

RESOLUTION NO. 22-

**A RESOLUTION APPROVING A PHASE 2 DESIGN
ENGINEERING REIMBURSEMENT AGREEMENT WITH
ENBRIDGE ENERGY LIMITED PARTNERSHIP FOR THE
NORTH AURORA ROAD RIGHT-OF-WAY PROJECT**

1. **WHEREAS**, the City of Naperville (“**City**”), is the lead agency for a project which has been undertaken by the City, the City of Aurora, and the Naperville Township Road District (now Naperville Township) to replace and widen the existing highway underpass at North Aurora Road at the Elgin, Joliet, & Eastern Railway Company’s Railroad crossing (the “**Project**”); and
2. **WHEREAS**, it has been determined that in order to continue work on the Project, it will be necessary to relocate a gas pipeline owned by the Enbridge Energy, Limited Partnership.
3. **WHEREAS**, on May 19, 2021, the City and Enbridge entered into a reimbursement agreement for Enbridge to perform a Class 4 Estimate which explored the conceptual feasibility of two options to relocate the Enbridge pipeline and removing the hand-operated main line valve MLV-406.83-6-V. The Class 4 Estimate is completed, and a preliminary pipeline relocation design has been agreed upon.
4. **WHEREAS**, in its capacity as lead agency for the Project, the City now desires for Enbridge to perform Phase 2 Design Engineering in order to progress toward a full engineering design of the agreed upon option selected as part of the Class 4 Estimate.

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

SECTION 1: The Phase 2 Design Engineering Reimbursement Agreement between the City of Naperville and Enbridge Energy, Limited Partnership which is attached hereto and made part hereof as **Exhibit A**, is hereby approved subject to minor revisions as may be approved by the City Attorney.

SECTION 2: The City Manager is hereby authorized to execute, and the City Clerk to attest, the Phase 2 Design Engineering Reimbursement Agreement between the City of Naperville and Enbridge as provided herein.

SECTION 3: This Resolution shall be in full force and effect from and after its passage and approval.

ADOPTED this _____ day of _____, 2022.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2022.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk