



Legislation Text

File #: 24-225, Version: 1

AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH THE KANE COUNTY AMERICAN RESCUE PLAN CONSULTANT AND CORRESPONDING USE OF ADDITIONAL STATE AND LOCAL FISCAL RECOVERY

WHEREAS, the Congress of the United States has enacted the American Rescue Plan Act of 2021 (“ARPA”) to provide economic relief to State, Local, and Tribal governments responding to economic and public health impacts of the COVID-19 public health emergency; and

WHEREAS, the County of Kane has received a total of \$103,413,041 (One Hundred Three Million, Four Hundred Thirteen Thousand, Forty-One Dollars) from the United States Department of the Treasury, in State and Local Fiscal Recovery Funds (“SLFRF”) pursuant to ARPA; and

WHEREAS, pursuant to ARPA and the administrative regulations adopted by the United States Department of the Treasury (“Final Rule”), the County of Kane shall use the SLFRF to defray costs associated with its response to the to the COVID-19 pandemic within the County, to address the economic fallout from the pandemic, and lay the foundation for a strong and equitable recovery; and

WHEREAS, by Resolutions 21-313 and 22-288, the Kane County Board established the American Rescue Plan Committee (“ARPC”) as a resource to research, study, plan, and make recommendations for the best allocation and uses of the County’s SLFRF and any other Federal or State funds that respond to the COVID-19 public health emergency and its negative economic impacts; and

WHEREAS, SLFRF may be used for administrative expenses involved in administering the County’s American Rescue Plan Program, and for administrative costs associated with County programs and activities responding to the COVID-19 public health emergency and its negative economic impacts; and

WHEREAS, by Resolution 21-508, the Kane County Board authorized the Kane County Board Chairman to execute a professional services agreement with Ernst & Young LLP for a period of up to 5 (five) years for the services related to the planning, accounting, distribution, and reporting of SLFRF in compliance and in accordance with applicable Federal and State laws in an amount not to exceed \$1,000,000 (One Million Dollars) with all invoices to be approved by the County Board; and

WHEREAS, on November, 15, 2021, the Kane County Board Chairman executed a professional services agreement with Ernst & Young LLP (“Exhibit A”), with an expected term through December 2024, and with fees associated with the County’s requested services not to exceed

\$1,000,000 (One Million Dollars) unless approved by the Kane County Board; and

WHEREAS, to ensure the best allocation of the County's SLFRF, Kane County Board resolution 23-139 authorized an additional \$900,000 (Nine Hundred Thousand Dollars) to compensate Ernst & Young LLP through December 2024 for the services related to the planning, accounting, distribution, and reporting of SLFRF; and

WHEREAS, by Resolution 24-036, the Kane County Board authorized an additional \$1,082,034 (One Million Eighty-Two Thousand Thirty-Four Dollars) to compensate Ernst & Young LLP for services related to planning, accounting, distribution, and reporting of SLRF through April 30, 2027; and

WHEREAS, Kane County has requested additional services from Ernst & Young for professional services related to planning, accounting, distribution, and reporting of SLFRF that specifically deal with compliance with United State Code of Federal Regulations 2 CFR 200; and

WHEREAS, Ernst & Young proposed to provide professional management services to Kane County related to compliance with United State Code of Federal Regulations 2 CFR 200 in an amount not to exceed \$220,000 (Two Hundred Twenty Thousand Dollars); and

WHEREAS, the ARPC recommends that the County Board allocates an additional \$220,000 (Two Hundred Twenty Thousand Dollars) of the County's SLFRF to compensate Ernst & Young LLP through April 30, 2027 for the services related to compliance with United State Code of Federal Regulations 2 CFR 200; and

WHEREAS, the attached fourth amendment to the statement of work ("Exhibit D") is a draft version, subject to minor modifications, as agreed by County representatives, and with a final version to be prepared with approval by the State's Attorney's Office.

NOW, THEREFORE, BE IT RESOLVED that the Kane County Board that the County Board Chairman is authorized and directed to execute an amendment to the professional services agreement with Ernst & Young LLP, for the services related to compliance with United State Code of Federal Regulations 2 CFR 200 in compliance and in accordance with applicable Federal and State laws, which increases the total not to exceed amount for the ARPA engagement by \$220,000 (Two Hundred Twenty Thousand Dollars), with all invoices to be approved by ARP Program Manager.

NOW, THEREFORE, BE IT FUTHER RESOLVED by the Kane County Board that \$220,000 (Two Hundred Twenty Thousand Dollars) of the County's SLFRF shall be allocated to the funding of the professional services agreement with Ernst & Young LLP for the services related to planning, accounting, distribution, and reporting of SLFRF that specifically deal compliance with United State Code of Federal Regulations 2 CFR 200, in accordance with ARPA, the Final Rule, and related guidance issued by the United States Department of the Treasury, and that the following budget adjustment be made to the Fiscal Year 2024 budget:

355.800.66871.50150	Contractual Consulting Services	\$220,000
355.800.668.85000	Allowance for Budget Expense	(\$220,000)

Line Item: 355.800.66871.50150

Line Item Description: Contractual/Consulting

Was Personnel/Item/Service approved in original budget or a subsequent budget revision? No

Are funds currently available for this Personnel/Item/Service in the specific line item? Yes

If funds are not currently available in the specified line item, where are the funds available?

355.800.668.85000 - Allowance for Budget Expense

Passed by the Kane County Board on June 11, 2024.

John A. Cunningham, MBA, JD, JD
Clerk, County Board
Kane County, Illinois

Corinne M. Pierog MA, MBA
Chairman, County Board
Kane County, Illinois

Vote: