

RESOLUTION NO. 18-12

A RESOLUTION APPROVING INTERLOCAL AGREEMENT FOR MID-BLOCK CROSSINGS

WHEREAS, mid-block crossings promote the free flow of pedestrians safely and efficiently; and

WHEREAS, the City of West Lafayette and the Town of Dayton, their citizens, and members of the traveling public will benefit by the building of mid-block crossings and there is a benefit to the public to design and administer safety improvements in the communities jointly; and

WHEREAS, the Mayor of West Lafayette and the Council of the Town of Dayton have agreed to the terms of an Interlocal Agreement, a copy of which is attached hereto; and

WHEREAS, there are funds available for the parties through the Tippecanoe County Metropolitan Planning Organization of which both the City of West Lafayette and the Town of Dayton are members.

NOW THEREFORE, be it resolved that the Interlocal Agreement between the City of West Lafayette and the Town of Dayton for the construction of the Mid-Block Crossings, as attached hereto, is hereby approved.

This resolution shall be in full force and effect from and after its passage and signing by the Mayor.

**INTERLOCAL AGREEMENT BETWEEN CITY OF WEST LAFAYETTE AND
TOWN OF DAYTON REGARDING MID-BLOCK CROSSINGS**

This Agreement is made between the City of West Lafayette, a municipal corporation of the State of Indiana, ("City") and Town of Dayton, a municipal corporation of the State of Indiana, ("Town"). The parties each agree and represent one to the other as follows:

It is advantageous to the public and furthers public safety to build the Mid-Block Crossings ("Project"); and

It is in the public interest to cooperatively seek funding for such project; and

The City and the Town desire to establish terms for participation in such project.

**NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES
CONTAINED HEREIN, THE PARTIES AGREE AS FOLLOWS:**

1. All changes or additions to this agreement must be mutually agreed to by both parties.
2. This agreement shall be effective upon approval by the fiscal bodies of the City and the Town.
3. This Interlocal Agreement shall be recorded with the County Recorder and filed with the County Auditor, State Board of Accounts and the Auditor of State.

Duration

4. The duration of this agreement shall be until the project has been completed and accepted by INDOT, or December 31, 2015, whichever shall occur sooner.

Purpose

5. There is a benefit to the public to jointly design and administer safety improvements in their communities.
6. There are Federal Funds available for the parties through the Tippecanoe County Metropolitan Planning Organization of which both municipalities are members.

7. The Project will provide safety improvements for the parties which are of similar construction type and which can be efficiently designed, bid and constructed using the same Contract, Contractor and Engineer.
8. The parties are each public entities created and existing under the laws of the State of Indiana with authority to control the safety improvements for their respective jurisdiction.
9. The parties desire to continue development, design and construction of safety improvements and to enter into this agreement for the purpose of ensuring mutual participation in terms of cost sharing and administrative responsibilities.

Financing

10. The parties shall be responsible for providing the funds for their portions of the project as specified and detailed herein.
11. The parties will equally split the cost of design.
12. The preliminary engineering agreement will be between the City and the consultant to be selected. The Town will reimburse its portion to the City.
13. Preliminary engineering will be funded by 100% local funds.
14. Construction will be funded by 90% federal participating funds and 10% local funds
15. The project team of City of West Lafayette (the LOCAL PUBLIC AGENCY), Town of Dayton, and a consultant to be selected, will provide administration, development, design, and construction inspection pursuant to the design services, budget and schedule as herein identified in Appendices ('A', 'B', 'C', and 'D').
16. Bid Administration, Bidding and Award shall be administered through the INDOT LPA process the cost of which shall be borne by INDOT.
17. The City and Town shall each pay the local share of the project costs located in each respective jurisdiction and shall establish and maintain the budget therefor.
18. The City shall be responsible for receipt disbursement, budgeting and accounting for all monies of the joint undertaking.
19. The City shall enter into and administer the design agreement with the consultant to be selected.

Administration

20. The joint board to administer the project shall be composed of one representative selected by the City and one representative selected by the Town which shall have all powers reasonably necessary to carry out the purpose of this Interlocal Agreement.

Acquisition, Disposition, Holding of Property

21. Each entity shall acquire, hold and dispose of real or personal property as reasonably necessary to carry out the purpose of this Interlocal Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on this 16th day of October, 2012.

CITY OF WEST LAFAYETTE, INDIANA

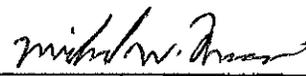
TOWN OF DAYTON, INDIANA

By



John Dennis, Mayor
City of West Lafayette, Indiana

By



Mike Harris, Council President
Town of Dayton, Indiana

ATTEST:

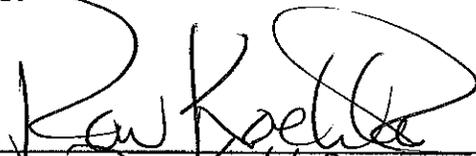
ATTEST:

By



Judith C. Rhodes, Clerk-Treasurer
City of West Lafayette, Indiana

By



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Title CA, Town of Dayton, Indiana