

**SECOND AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT
BETWEEN THE COUNTY OF DU PAGE
AND THE VILLAGE OF DOWNERS GROVE
FOR IMPROVEMENTS ALONG CH 35/55TH STREET
FROM DUNHAM ROAD TO CLARENDON HILLS ROAD
SECTION 11-00302-04-CH**

THIS SECOND AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY OF DU PAGE AND THE VILLAGE OF DOWNERS GROVE, for CH 35/55TH STREET (DUNHAM ROAD TO CLARENDON HILLS ROAD), Section 11-00302-04-CH dated June 12, 2012, as previously amended by agreement of the parties, (hereinafter referred to as the "SECOND AMENDMENT"), is entered into this _____ day of _____, 2025, between the County of DuPage (hereinafter referred to as the "COUNTY"), a body corporate and politic, with offices at 421 N. County Farm Road, Wheaton, Illinois, and the Village of Downers Grove (hereinafter referred to as "VILLAGE"), a municipal corporation with offices at 850 Curtiss St., Downers Grove, Illinois. The COUNTY and the VILLAGE are sometimes hereinafter individually referred to as a "party" or together as the "parties."

RECITALS

WHEREAS, the COUNTY and the VILLAGE entered into an Intergovernmental Agreement Between the County of DuPage and the Village of Downers Grove for CH 35/55th Street (Dunham Road to Clarendon Hills Road), Section 11-00302-04-CH, Resolution DT-0018-12 dated June 12, 2012, (hereinafter referred to as "AGREEMENT"); and

WHEREAS, the AGREEMENT was previously amended by agreement of the parties, County Ordinance DT-O-0040-17, dated September 12, 2017 (hereinafter referred to as "FIRST AMENDMENT") to incorporate watermain improvements as part of the improvement known as Section 11-00302-04-CH and update costs related thereto (hereinafter referred to as "PROJECT"); and

WHEREAS, the AGREEMENT must be amended further to revise and update the actual PROJECT costs; and

WHEREAS, the COUNTY and VILLAGE are empowered to enter into this SECOND AMENDMENT pursuant to the authority granted in the Intergovernmental Cooperation Act, 5 ILCS 220/1, et seq., the Local Government Property Transfer Act and in Article VII, Section 10, of the Illinois Constitution of 1970.

NOW, THEREFORE, in consideration of the premises and mutual covenants contained herein, the parties agree that:

1.0 RECITALS INCORPORATED

1.1. The foregoing recitals are incorporated herein by reference as though fully set forth.

2.0 AMENDMENT

2.1 That Exhibit A to the AGREEMENT, as revised by the FIRST AMENDMENT, is hereby revised and replaced by the REVISED EXHIBIT A attached hereto to this SECOND AMENDMENT and incorporated herein by reference.

IN WITNESS WHEREOF, the parties have caused this SECOND AMENDMENT to be executed in duplicate counterparts, each of which shall be considered as an original by their duly authorized officers as of the date first above written.

COUNTY OF DU PAGE

VILLAGE OF DOWNERS GROVE
Signature on file

Deborah A. Conroy, Chair
DuPage County Board

Robert T. Barnett
Village of Downers Grove

ATTEST:

ATTEST:
Signature on file

Jean Kaczmarek
County Clerk

Rosa Berardi
Village Clerk



REVISED EXHIBIT A

CH 35 / 55TH STREET (DUNHAM ROAD TO CLARENDON HILLS ROAD)

SECTION #11-00302-04-CH

PROJECT COSTS AND FUNDING

DESCRIPTION	TOTAL AMOUNT	CMAQ FUNDING (County Secured)	STP FUNDING (Village Secured)	HSIP FUNDING	COUNTY COST	VILLAGE COST
Phase I (preliminary engineering) (actual)	\$216,463.00				\$168,463.00	\$48,000.00
Phase II (design engineering)	\$818,000.00	\$366,000.00			\$452,000.00	
Land Acquisition	\$1,081,000.00	\$745,000.00			\$336,000.00	*
Construction (excluding Village Watermain)	\$8,270,946.30	\$2,816,787.88	\$2,651,414.48	\$720,000.00	\$2,082,743.94	
Construction Engineering (excluding Village Watermain)	\$1,232,424.34	\$536,000.00			\$696,424.34	
Village Watermain construction 100% Village cost (actual)	\$918,409.91					\$918,409.91
Village Watermain construction engineering 10% of Watermain construction cost	\$91,840.99					\$91,840.99
Village Watermain design cost 100% Village cost (actual)	\$26,047.80					\$26,047.80
Village Credit for relocation of sign at Fire Station on Main Street (agreed-to amount)					\$10,000.00	(\$10,000.00)
	\$12,655,132.34	\$4,463,787.88	\$2,651,414.48	\$720,000.00	\$3,745,631.28	\$1,074,298.70

* Village shall donate any right-of-way or easements as may be required from Village owned property at no cost to the PROJECT / COUNTY.