



## RESOLUTION

**WHEREAS**, Delany Road (*County Highway 23*) is a designated route on the county highway system; and

**WHEREAS**, Delany Road in the vicinity of August-Zupec Drive is subject to chronic flooding conditions; and

**WHEREAS**, in order to alleviate the chronic flooding conditions along Delany Road in the vicinity of August-Zupec Drive it is desirable to install approximately 2,000 lineal feet of new storm sewer and supporting appurtenances along Delany Road and August-Zupec Drive; and

**WHEREAS**, Lake County, the Lake County Stormwater Management Commission and the Village of Wadsworth are desirous of entering into an agreement providing for the above-said improvements to Delany Road and August-Zupec Drive, a draft copy of which is attached hereto.

**NOW, THEREFORE BE IT RESOLVED** by this County Board of Lake County 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 the financing of 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 there is hereby appropriated \$100,000 of County Bridge Tax funds for this improvement designated as Section 08-00093-19-DR.

Dated at Waukegan, Illinois  
this 13<sup>th</sup> day of May 2008

**DRAFT**  
**INTERGOVERNMENTAL AGREEMENT**  
between the  
**LAKE COUNTY**  
**STORMWATER MANAGEMENT COMMISSION,**  
the  
**VILLAGE OF WADSWORTH**  
and the  
**LAKE COUNTY DIVISION OF TRANSPORTATION**  
for the  
**DELANY-ZUPEC DRAINAGE IMPROVEMENTS**

THIS IS AN AGREEMENT, by and between The LAKE COUNTY STORMWATER MANAGEMENT COMMISSION, 333 Peterson Road, Libertyville, Illinois 60048 (hereinafter called SMC); the VILLAGE OF WADSWORTH, 14155 W. Wadsworth Road, Wadsworth, Illinois 60083 (hereinafter called VILLAGE); and the COUNTY OF LAKE, Illinois, an Illinois body politic and corporate, acting by and through its Chair and County Board, Lake County Division of Transportation, 600 W. Winchester Road, Libertyville, Illinois 60048 (hereinafter referred to as the COUNTY).

**PROJECT DESCRIPTION**

The project is a modification and improvement of an existing drainage system. It consists of the construction of approximately 2,000 lineal feet of new storm sewer and supporting appurtenances along Delany Road-County Highway 22 and August-Zupec Drive and approximately 300 lineal feet of swale reconstruction and vegetation management to reduce chronic flooding conditions. The project will be completed in two phases: Phase I consists of construction of the storm sewer, associated appurtenances and outfall structure and vegetation maintenance downstream of the storm sewer. Phase II consists of a swale reconstruction from the outfall point to the ultimate discharge location. The project location is shown in Exhibit 1. This work is hereinafter called the PROJECT.

**SCOPE OF WORK**

The proposed Scope of Services is provided in Attachment A, Scope of Services. The Scope of Services may be amended with the approval of all funding partners listed in the *Compensation* section below.

**DRAFT**

## SCHEDULE

The VILLAGE shall submit the final request for reimbursement for eligible expenses before November 30, 2008. If necessary, an extension may be requested in writing by the VILLAGE prior to this date. Requests for reimbursement submitted after this date without prior approval of the extension will not be honored.

## COMPENSATION

1. The total project cost is approximately \$420,000.
2. SMC funding shall contribute \$200,000.
3. The VILLAGE will contribute \$140,000.
4. The COUNTY will contribute the cost of construction services for work within Delany Road right-of-way excluding material costs; approximate cost is \$80,000.
5. Payment of reimbursable costs shall be due and payable by SMC and the COUNTY after submission of the VILLAGE's invoice, after satisfactory completion of the work as permitted by SMC and as approved by the COUNTY for work along the Delany Road-County Highway 22, and after approval of the same by the SMC Director and the County Engineer.

