



MEMORANDUM

TO: Mayor Laurel L. Prussing and Members of the City Council

FROM: William R. Gray, Director of Public Works
Craig E. Shonkwiler, Assistant City Engineer

DATE: June 4, 2015

RE: Intergovernmental Agreement with the Urbana Park District for Construction and Maintenance of an Eight-Foot-Wide Sidewalk across Crystal Lake Park

ISSUES AND DISCUSSION:

The Urbana Park District has indicated a desire to construct an eight-foot-wide sidewalk to replace the existing five-foot-wide sidewalk along the west side of Broadway Avenue from Stebbins Drive to Oakland Avenue on the east side of Crystal Lake Park. The Park District has also indicated a desire to have the option to extend the length of the sidewalk along the west side of Broadway Avenue from Oakland Avenue to the entrance to the Crystal Lake Park Family Center and the Anita Purvis Nature Center, near Thompson Street, provided sufficient funds are available from the Park District to do so.

The construction of the eight-foot-wide sidewalk will be included in the plans for the reconstruction of Broadway Avenue from Stebbins Drive to Oakland Avenue. The Broadway Avenue Reconstruction Project is tentatively scheduled for construction starting late summer and wrapping up late fall 2016. The sidewalk is proposed to be constructed mostly within Park District property and maintenance of the sidewalk will be the responsibility of the Park District. It will be necessary for the proposed sidewalk to be constructed within the limits of a temporary construction easement granted to the City of Urbana.

An intergovernmental agreement with the Park District is required to define the construction costs and maintenance responsibilities for the eight-foot-wide sidewalk upon completion of the said construction and acceptance of the completed sidewalk. The proposed intergovernmental agreement and related attachments are attached to this document and will be considered for acceptance by the Park District Board at its June 9th meeting.

ADMINISTRATION • ARBOR • ENGINEERING • ENVIRONMENTAL MANAGEMENT
EQUIPMENT SERVICES • OPERATIONS • PUBLIC FACILITIES

FISCAL IMPACT:

The Urbana Park District, by way of this agreement, has agreed to and shall reimburse the City the actual costs incurred by the City (other than city staff salaries) in the construction of the sidewalk and pads for park benches.

RECOMMENDATION:

It is recommended that the City Council approve the attached **RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE URBANA PARK DISTRICT FOR CONSTRUCTION AND MAINTENANCE OF AN EIGHT-FOOT-WIDE SIDEWALK ACROSS CRYSTAL LAKE PARK.**

RESOLUTION NO. 2015-06-028R

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE URBANA PARK DISTRICT FOR CONSTRUCTION AND MAINTENANCE OF AN EIGHT-FOOT-WIDE SIDEWALK ACROSS CRYSTAL LAKE PARK

WHEREAS, the City is a home-rule unit of local government pursuant to Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, Section 10 of Article VII of the Illinois Constitution of 1970 and the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq. enables the parties here to enter into agreements among themselves and provide authority for intergovernmental cooperation; and,

WHEREAS, the City and the Park District seek to enter into this Agreement for the construction and maintenance of a sidewalk; and

WHEREAS, the sidewalk proposed to be constructed by the City and maintained by the Park District pursuant to this Agreement shall be located on property owned by the Park District and shall extend along Broadway Avenue from Stebbins Drive to Oakland Avenue; and

WHEREAS, the Park District will have the option to extend the length of the sidewalk along Broadway Avenue from Oakland Avenue to the entrance to the Crystal Lake Park Family Aquatic Center and the Anita Purvis Nature Center, near Thompson Street, provided sufficient funds are available from the Park District to do so; and

WHEREAS, an intergovernmental agreement with the Park District is required to define the construction costs and maintenance responsibilities for the eight-foot-wide sidewalk upon completion of the said construction and acceptance of the completed sidewalk.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Urbana, Champaign County, Illinois, as follows:

Section 1.

An Intergovernmental Agreement for the construction of an eight-foot-wide sidewalk across Crystal Lake Park, between the City of Urbana and the Urbana Park District, in substantially the form of the copy of said Agreement attached hereto and hereby incorporated by reference, be and the same is hereby authorized and approved.

Section 2.

The Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute and deliver and the City Clerk of the City of Urbana, Illinois, be and the same is hereby authorized to attest to said execution of said Agreement as so authorized and approved for and on behalf of the City of Urbana, Illinois.

Ayes: _____

Nays: _____

Abstentions: _____

PASSED BY THE CITY COUNCIL this ____ day of _____, _____.

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, _____.

Laurel Lunt Prussing, Mayor

AN INTERGOVERNMENTAL AGREEMENT
FOR THE CONSTRUCTION AND MAINTENANCE
OF AN EIGHT-FOOT-WIDE SIDEWALK
ACROSS CRYSTAL LAKE PARK BETWEEN THE CITY OF URBANA AND
THE URBANA PARK DISTRICT

THIS INTERGOVERNMENTAL AGREEMENT (“Agreement”) is entered into by and between the City of Urbana, a municipal corporation (“City”), and the Urbana Park District (“Park District”).

WHEREAS, the City is a home-rule unit of local government pursuant to Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, Section 10 of Article VII of the Illinois Constitution of 1970 and the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq. enables the parties here to enter into agreements among themselves and provide authority for intergovernmental cooperation; and,

WHEREAS, the City and the Park District seek to enter into this Agreement for the construction and maintenance of a sidewalk; and

WHEREAS, the sidewalk proposed to be constructed by the City and maintained by the Park District pursuant to this Agreement shall be located on property owned by the Park District and shall extend along Broadway Avenue from Stebbins Drive to Oakland Avenue and shall be compliant in all respects with the Americans with Disability Act (ADA);

WHEREAS, the Park District has the option to extend the length of the sidewalk along Broadway Avenue from Oakland Avenue to the entrance to the Crystal Lake Park Family Aquatic Center and the Anita Purvis Nature Center, near Thompson Street, provided sufficient funds are available from the Park District to do so.

WHEREAS, an intergovernmental agreement with the Park District is required to define the construction costs and maintenance responsibilities for the eight-foot-wide sidewalk upon completion of the said construction and acceptance of the completed sidewalk.

NOW, THEREFORE, the City and the Park District, in consideration of the mutual promises and covenants herein, agree as follows:

1. The Park District hereby grants to the City the attached Temporary Construction Easement (Attachment A) to enter upon the property described therein for the purpose of constructing an eight-foot-wide sidewalk and pads for park benches, all as described more fully in Attachment B.

2. The City agrees to complete construction plans, details, and technical specifications (“Contract Documents”) for the construction of the sidewalk and pads for the benches as described in Attachment B. The City agrees to let the sidewalk work for bidding and award the contract to the lowest bidder that is prequalified with the Illinois Department of Transportation in the relevant types of work associated with the construction of the sidewalk. The City agrees to provide construction observation services for the construction of the sidewalk.

3. The City agrees to require insurance from the low bid contractor in accordance with the technical specifications. The City agrees to reference the Illinois Department of Transportation Standard Specifications for Road and Bridge Construction, adopted January 1, 2012, and subsequent Supplemental Specifications and Recurring Special Provisions, adopted January 1, 2015, for the purposes of specifying Division 100 General Requirements and Covenants which will govern potential disputes, or defaults of the contract between the City and contractor awarded the construction of the sidewalk.

4. The Park District agrees to and shall reimburse the City the actual costs incurred by the City (other than city staff salaries) in the construction of the eight-foot-wide sidewalk and pads for park benches as described in Attachment B within sixty (60) days of the completion of the construction. The costs to construct the sidewalk along Broadway Avenue from Stebbins Drive to Oakland Avenue are expected to be no more than \$200,000 and the sidewalk along

Broadway Avenue from Oakland Avenue to the park entrance near Thompson Street are expected to be no more than \$75,000.

5. The City and Park District agree to perform a final inspection of the completed sidewalk in accordance with the guidelines established within the Contract Documents.

5. The Park District agrees to maintain and keep the eight-foot wide sidewalk in good repair from the date of completion of the construction.

6. This Agreement shall become effective on the date by which both parties have approved the agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement.

City of Urbana, Illinois,

Urbana Park District,

Laurel Lunt Prussing, Mayor

Michael W. Walker, Board President

Date: _____

Date: _____

GRANTOR(S): Urbana Park District, County of Champaign, State of Illinois
PARCEL NO.: 91-21-08-201-003, 91-21-08-252-007, 91-21-08-253-010 and 91-21-08-401-001
ADDRESS: Administration Office – Leal Park, 303 West University Avenue, Urbana, IL 61801
PHONE: 217-367-1536
PROJECT: Broadway Avenue Reconstruction Project

GRANT OF TEMPORARY CONSTRUCTION EASEMENT

The undersigned Grantor(s), for and in consideration of the benefits derived, do hereby grant, convey, and dedicate to the Grantee, the City of Urbana, a Municipal Corporation in the County of Champaign, State of Illinois, or its authorized agent, a temporary construction easement and access for ingress and egress upon aforesaid property for the purpose of constructing an eight-foot-wide sidewalk and pads for park benches within the limits of Crystal Lake Park.

In consideration of the grant of the temporary construction easement hereinabove contained, the Grantor(s) and Grantee hereby agree as follows:

The Grantee will indemnify and save harmless the Grantor(s), their administrators, and assigns, from any and every claim, demand, suit, damage, and payment thereof, in respect thereto, or in respect of any of them with reference to injury to persons or damage to property caused by any of the work performed by the Grantee under this grant, and will require its contractors to so indemnify and save harmless the said Grantor(s), their heirs, executors, administrators, and assigns.

The Grantee, in consideration of this conveyance, does promise, covenant and agree with the Grantor(s) that any other surface of said real estate, disturbed as a result of said project, shall be restored to its reasonable original condition prior to completion of the construction. The Grantee shall restore all dislocation of surface and satisfy all damages sustained by such surface or adjacent property of the Grantor(s), resulting from any fault on the part of the Grantee, its agents or employees, in the construction of said improvement.

The Grantee shall, within its reasonable power and authority, demonstrate its best efforts to help insure completion of the project by the end of year 2015, and shall demonstrate due effort for the timely surface restoration of all disturbed areas.

The right, temporary easement and privilege granted herein shall terminate upon completion of said surface restoration and the initial maintenance of the same.

Said easement is shown on the attached sketch, which is considered a part hereof.

Dated this _____ day of _____, 2015

Grantor, Urbana Park District

Accepted:

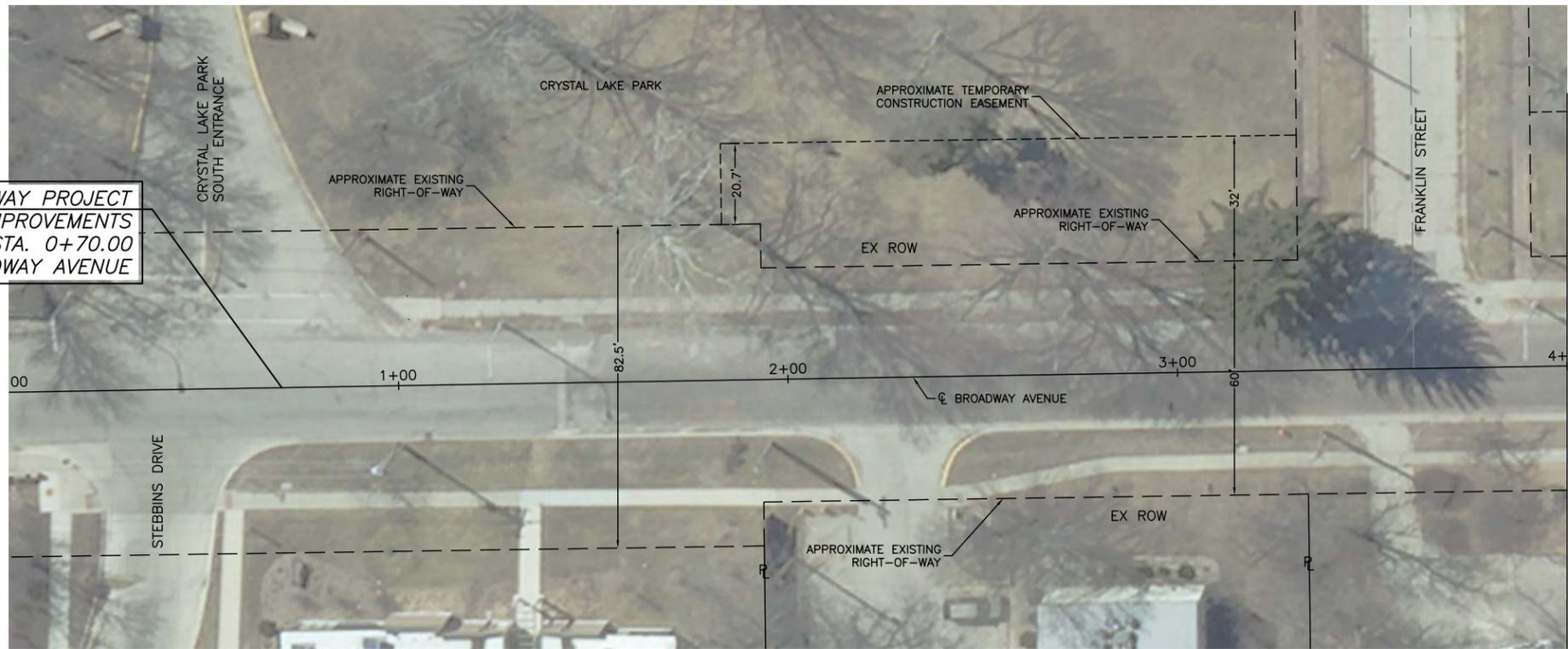
By _____
Michael W. Walker
Board President

Grantee, City of Urbana

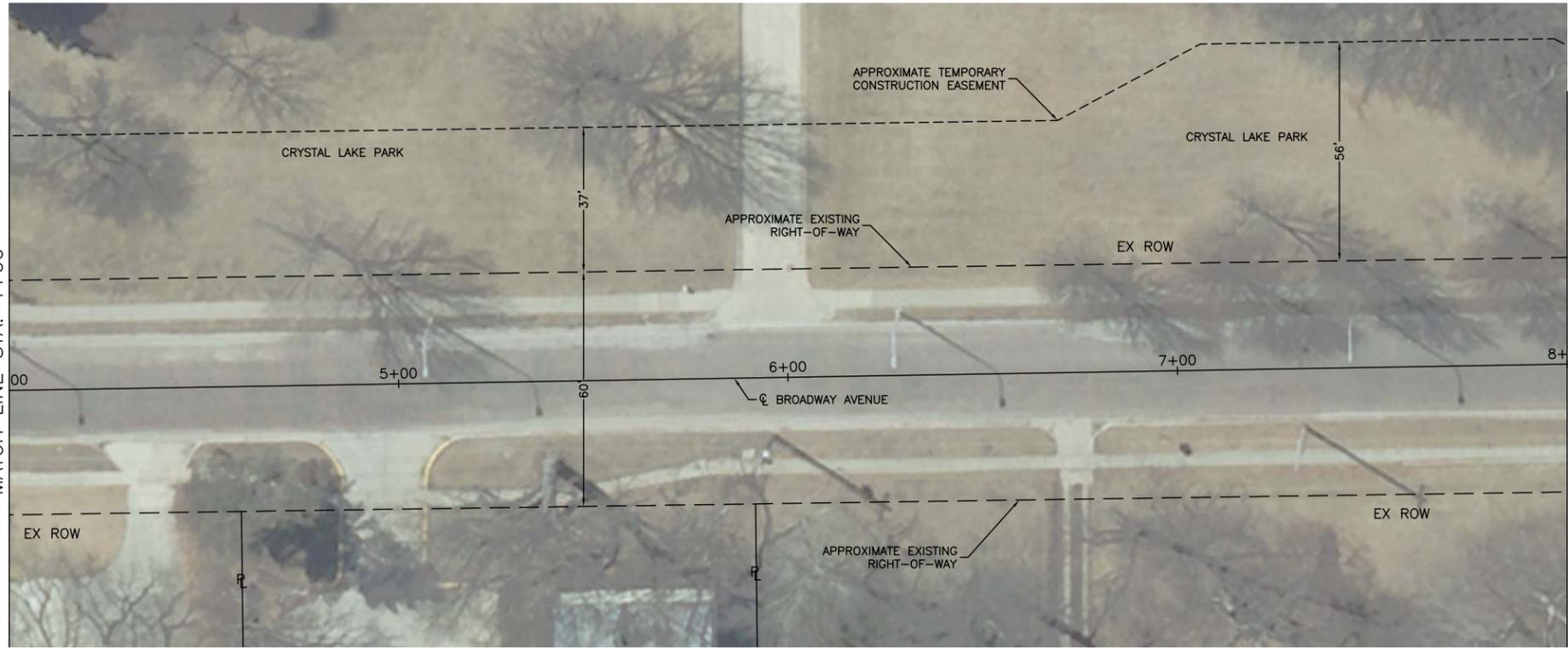
By _____
William Gray
Director of Public Works



