

**Sauk Valley Community College**  
**August 29, 2022**

**Action Item 4.4**

**Topic:**                   **Amendment to Trust Agreement – Capital Development Board (State of Illinois) Project No. 810-084-012 “Replace Generator”**

**College Health Metric:**       **Campus Environment – College facilities and grounds are clean and updated; the campus is safe, secure, and welcoming.**

**Presented By:**       **Dr. David Hellmich, Richard Groleau, and Kent Sorenson**

**Presentation:**

The Intergovernmental Cooperation Act (5 ILCS 220 et seq., as amended) authorizes public agencies to enter into agreements and contracts to perform any governmental service, activity, or undertaking authorized by law upon approval of their respective governing bodies.

The Capital Development Board (CDB) is an agency of the State of Illinois created pursuant to 20 ILCS 3105 et seq., which is responsible for managing construction projects for that money has been appropriated or authorized by the General Assembly.

The College had previously established a trust agreement, dated October 28, 2019, where the CDB committed to provide up to seventy-five (75%) of the cost of the proposed project for a maximum contribution of \$375,000 to finance the project, and the College committed to provide the balance of the project costs. The CDB will manage the project, and the College will transfer \$125,000 to the CDB under a project trust agreement.

An amendment to the trust agreement is necessary to update the College’s projected share of the project costs after consideration of changes in project scope, project engineering, and approval of construction bids. An additional \$704,391 will be necessary to cover the College’s project share, bringing the College’s total contribution to \$829,391.

Total project costs are estimated at \$1,204,391 including a 10% contingency allocation. The State’s share of the project cost will be capped at \$375,000. The increase to the overall project costs are attributed to an overall change in project scope from replacing the College’s back-up emergency generator (specific to emergency lighting and fire safety) to include the College’s overall back-up power needs along with increases to material, supplies, and labor costs since October 2019.

The additional \$704,391 will be sourced from the tax year 2020 PHS levy (totaling \$151,599) and restricted bond proceeds (totaling \$552,792).

**Recommendation:**

The administration recommends the Board approve the attached Amendment to Trust Agreement with the Capital Development Board to proceed with the CDB coordinated project to upgrade the College’s back-up generator.

**AMENDMENT TO TRUST AGREEMENT**

This Amendment to that certain Trust Agreement, hereinafter called Trust Agreement dated October 29, 2019 entered into by and between Sauk Valley Community College whose address is 173 IL 2 Dixon, IL 61021, hereinafter called the USING EDUCATIONAL AGENCY, and Sterling Federal Bank, hereinafter called BANK.

WITNESSETH

WHEREAS the USING EDUCATIONAL AGENCY has entered into a Trust Agreement for the purpose of depositing one hundred twenty-five thousand dollars (\$125,000) with BANK as its required contribution to the project known as Capital Development Board (State of Illinois) Project No. 810-084-012 hereinafter called Project, and

WHEREAS the required contribution to the PROJECT by the USING EDUCATIONAL AGENCY has been increased.

NOW THEREFORE, the TRUST AGREEMENT is hereby amended by adding paragraphs as follows:

“11. That the USING EDUCATIONAL AGENCY does simultaneously with the execution hereof deposit with BANK additional funds totaling seven hundred four thousand three hundred ninety-one dollars (\$704,391) raising the total contribution to eight hundred twenty-nine thousand three hundred ninety-one dollars (\$829,391).

“12. That the funds so deposited with the BANK shall be part of the contribution and shall be held by the BANK in trust according to the terms of TRUST AGREEMENT and any amendments thereto.”

IN WITNESS WHEREOF the parties have hereunder set their hand and seals this day

\_\_\_\_\_.

**USING EDUCATIONAL AGENCY**

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
phone number

(Seal)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

ATTEST: \_\_\_\_\_

Signature

\_\_\_\_\_  
Title

**BANK**

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
phone number

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

ATTEST:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

Acknowledgement of Receipts of Funds in  
the Amount of \$ \_\_\_\_\_

\_\_\_\_\_  
Printed Name/Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Paula Sorensen

Administrator of Fiscal Management  
CAPITAL DEVELOPMENT BOARD