## TERMS AND CONDITIONS

1. The terms of this agreement are valid until November 30, 2009.
2. All parties may terminate this Agreement upon thirty days written notice to the other parties. In event of termination, SMC shall pay the VILLAGE for 50% of the services rendered to the date of termination up to a maximum of \$200,000.
3. All adjustments, additions, and/or deletions to this Agreement are subject to the written approval of all parties.
4. This Agreement shall be governed by and construed according to the laws of the State of Illinois.
5. COUNTY and SMC authorization and financial support for this project are conditioned on its compliance with all applicable federal, state and local statutes and regulations.
6. This Agreement supersedes any and all other Agreements, oral or written, between the parties hereto with respect to the subject matter hereof.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed, as evidenced by the signatures of their duly authorized representative as affixed below.

**LAKE COUNTY STORMWATER  
MANAGEMENT COMMISSION:**

**VILLAGE OF WADSWORTH:**

\_\_\_\_\_  
Michael D. Warner, P.E., CFM, Director

\_\_\_\_\_  
Glenn Ryback, Village President

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

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

**COUNTY OF LAKE:**

\_\_\_\_\_  
Chair, Lake County Board

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

Attest: \_\_\_\_\_  
Clerk, Lake County

Recommended for Execution

\_\_\_\_\_  
County Engineer/Director of Transportation

ATTACHMENT A

SCOPE OF SERVICES

SMC agrees to the following:

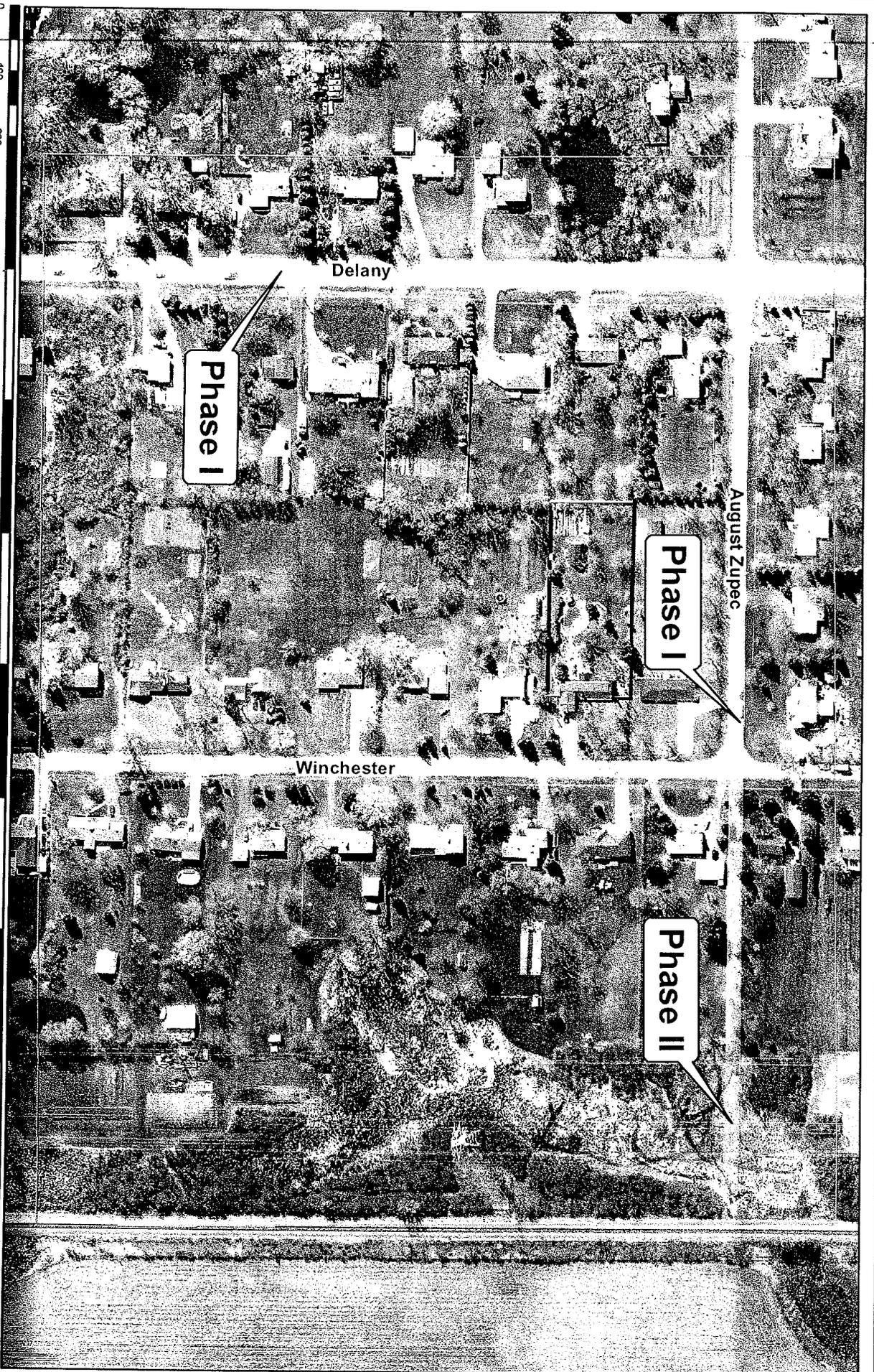
1. The SMC will give limited technical assistance to the VILLAGE. This may include review of construction scope items, construction inspections and discussing quantities, materials and methods for the PROJECT.
2. The SMC will obtain the necessary permits for the PROJECT.
3. The SMC will pay all permitting fees associated with the PROJECT.
4. The SMC will perform a wetland delineation for the PROJECT.
5. SMC funding shall be used for material costs within Delany Road Right-of-Way and the remaining funds shall be used for construction costs for Phase I and Phase II.