**ROADWAY PROJECT
BEGIN IMPROVEMENTS
STA. 0+70.00
BROADWAY AVENUE**



MATCH LINE STA. 4+00



MATCH LINE STA. 8+00

MAY 28 2015 9:14AM I.C.E. ATTACHMENT A STA. 0+00 TO STA. 8+00.DWG

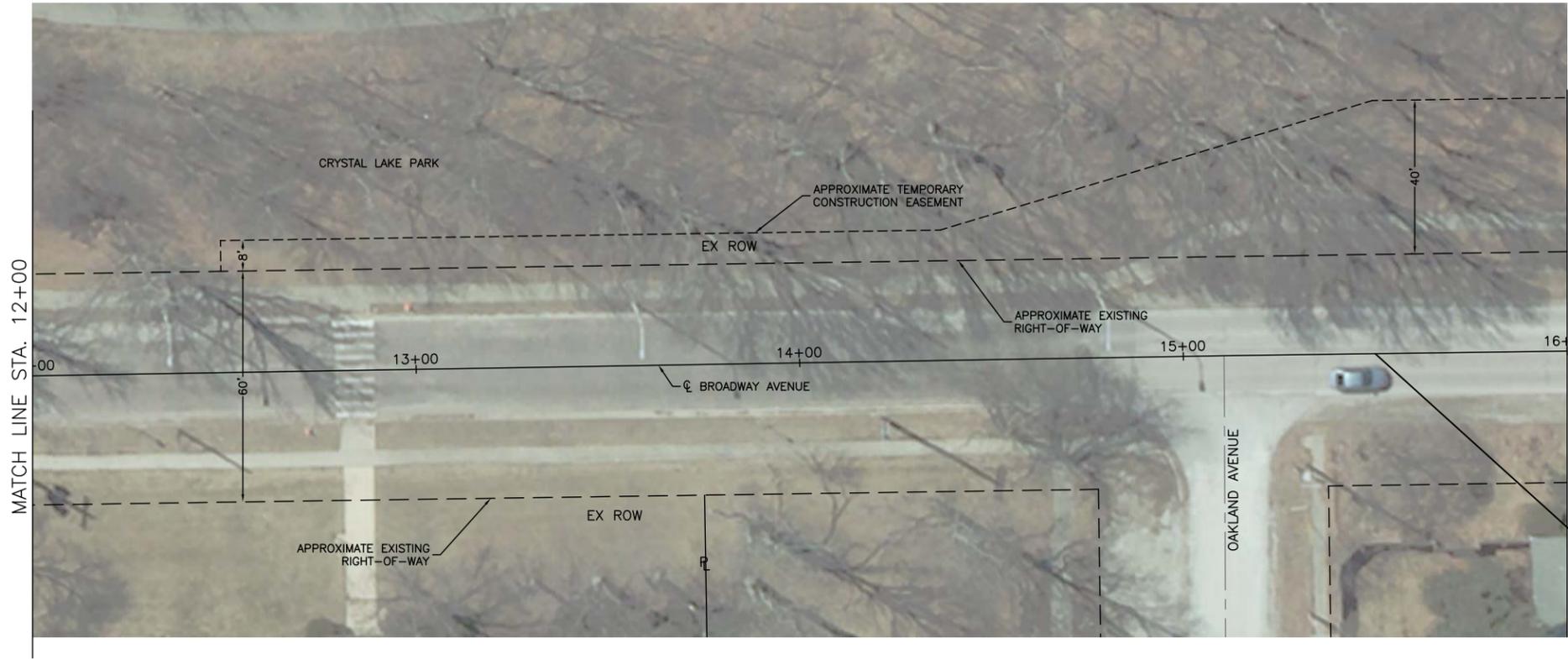
SHEET NO.
2
OF
4

BROADWAY AVE. RECONSTRUCTION PROJECT
ATTACHMENT A
TEMPORARY CONSTRUCTION EASEMENT

DATED: 5/15
DESIGNED BY: JDM
CITY SECTION
15-00553-00-PV

