

RESOLUTION No. 25-14

A RESOLUTION APPROVING AN AGREEMENT WITH THE DUNDEE TOWNSHIP PARK DISTRICT FOR CONSTRUCTION OF OFF-STREET PARKING AT LIONS PARK

WHEREAS, the Dundee Township Park District (“District”) and the Village of East Dundee (“Village”) are public agencies within the meaning of the Illinois Intergovernmental Cooperation Act (5 ILCS 220/1 et seq.) and are also authorized by Article VII, Section 10 of the 1970 Constitution of the State of Illinois to enter into intergovernmental agreements of cooperation; and,

WHEREAS, the Village and District desire to cooperate in the construction of parking partially in the Village’s Park Street right-of-way and partially on the District’s Lions Park property; and,

WHEREAS, the Village shall be the contracting lead agency and the District has agreed to pay the Village for its fifty percent share of the construction costs.

NOW THEREFORE, BE IT RESOLVED, by the President and Board of Trustees of the Village of East Dundee, Cook and Kane Counties, Illinois, as follows:

Section 1: That the *AGREEMENT FOR THE VILLAGE OF EAST DUNDEE AND THE DUNDEE TOWNSHIP PARK DISTRICT TO COOPERATE IN THE CONSTRUCTION OF OFF-STREET PARKING AT LIONS PARK*, a copy of which is attached hereto as Exhibit A, be and is hereby approved and the Village Administrator is hereby authorized to execute the Agreement on behalf of the Village of East Dundee.

Section 2: That this resolution shall be in full force and effect from and after its passage and approval according to law.

PASSED this 2nd day of Sep, 2014, pursuant to a roll call vote as follows:

AYES: Trustees Gorman, Lynam, Wood and Selep

NAYS: \emptyset

ABSENT: Trustees Ruffulo and Skillicorn

APPROVED this 2nd day of Sep, 2014

Attest: Heather Maieritsch
Heather Maieritsch, Village Clerk

Lael Miller
Lael Miller, Village President

**AGREEMENT FOR THE VILLAGE OF EAST DUNDEE AND THE DUNDEE
TOWNSHIP PARK DISTRICT TO COOPERATE IN THE CONSTRUCTION
OF OFFSTREET PARKING AT LIONS PARK**

This Agreement entered into this 2nd day of September, 2014, by and between the Dundee Township Park District, of Kane County, State of Illinois hereinafter referred to as the "District", and the Village of East Dundee, of Kane and Cook Counties, State of Illinois, hereinafter referred to as the "Village".

WHEREAS, the District and the Village are public agencies which are within the meaning of the Illinois Intergovernmental Cooperation Act as specified in the Illinois Compiled Statutes (5 ILCS 220/1 et seq.) and are authorized by Article VII, Section 10 of the 1970 Constitution of the State of Illinois to enter into such agreements of cooperation; and,

WHEREAS, the purpose of the Intergovernmental Cooperation Act and Article VII, Section 10 of the 1970 Constitution of the State of Illinois include fostering cooperation among units of local government in planning and providing services to their citizens.

A. PLAN

The District and the Village agree to construct approximately 23 parking spaces on the north side of Park Street on the District property commonly known as Lions Park and other work as hereinafter described and shown on Exhibit A attached hereto and made a part hereof by reference.

B. ELEMENTS

1. The District and the Village will share in the cost of the construction of the parking spaces and other work herein described on a 50/50 basis.
2. The District agrees to allow the parking spaces to be constructed on its property as shown on Exhibit A.
3. The Village will coordinate the construction of the parking spaces and enter into the construction contract. The Village will pay the Contractor and the District will reimburse the Village for its share of the costs within 30 days of notice from the Village of the District's costs.
4. The asphalt path by the west side of the tennis courts will be removed during construction of the parking spaces from the curb of Park Street to the edge of the tennis court.
5. The conifer tree near the tennis court is to be saved, if possible.

