

ORDINANCE NO. 2011-07-098

**AN ORDINANCE REVISING THE ANNUAL BUDGET ORDINANCE**

**(Big Broadband Construction, FY 2011-2012)**

WHEREAS, the Annual Budget Ordinances of and for the City of Urbana, Champaign County, Illinois, for the fiscal year beginning July 1, 2011, and ending June 30, 2012 (the "Annual Budget Ordinance") has been duly adopted according to sections 8-2-9.1 et seq. of the Illinois Municipal Code (the "Municipal Code") and Division 2, entitled "Budget", of Article VI, entitled "Finances and Purchases", of Chapter 2, entitled "Administration", of the Code of Ordinances, City of Urbana, Illinois (the "City Code");

WHEREAS, the City Council of the said City of Urbana finds it necessary to revise said Annual Budget Ordinance by deleting, adding to, changing or creating sub-classes within object classes and object classes themselves; and

WHEREAS, funds are available to effectuate the purpose of such revision; and

WHEREAS, such revision is not one that may be made by the Budget Director under the authority so delegated to the Budget Director pursuant to section 8-2-9.6 of the Municipal Code and section 2-133 of the City Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That the Annual Budget for the fiscal year beginning July 1, 2011 and ending June 30, 2012 be and the same is hereby revised to provide as follows:

FUND:	Big Broadband Const. Fund
ADD EXPENSE:	Construction Costs, \$5,775,156
ADD REVENUE:	Subaward Grant U/I, 5,429,481
ADD REVENUE:	Local Share (Transfer TIF3), 345,675

Section 2. This Ordinance shall be effective immediately upon passage and approval and shall not be published.


Section 3. This Ordinance is hereby passed by the affirmative vote of two-thirds of the members of the corporate authorities then holding office, the "ayes" and "nays" being called at a regular meeting of said Council.

PASSED by the City Council this 1st day of August, 2011.

AYES: Bowersox, Jakobsson, Lewis, Marlin, Smyth, Stevenson

NAYS:

ABSTAINS:



*Phyllis H. Clark*  
Phyllis H. Clark, City Clerk

APPROVED by the Mayor this 11th day of August, 2011.

*Laurel Lunt Prussing*  
Laurel Lunt Prussing, Mayor  
By: Charles A. Smyth, Mayor Pro-tem

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**AGREEMENT FOR URBANA-CHAMPAIGN BIG BROADBAND INFRASTRUCTURE  
INSTALLATION PROJECT**

**THIS AGREEMENT** is entered into by and between the City of Urbana ("OWNER") and John Burns Construction Company, an Illinois Corporation ("CONTRACTOR").

**WHEREAS**, CONTRACTOR was identified as the low bidder for the project known as Urbana-Champaign Big Broadband Infrastructure Installation Project ("PROJECT"), and

**WHEREAS**, a low bid of CONTRACTOR was more than the OWNER could afford, and

**WHEREAS**, the parties negotiated deleting certain items of work to make the installation of the PROJECT within the City's budget, and

**WHEREAS**, the parties have agreed to accept the bid of CONTRACTOR as modified by the negotiated changes reflected on Exhibit B to this Agreement.

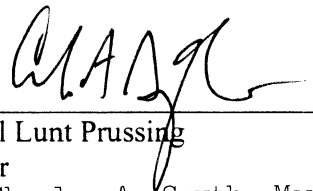
**NOW THEREFORE**, in consideration of the premises and of the mutual covenants and agreements hereinafter contained, the parties hereto agree as follows:

The OWNER does hereby employ the CONTRACTOR to do all the work and to provide all the materials, tools, machinery and supervision necessary for the construction of the PROJECT for the total sum of \$5,020,00.00, all in accordance with the Contract Documents and Specifications for the PROJECT, as modified by the CONTRACTOR'S New Proposal, dated July 18, 2011, which are attached hereto as Exhibits A and B respectively and expressly incorporated herein by reference and made a part hereof. Provided, however, that the CONTRACTOR'S New Proposal does not modify the specifications concerning Supplemental Unit Prices and liquidated damages.

The OWNER and the CONTRACTOR further agree that the Notice to Contractors, Special Provisions, and the Plans for the PROJECT, approved by the City Engineer on May 9, 2011, as modified herein and attached hereto, are all essential documents of this Agreement and are a part hereof.

IN WITNESS WHEREOF, the parties have executed this Agreement.

**City of Urbana, Illinois:**

  
\_\_\_\_\_  
Laurel Lunt Prussing  
Mayor  
By: Charles A. Smyth, Mayor Pro-tem

9/23/11  
\_\_\_\_\_  
Date



ATTEST:

*Phyllis Clark*

Phyllis Clark  
City Clerk

*by Clarence J. Pelant*  
Deputy Clerk

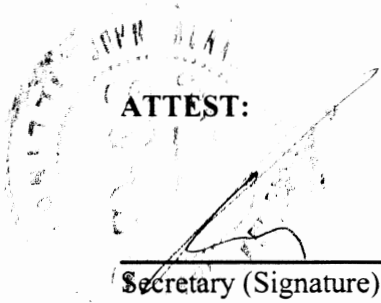
9/23/2011

**John Burns Construction Company:**

Curry  
Name

09/19/2011  
Date

PRESIDENT  
Title



ATTEST:

Secretary (Signature)

DALE R. SLOSANSKI  
Name (Printed)