DRAWN BY: AES
CHECKED BY: CES

CITY OF URBANA
PUBLIC WORKS
ENGINEERING DIVISION



ROADWAY PROJECT
END IMPROVEMENTS
STA. 15+50.0
BROADWAY AVENUE

MAY 28 2015 9:15AM I.C.E. ATTACHMENT A STA 8+00 TO STA 16+00.DWG

BROADWAY AVE. RECONSTRUCTION PROJECT
ATTACHMENT A
TEMPORARY CONSTRUCTION EASEMENT

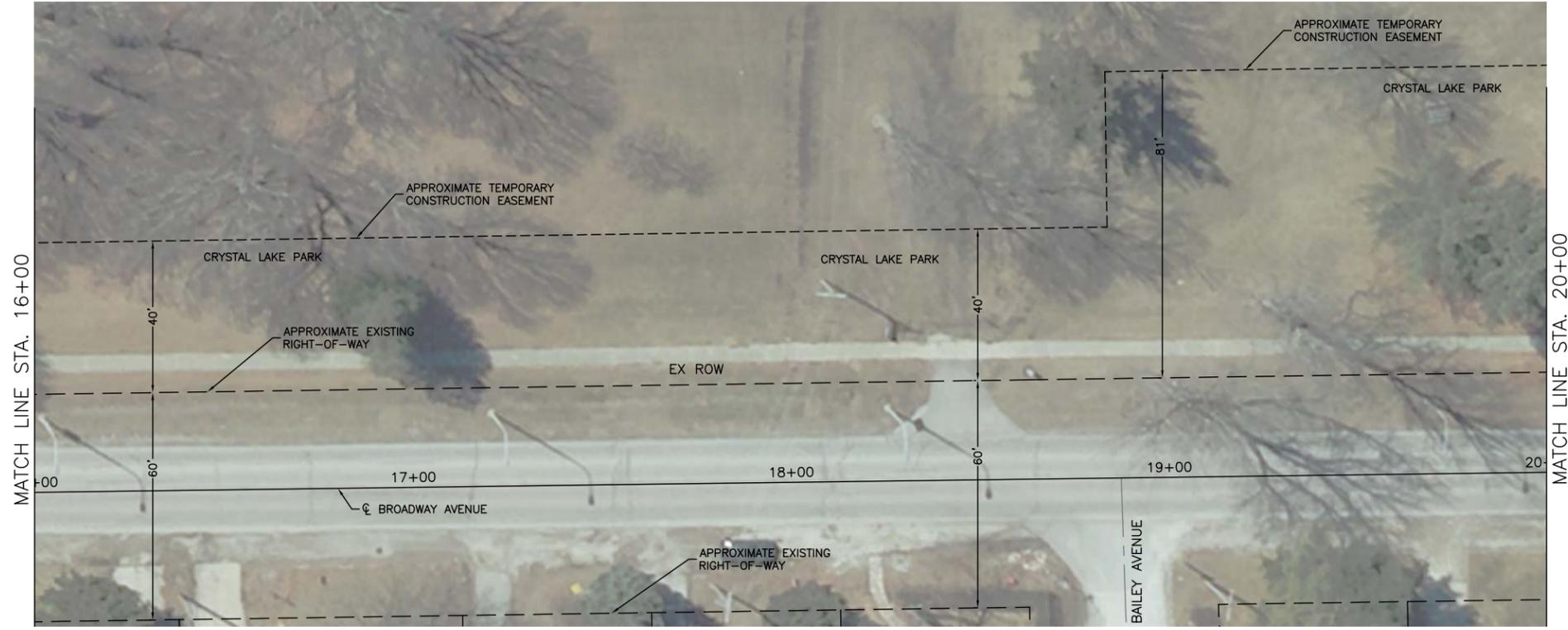
SHEET NO.
3
OF
4

DATED: 5/15