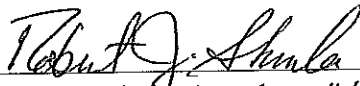
6. Village will install a crosswalk, curb cuts and detectable warning pads immediately west of the intersection of Park Street and Aldis Drive.
7. The District will be responsible for maintaining the parking spaces but will not plow the spaces during the winter months. The plowing of the spaces during the winter will be at the option of the Village
8. Contacts for the project will be: District Superintendent of Parks Mark Simon (847.551.4310) and Village Water Superintendent Tim Wilson (847.428.4294).
9. Each Party agrees to indemnify, defend and hold the other Party and its respective officers, officials, agents, and employees harmless from and against all claims, damages, liability, loss and expenses (including reasonable attorney fees), by reason of the acts or omissions of the indemnifying Party or its officers, officials, agents, employees, invitees or contractors.
10. The insurance company, self-insurance pool or similar entity of the party providing the indemnification shall be allowed to raise on behalf of the indemnified party, any and all defenses statutory and/or common law to such claim or action which the indemnified party might have raised, including but not limited to any defense contained within the Illinois Governmental and Governmental Employees Tort Immunity Act, 745 ILCS §10/1-101, et seq (1991).
11. In the event that either party purchases insurance from an insurance company, it shall keep in force at all times during the term of this Agreement Commercial General Liability Insurance specifically including bodily injury, personal injury and property damage limits of not less than \$3,000,000 per occurrence, written on an occurrence basis and at all times naming each party to this Agreement, its public officials, employees, and agents as additional insured.
12. In the event that either party is self-insured, member of an intergovernmental pool or provides for its risk financing by a means other than commercial insurance, it shall keep in force at all times during the term of this Agreement, General Liability coverage specifically including bodily injury, personal injury and property damage limits of not less than \$3,000,000 per occurrence provided on an occurrence basis and at all times specifically extending that coverage to each party to this Agreement, its public officials, employees, and agents as additional insured.
13. Any contractors hired for the project must list both the Village and the District as additional insured on the required construction Certificate of Insurance.

14. This Agreement is entered into solely for the benefit of the contracting parties, and nothing in this Agreement is intended, either expressly or impliedly, to provide any right or benefit of any kind whatsoever to any person and entity who is not a party to this Agreement, or to acknowledge, establish, or impose any legal duty to any third party.


IN WITNESS WHEREOF, the parties have executed this Agreement effective the day and year first above written.

September 2, 2014

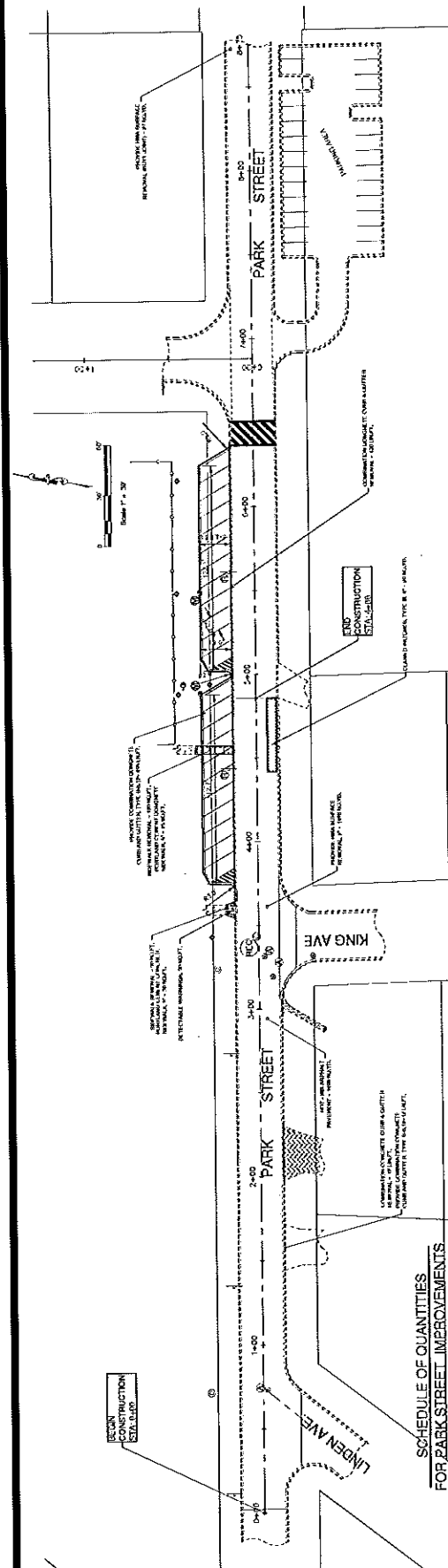
September 5, 2014



Village of East Dundee *Village*
Administrator



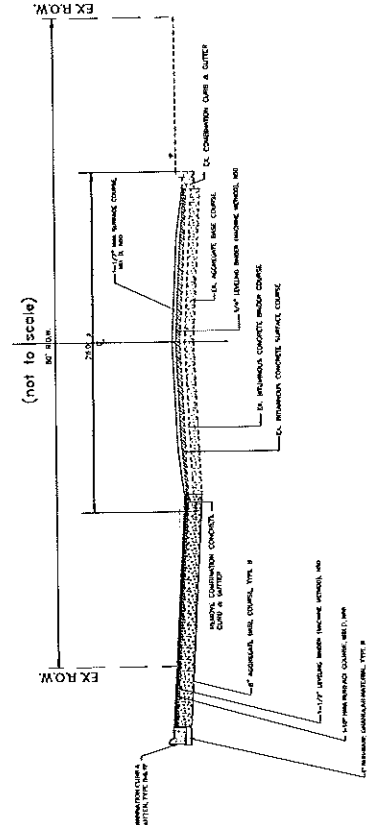
Dundee Township Park District



SCHEDULE OF QUANTITIES FOR PARK STREET IMPROVEMENTS
 (SEE SHEET 10-1)