The VILLAGE agrees to the following:

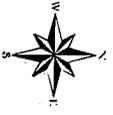
1. The VILLAGE will prepare, or cause to be prepared, the engineering plans and specifications, and obtain the necessary approvals, including approval from the COUNTY for work within the Delany Road-County Highway 22 right-of-way
2. The VILLAGE will hire contractors and/or equipment necessary to be used for construction of the PROJECT.
3. The VILLAGE will draw up and obtain all necessary easements, temporary and permanent, and will be the grantee of the permanent easement.
4. The VILLAGE will lead the bidding process and award contract.
5. The VILLAGE will be Project Manager of the construction of Phase I and Phase II of the PROJECT including construction inspection and as-built surveys outside of the Delany Road-County Highway 22, right-of-way.
6. The VILLAGE will be responsible for identification of all utility crossings and conflicts.
7. The VILLAGE will develop the PROJECT schedule.
8. The VILLAGE will supply material breakdown.
9. The Village will be responsible for future maintenance outside of Delany Road Right-of-Way.

The COUNTY agrees to the following:

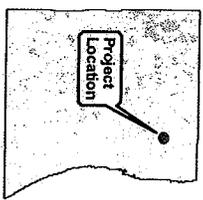
1. The COUNTY will pay for construction costs within Delany Right-of-Way, excluding costs of materials.
2. The COUNTY will be responsible for future maintenance within Delany Road Right-of-Way.
3. The COUNTY will be responsible for construction inspection, project layout and as-built surveys within the Delany Road-County Highway 22, right-of-way.



-  Project Limits
-  Phase I
-  Phase II
-  2007 Aerial Photography



**Delany Road and August Zupec Drive  
Proposed Drainage  
Improvements Site  
Exhibit 1**



**STORMWATER MANAGEMENT COMMISSION**  
 This map is provided for general informational only. Map is not to be used for any other purpose without the express written consent of the Stormwater Management Commission.  
 Lake County Stormwater Management Commission  
 April 1, 2008

**DATA SOURCES**  
 Lake County Department of Information Technology, GIS & Mapping Division