DESIGNED BY: JDM
CITY SECTION
15-00553-00-PV

CITY OF URBANA
PUBLIC WORKS
ENGINEERING DIVISION

DRAWN BY: AES

CHECKED BY: CES



BROADWAY AVE. RECONSTRUCTION PROJECT
 ATTACHMENT A
 TEMPORARY CONSTRUCTION EASEMENT

SHEET NO.
 4
 OF
 4

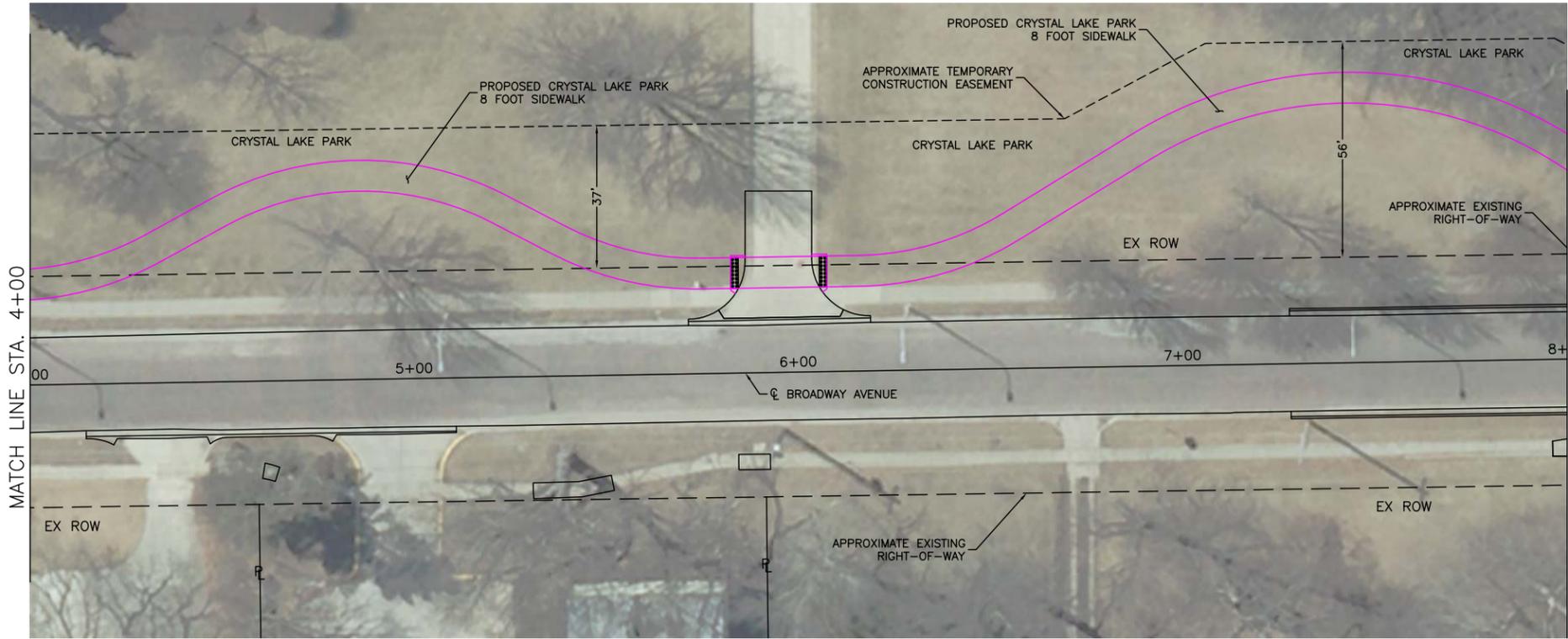
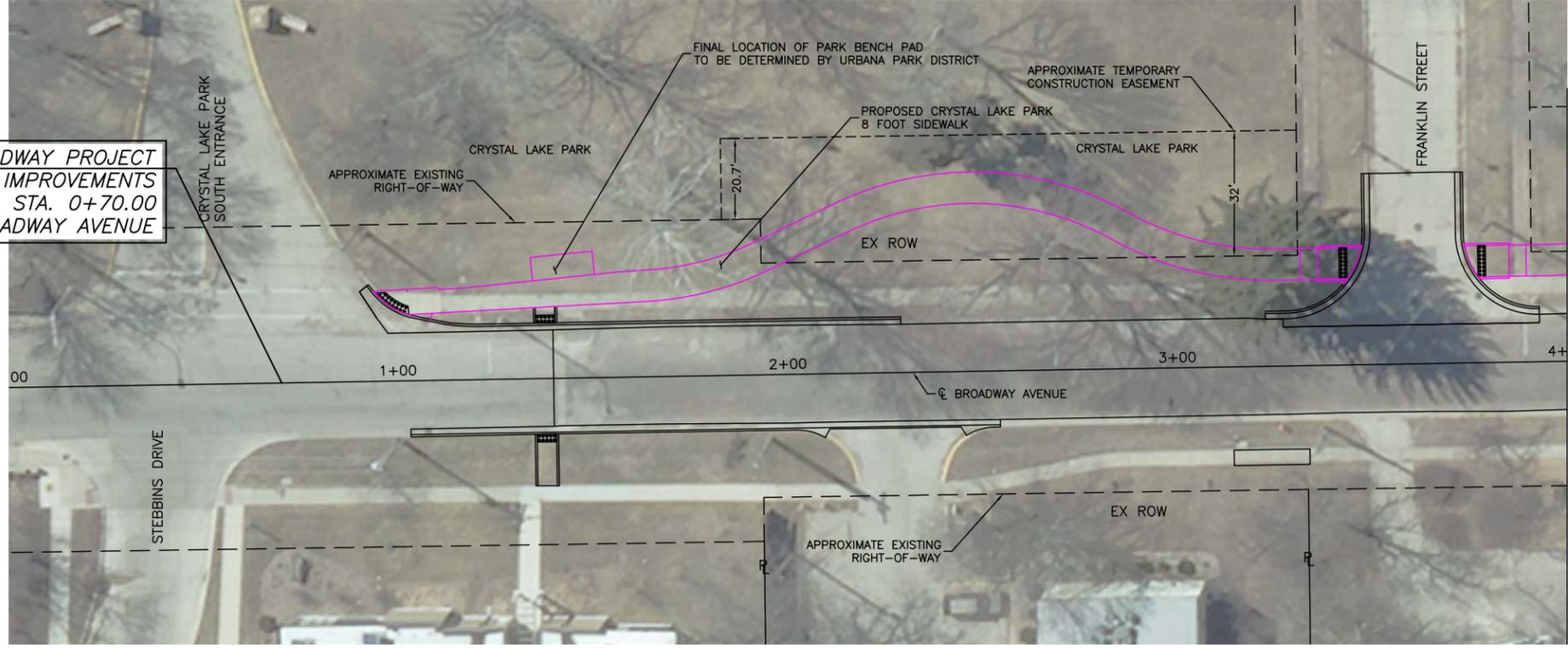
DATED: 5/15
 DESIGNED BY: JDM
 CITY SECTION
 15-00553-00-PV

