

RESOLUTION NO. 24-____

**A RESOLUTION APPROVING A JOINT FUNDING AGREEMENT
(BLR 05310C) WITH IDOT FOR CONSTRUCTION AND
CONSTRUCTION ENGINEERING SERVICES FOR THE
NORTH AURORA ROAD UNDERPASS AT THE CN RAILROAD PROJECT**

1. **WHEREAS**, the City of Naperville (“**City**”) is the Local Public Agency for a project which has been undertaken by the City, the City of Aurora, and Naperville Township to replace and widen the existing highway underpass at North Aurora Road at the Elgin, Joliet, & Eastern Railway Company’s Railroad crossing (known as the “**North Aurora Road Underpass at the CN Railroad Project**” or the “**Project**”); and
2. **WHEREAS**, the Project will necessitate the use of funding provided through the Illinois Department of Transportation (“**IDOT**”), the State of Illinois Grade Crossing Protection Fund, and by each of the Project Entities; and
3. **WHEREAS**, in order to obtain IDOT funding for Project, a matching amount of local share funding must be provided; and
4. **WHEREAS**, the City of Naperville has appropriated funding for the Project in the total amount of \$5,788,465 as set forth in the BLR 05310C (the “**Joint Funding Agreement**”) attached hereto and made part hereof as **Exhibit A**, which Joint Funding Agreement was submitted to IDOT on June 10, 2024, which funding is supported by intergovernmental agreements for the Project with the City of Aurora and Naperville Township; and
5. **WHEREAS**, the above-described BLR 05310C for the Project is pending review and approval by IDOT; and
6. **WHEREAS**, subsequent to the submission of the BLR 05310C to IDOT, which is pending IDOT approval, additional funding in the amount of \$4,871,631 for the Project was allocated by the Federal STP Shared Fund (the “**Additional Funding**”); and
7. **WHEREAS**, upon approval by IDOT of the BLR 05310C submitted to IDOT as set forth above, it is the intent of the City of Naperville, as LPA for the Project, to submit a BLR 05311 amendment thereto to include the Additional Funding which will result in a reduced total amount of \$4,796,344 to be provided as local share funding.

NOW THEREOFRE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NAPERVILLE, COUNTIES OF DUPAGE AND WILL, ILLINOIS, in the exercise of its home rule authority as follows:

SECTION 1: The Recitals above are incorporated as part of this Section 1 as though set forth herein in their entirety.

SECTION 2: The Joint Funding Agreement for the Project attached hereto as **Exhibit A** is hereby approved.

SECTION 3: As set forth in Recital 4 above, the amount of FIVE MILLION, SEVEN HUNDRED AND EIGHTY-EIGHT THOUSAND, FOUR HUNDRED AND SIXTY-FIVE DOLLARS AND ZERO CENTS (\$5,788,465), or as much as may be needed to match the required funding for local share of construction and construction engineering services costs of the Project as set forth on Schedule Number 1 to the Joint Funding Agreement, has been allocated, committed, appropriated, and budgeted by the City of Naperville for calendar years 2025 through calendar year 2027 to provide the local share funding for the Project, which funding is supported by intergovernmental agreements for the Project with the City of Aurora and Naperville Township.

SECTION 4: Upon IDOT approval of the Joint Funding Agreement, the City intends to submit a BLR 05311 amendment thereto to include the Additional Funding described in Recital 6 above.

SECTION 5: The Mayor of the City of Naperville, as Local Public Agency for the Project, is authorized to sign, and the Naperville City Clerk to attest, the Joint Funding Agreement attached hereto as **Exhibit A**.

SECTION 6: This Resolution will become Schedule Number 5 of the Joint Funding Agreement.

SECTION 7: This Resolution shall be in full force and effect upon its passage and approval.

ADOPTED this _____ day of _____, 2024.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2024.

Scott Wehrli
Mayor

ATTEST:

Dawn Portner
City Clerk