

RESOLUTION NO. 22334

Background

The June 1, 2020 *Elgin O'Hare Western Access Project Property Transfer and Construction Master Agreement* ("Master Agreement") between The Illinois State Toll Highway Authority ("Tollway") and the Union Pacific Railroad ("UP") requires the Tollway to reimburse UP for the actual cost of preliminary engineering services work relating to the Elgin O'Hare Western Access Project ("Project"). The Tollway estimates that the cost of such work will total approximately \$800,000.00.

The Master Agreement also requires the Tollway to pay UP for the actual cost of certain other work and services relating to the Project. The Tollway estimates that the cost of such other work and services, which consists of project management, construction submittals, construction management, final inspections, flagging services, signboard relocations, and services relating to trackwork, signals, utilities, temporary at-grade crossings and facilities, will total approximately \$27,847,944.00.

It is in the best interest of the Tollway to enter into an agreement with UP to memorialize the Tollway's obligation to pay approximately \$28,647,944.00 to UP for the foregoing preliminary engineering services and other work and services relating to the Project, as required by the Mater Agreement.

Resolution

The General Counsel is authorized to negotiate and finalize an agreement with UP, consistent with the terms presented to the Board, to memorialize the Tollway's obligation to pay UP approximately \$28,647,944.00 for preliminary engineering services and other work and services relating to the Project, as required by the Mater Agreement. The Chairman and Chief Executive Officer of the Tollway and the

11/02/21

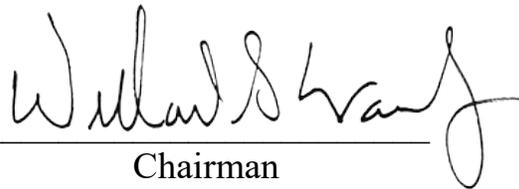
4.0/1

RESOLUTION NO. 22334

Resolution - continued

General Counsel are authorized to execute any and all necessary documents to effectuate the agreement, subject to the approval of the Chief Financial Officer, and the Chief of Finance is authorized to issue warrants in payment thereof.

Approved by:



Chairman

RESOLUTION NO. 22335

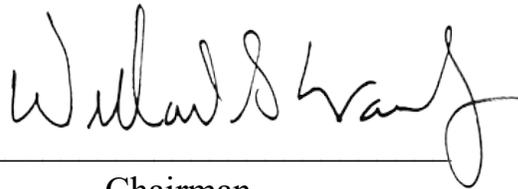
Background

It is in the best interest of The Illinois State Toll Highway Authority (“Tollway”) to settle *ISTHA v. Colfin Cobalt I-II Owner, L.L.C.*, 2020 L 050373, a condemnation case concerning Tollway Parcel NW-7B-15-008.

Resolution

The above-proposed litigation settlement is approved. The General Counsel is authorized to finalize the settlement agreement consistent with the terms presented to the Board of Directors in Executive Session. The Chairman and Chief Executive Officer of the Tollway is authorized to execute any and all necessary documents to effectuate this settlement and resolve all related legal matters, subject to the approval of the Chief Financial Officer, and the Chief Financial Officer is authorized to issue warrants in payment thereof.

Approved by:



Chairman