DRAWN BY: AES
 CHECKED BY: CES

CITY OF URBANA
 PUBLIC WORKS
 ENGINEERING DIVISION



**ROADWAY PROJECT
BEGIN IMPROVEMENTS
STA. 0+70.00
BROADWAY AVENUE**



MAY 28 2015 11:47AM SW ATTACHMENT B STA 0+00 TO STA 8+00.DWG

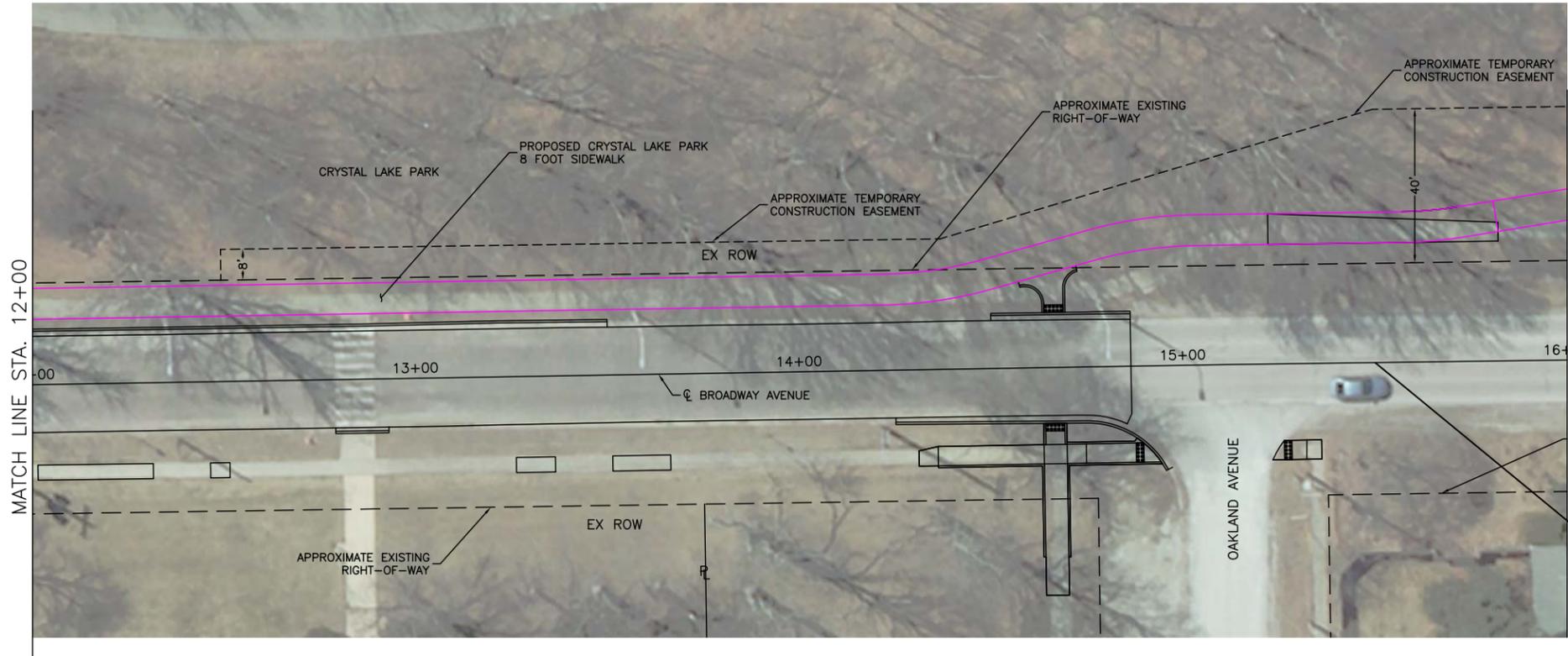
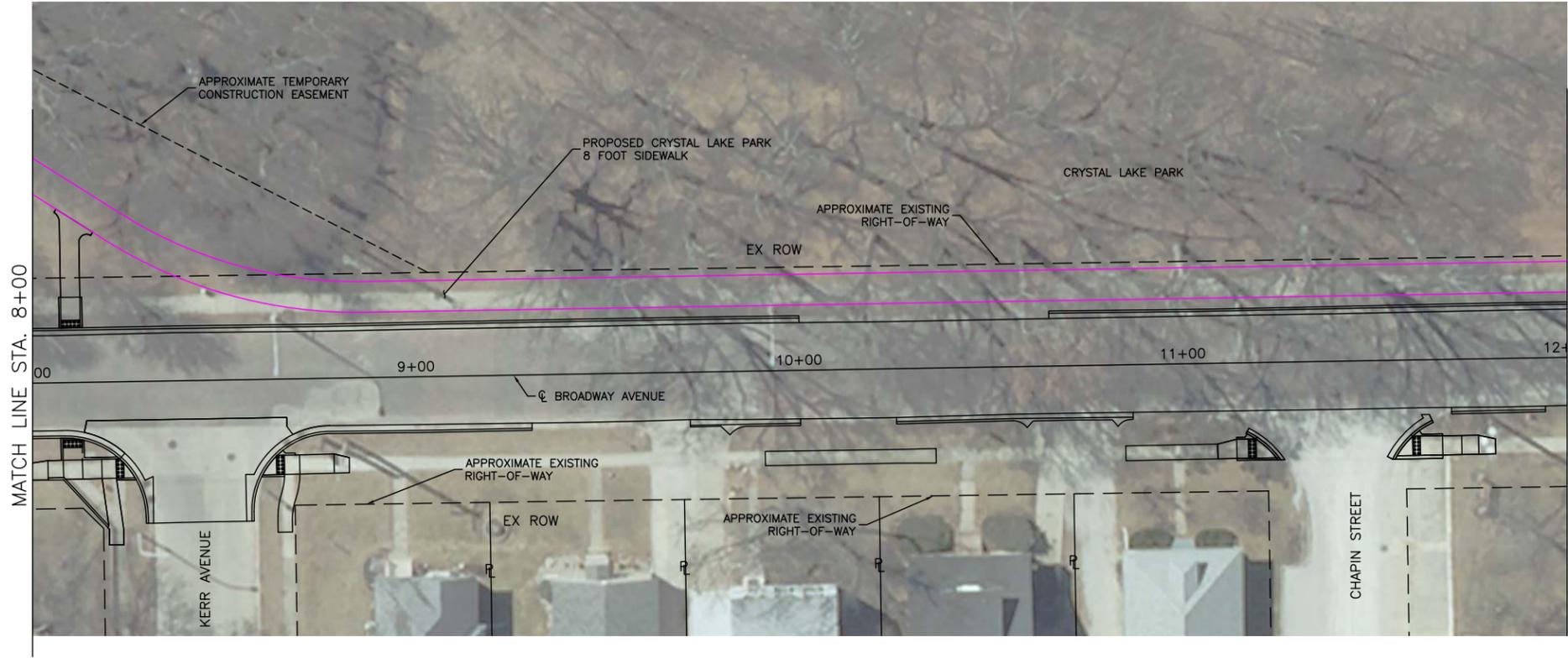
BROADWAY AVE. RECONSTRUCTION PROJECT
ATTACHMENT B
CRYSTAL LAKE PARK 8 FOOT SIDEWALK