Item No.	Description	Quantity	Unit
1.	Sub-base Granular Material, Type 3	171	Ton
2.	Topsoil Placement, Special	792	Sq. Yd.
3.	Seedling, Class 2A	936	Each
4.	Grass Control Blanket	792	Sq. Yd.
5.	Aggregate Base Course, Type 1	792	Sq. Yd.
6.	Aggregate Base Course, Type 2	426	Sq. Yd.
7.	Aggregate Base Course, Type 3	426	Sq. Yd.
8.	Aggregate Base Course, Type 4	426	Sq. Yd.
9.	Aggregate Base Course, Type 5	426	Sq. Yd.
10.	Aggregate Base Course, Type 6	426	Sq. Yd.
11.	Aggregate Base Course, Type 7	426	Sq. Yd.
12.	Aggregate Base Course, Type 8	426	Sq. Yd.
13.	Aggregate Base Course, Type 9	426	Sq. Yd.
14.	Aggregate Base Course, Type 10	426	Sq. Yd.
15.	Aggregate Base Course, Type 11	426	Sq. Yd.
16.	Aggregate Base Course, Type 12	426	Sq. Yd.
17.	Aggregate Base Course, Type 13	426	Sq. Yd.
18.	Aggregate Base Course, Type 14	426	Sq. Yd.
19.	Aggregate Base Course, Type 15	426	Sq. Yd.
20.	Aggregate Base Course, Type 16	426	Sq. Yd.
21.	Aggregate Base Course, Type 17	426	Sq. Yd.
22.	Aggregate Base Course, Type 18	426	Sq. Yd.
23.	Aggregate Base Course, Type 19	426	Sq. Yd.
24.	Aggregate Base Course, Type 20	426	Sq. Yd.
25.	Aggregate Base Course, Type 21	426	Sq. Yd.
26.	Aggregate Base Course, Type 22	426	Sq. Yd.
27.	Aggregate Base Course, Type 23	426	Sq. Yd.
28.	Aggregate Base Course, Type 24	426	Sq. Yd.
29.	Aggregate Base Course, Type 25	426	Sq. Yd.
30.	Aggregate Base Course, Type 26	426	Sq. Yd.
31.	Aggregate Base Course, Type 27	426	Sq. Yd.
32.	Aggregate Base Course, Type 28	426	Sq. Yd.
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34.	Aggregate Base Course, Type 30	426	Sq. Yd.
35.	Aggregate Base Course, Type 31	426	Sq. Yd.
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81.	Aggregate Base Course, Type 77	426	Sq. Yd.
82.	Aggregate Base Course, Type 78	426	Sq. Yd.
83.	Aggregate Base Course, Type 79	426	Sq. Yd.
84.	Aggregate Base Course, Type 80	426	Sq. Yd.
85.	Aggregate Base Course, Type 81	426	Sq. Yd.
86.	Aggregate Base Course, Type 82	426	Sq. Yd.
87.	Aggregate Base Course, Type 83	426	Sq. Yd.
88.	Aggregate Base Course, Type 84	426	Sq. Yd.
89.	Aggregate Base Course, Type 85	426	Sq. Yd.
90.	Aggregate Base Course, Type 86	426	Sq. Yd.
91.	Aggregate Base Course, Type 87	426	Sq. Yd.
92.	Aggregate Base Course, Type 88	426	Sq. Yd.
93.	Aggregate Base Course, Type 89	426	Sq. Yd.
94.	Aggregate Base Course, Type 90	426	Sq. Yd.
95.	Aggregate Base Course, Type 91	426	Sq. Yd.
96.	Aggregate Base Course, Type 92	426	Sq. Yd.
97.	Aggregate Base Course, Type 93	426	Sq. Yd.
98.	Aggregate Base Course, Type 94	426	Sq. Yd.
99.	Aggregate Base Course, Type 95	426	Sq. Yd.
100.	Aggregate Base Course, Type 96	426	Sq. Yd.

PARK STREET TYPICAL SECTION STA. 0+00 - 4+86
 (not to scale)



NOTE: DATA OBTAINED ON THIS PROJECT SHALL BE FOR AGGREGATE BASE COURSE TYPE II AND SUB-BASE GRANULAR MATERIAL TYPE II.

NOTE: THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

2014 STREET IMPROVEMENT PROGRAM
 VILLAGE OF EAST DUNDEE
 KANE COUNTY, ILLINOIS

PROJECT: PARK STREET

DATE: 11/15/14
 JOB NO.: 14-0104
 SCALE: 1"=30'
 SHEET: 4 OF 12

NO.	DATE	REVISIONS

GERALD L. BEITZ & ASSOCIATES, INC.
 CONSULTING ENGINEERS & LAND SURVEYORS
 206 NORTH RIVER STREET
 EAST DUNDEE, ILLINOIS 60118