the Foundation are not partners or joint venturers with respect to each other.

Furthermore, the Grantee agrees that funds from this grant will be used exclusively for tax exempt purposes as described in Section 501(c) (3) of the Internal Revenue Code and will not be used for any activities prohibited by law, including, without limitation, attempting to influence legislation or participating in any political campaign on behalf of any candidate for public office. The Grantee agrees that it and its employees, agents and sub-contractors will comply with all applicable federal, state, county and local laws, ordinances, regulations and codes in the performance of the Grantee's obligations under this Agreement.

Reporting Requirements

Upon completion of the Project to the Grantee's satisfaction, the Grantee shall provide the Foundation with the various documents identified in Exhibit A attached hereto (the "Grantee Documents Required for Payment"). Promptly upon the Foundation's receipt of the Grantee Documents Required for Payment in form and substance satisfactory to the Foundation, the Foundation will send to the Grantee a check in the amount specified in the Duration and Payment of Grant section of this Agreement.

Publicity

The Foundation believes it is important that many organizations and individuals in Illinois learn about the Project and the ways it benefits the public. Accordingly, the Foundation strongly encourages the Grantee to publicize the receipt of this grant and the results of the Project.

The Grantee agrees to share with the Foundation a draft of any press release or public announcement of the grant prior to distributing the release or announcement and to provide the Foundation with clippings of resulting media coverage.

The Grantee also agrees to allow the Foundation to publicize the Grantee as a grant recipient and to use the name and description of the Project and photographs or other audiovisual representations of subjects related to the Project.

Maintenance of Records and Evaluation

The Grantee is responsible for maintaining adequate financial records regarding use of the grant funds, consistent with generally accepted accounting principles.

The Grantee agrees to cooperate fully in any evaluation of this grant and/or the Project that the Foundation may conduct. Such an evaluation may include a visit from Foundation staff or consultants, interviews with Project participants, a review of financial and other records about the Project maintained by the Grantee and/or similar investigative activities.

Confirmation of Tax-Exempt Status and Good Standing

The Grantee confirms that it is currently a unit of government or a nonprofit organization exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code and is not a private foundation under Section 509(a) of the Internal Revenue Code. **If the Grantee is not a unit of government, it agrees to submit with the signed Agreement written evidence of its tax-exempt, non-private foundation status if it has not previously provided such evidence to the Foundation.**

The Grantee further confirms that it is currently in good standing with appropriate state government agencies. If requested by the Foundation, the Grantee agrees to provide written evidence of its good standing.

If there is any change in the Grantee's tax exempt status or good standing during this grant, the Grantee agrees to immediately notify the Foundation of that change.

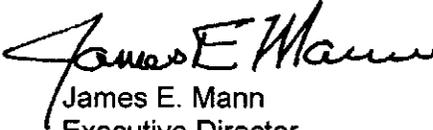
The Grantee's Primary Contact at the Foundation

Please direct all questions and correspondence regarding this grant, including all required reports, to Bob Romo, who may be reached by mail at the Foundation's office, by telephone at 312-372-5191 or by e-mail at bromo@illinoiscleanenergy.org.

Acceptance of Terms and Conditions of Agreement

If the Grantee agrees to the terms and conditions in the Agreement, please return to the Foundation one complete copy of this letter signed by an authorized representative of the Grantee in the space provided below. For future reference, please retain a copy of the Agreement in your files. This grant award may be withdrawn if the Foundation has not received a counter-signed copy of the Agreement within two months from the date of this letter.

Sincerely,


James E. Mann
Executive Director

Attachment: Exhibit A – Grantee Documents Required for Payment

The Grantee acknowledges that relevant organization executives and Project personnel have read and understand the Agreement, that its terms and conditions are acceptable to the Grantee and that the Grantee will comply with those terms and conditions.

Grantee _____
(This must be the legal name of the organization accepting the grant and it must have federal tax-exempt status.)

Name of Authorized Signer for the Grantee _____

Title of Signer _____

Authorized Signature _____
(This must be an original signature of an authorized representative of the Grantee.)

Date Signed _____



Illinois Clean Energy
community foundation

2 North LaSalle Street • Suite 950 • Chicago IL 60602
312.372.5191 • fax 312.372.5190 • www.illinoiscleanenergy.org

Exhibit A

Grantee Documents Required for Payment

DOCUMENTS REQUIRED IMMEDIATELY

To accept the grant offered by the Foundation, the Grantee must return one complete, counter-signed copy of the Grant Agreement within one month from the date of this letter.

DOCUMENTS REQUIRED UPON PROJECT COMPLETION

Upon completion of the LED Lighting Upgrade Project to the Grantee's satisfaction, the Grantee must send the Foundation a signed letter that:

1. confirms the Grantee's acceptance of the Project system hardware and installation as complete and satisfactory;
2. summarizes the number of signalized intersections and number of traffic signal heads upgraded through the Project; and
3. requests that the grant be paid.

As attachments to that letter, the Grantee must provide the following documentation:

4. a detailed list of the quantity(ies) and type(s) of all incandescent traffic bulbs removed and new LED modules installed as part of the Project;
5. a calculation of the final amount of electricity demand reduction (measured in watts or kilowatts) resulting from the Project, as installed; and
6. a copy of the final invoice(s) from or check(s) to all vendors involved in the Project, showing amounts already paid and amounts still owed; this may also include a summary of the hours and total costs of any in-house labor used to complete the Project; in sum, these documents should reflect the total resulting cost of the Project.