SHEET NO.
1
OF
3

DATED: 5/15
DESIGNED BY: JDM
CITY SECTION
15-00553-00-PV

DRAWN BY: AES
CHECKED BY: CES

CITY OF URBANA
PUBLIC WORKS
ENGINEERING DIVISION



ROADWAY PROJECT
 END IMPROVEMENTS
 STA. 15+50.0
 BROADWAY AVENUE

MAY 28 2015 11:49AM SW ATTACHMENT B STA 8+00 TO STA 16+00.DWG

CITY OF URBANA
 PUBLIC WORKS
 ENGINEERING DIVISION

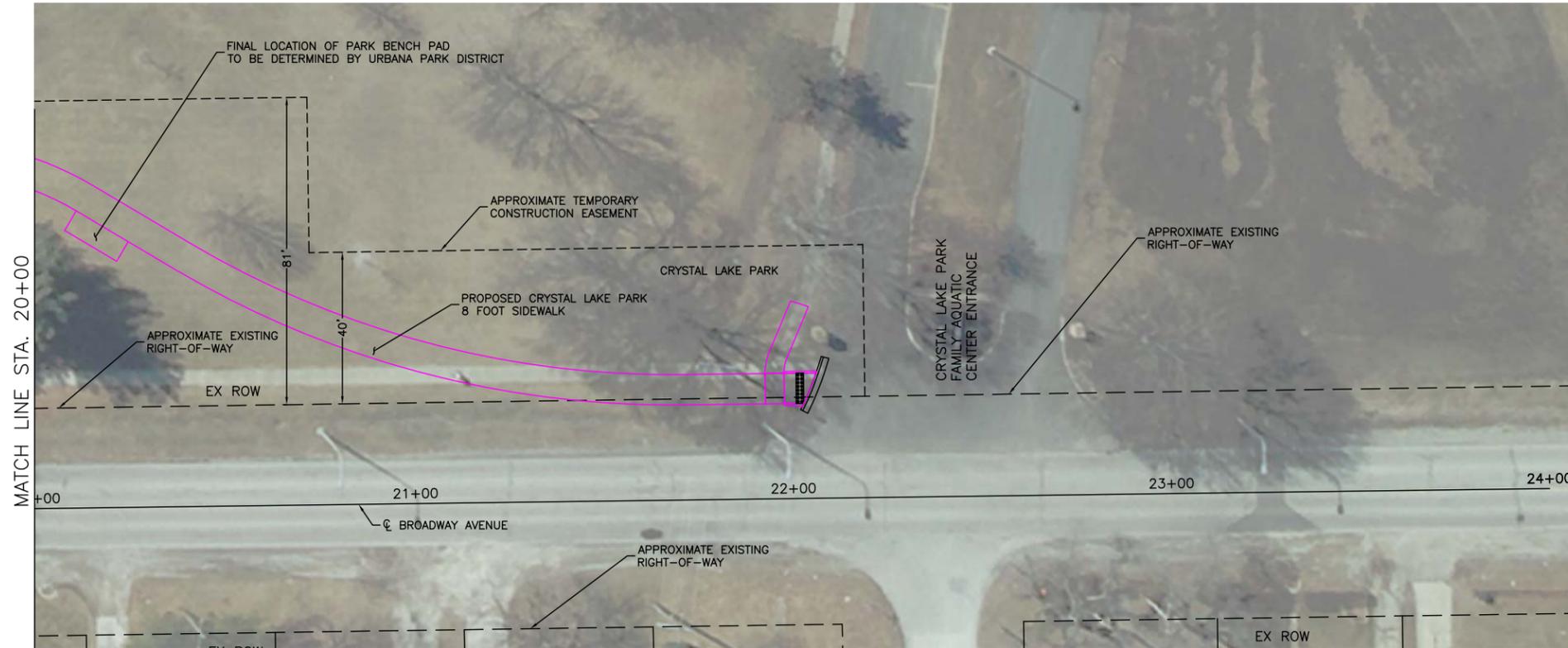
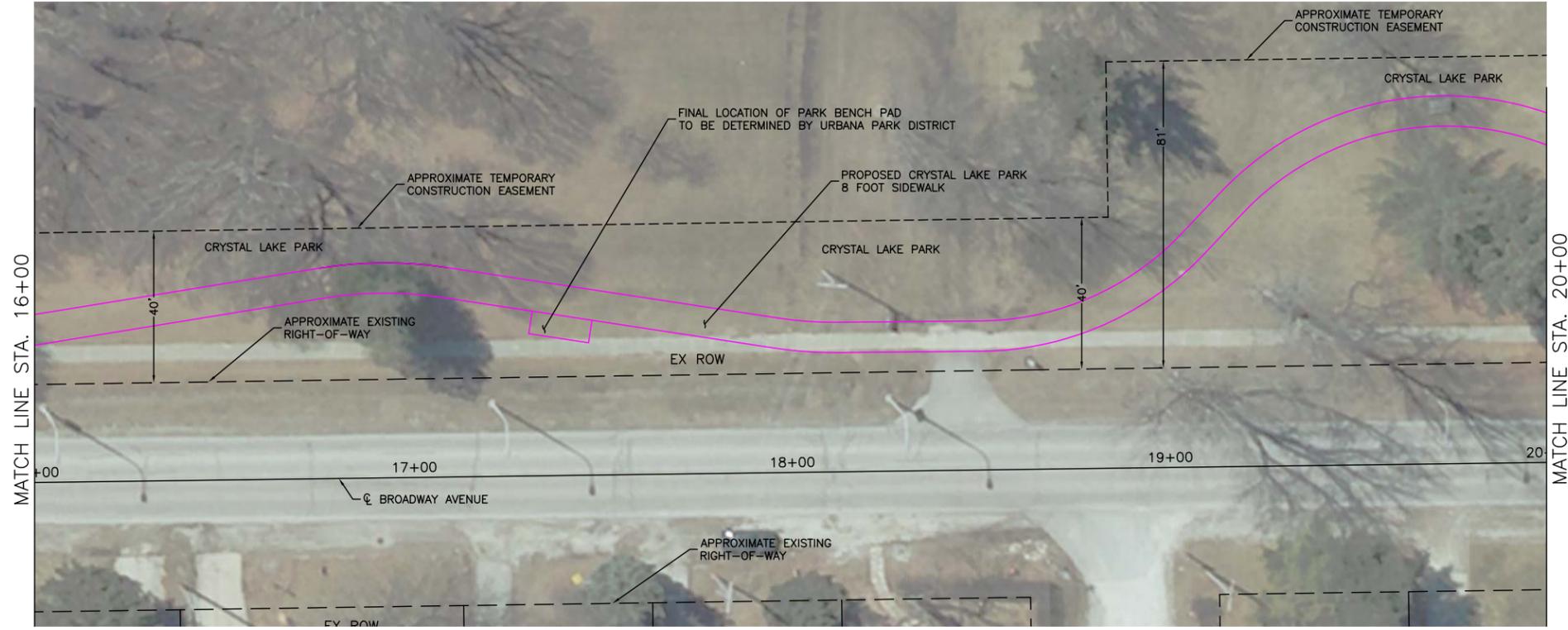
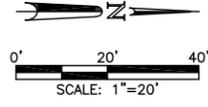
DATED: 5/15
 DESIGNED BY: JDM
 DRAWN BY: AES
 CHECKED BY: CES

BROADWAY AVE. RECONSTRUCTION PROJECT
 ATTACHMENT B
 CRYSTAL LAKE PARK 8 FOOT SIDEWALK

CITY SECTION
 15-00553-00-PV

SHEET NO.
 2
 OF
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MAY 28, 2015 11:51AM SW ATTACHMENT B STA. 16+00 TO STA. 24+00.DWG



CITY OF URBANA
PUBLIC WORKS
ENGINEERING DIVISION

DRAWN BY: AES

DESIGNED BY: JDM

BROADWAY AVE. RECONSTRUCTION PROJECT
ATTACHMENT B
CRYSTAL LAKE PARK 8 FOOT SIDEWALK

SHEET NO.
3
OF
3

CHECKED BY: CES

CITY SECTION

15-00553-00-PV