

TO: Committee of the Whole - CS

FROM: Gary Holm

DATE: February 8, 2021

RE: Resolution 21-013-R
IDOT Resolution for Construction on State Highway

On January 21st the City received correspondence from IDOT informing us of a requirement to execute a formal Resolution to perform work within State highways. This IDOT correspondence indicates that the Resolution is required in lieu of the City providing a formal performance bond.

City Staff cannot recall executing any similar resolutions in the past. Research from past Council meetings suggests that a Resolution similar to this has not been approved by the City in at least the past decade. That said, we have no objection to the Resolution format provided by IDOT and therefore **recommend approval of Resolution 21-013-R IDOT Resolution for Construction on State Highway**

**CITY OF BATAVIA, ILLINOIS
RESOLUTION 21-013-R**

IDOT RESOLUTION FOR CONSTRUCTION ON STATE HIGHWAY

WHEREAS, the City of Batavia, hereinafter referred to as MUNICIPALITY, located in the Counties of Kane and DuPage, State of Illinois, desires to undertake, in the years of 2021 and 2022, the location, construction, operation and maintenance of driveways and street returns, watermains, sanitary and storms sewers, streetlights, traffic signals, sidewalk, landscaping etc., on State highways, within said MUNICIPALITY, which by law and/or agreement come under the jurisdiction and control of the Department of Transportation of the State of Illinois hereinafter referred to as DEPARTMENT; and

WHEREAS, An individual working permit must be obtained from the DEPARTMENT prior to any of the aforesaid installations being constructed either by the MUNICIPALITY or by a private person or firm under contract and supervision of the MUNICIPALITY; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Batavia as follows:

SECTION 1. That MUNICIPALITY hereby pledges its good faith and guarantees that all work shall be performed in accordance with conditions of the permit to be granted by the DEPARTMENT, and to hold the State of Illinois harmless during the prosecution of such work, and assume all liability for damages to person or property due to accident or otherwise by reason of the work which it to be performed under the provision of said permit.

SECTION 2. That all authorized officials of the MUNICIPALITY are hereby instructed and authorized to sign said working permit on behalf of the MUNICIPALITY.

CITY OF BATAVIA, ILLINOIS RESOLUTION 21-013-R

PRESENTED to the City Council of the City of Batavia, Illinois, this 1st day of March, 2021.

PASSED by the City Council of the City of Batavia, Illinois, this 1st day of March, 2021.

APPROVED by me as Mayor of said City of Batavia, Illinois, this 1st day of March, 2021.

Jeffery D. Schielke, Mayor

Ward	Aldersperson	Ayes	Nays	Absent	Abstain	Aldersperson	Ayes	Nays	Absent	Abstain
1	O'Brien					Baerren				
2	Callahan					Wolff				
3	Meitzler					Chanzit				
4	Malay					Knopp				
5	Uher					Beck				
6	Cerone					Russotto				
7	McFadden					Miller				
Mayor Schielke										
VOTE:		Ayes	Nays	Absent		Abstentions				
Total holding office:		Mayor and 14 aldermen								

ATTEST:

Ellen Posledni, City Clerk