

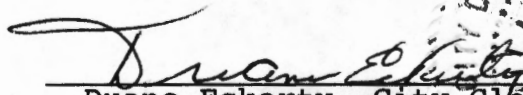
RESOLUTION NO. 7576-R31

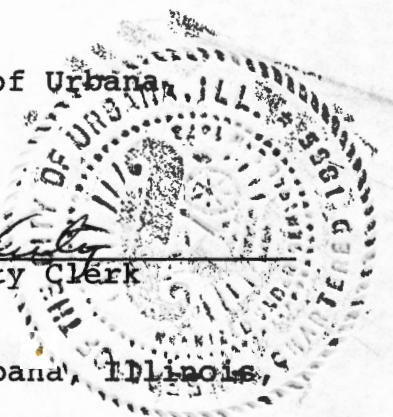
A RESOLUTION APPROVING AN AGREEMENT BETWEEN  
THE URBANA & CHAMPAIGN SANITARY DISTRICT, THE  
CITY OF CHAMPAIGN, THE CITY OF URBANA, AND  
THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS  
FOR CONDUCTING SEWER SYSTEM EVALUATION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
URBANA, ILLINOIS:

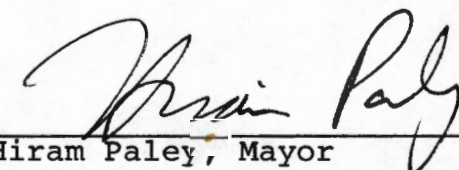
That the Mayor of the City of Urbana, Illinois,  
is hereby and herewith authorized to execute  
on behalf of the City of Urbana, Illinois, the  
Agreement Between the Urbana & Champaign Sanitary  
District, the City of Champaign, the City of  
Urbana, and the Board of Trustees of the University  
of Illinois for Conducting Sewer System Evaluation,  
a copy of which is attached hereto and incorporated  
herein by reference.

PASSED by the City Council of the City of Urbana,  
Illinois, this 16th day of February, 1976.

  
\_\_\_\_\_  
Duane Eckerty, City Clerk



APPROVED by the Mayor of the City of Urbana, Illinois,  
this 17 day of February, 1976.

  
\_\_\_\_\_  
Hiram Paley, Mayor

AGREEMENT BETWEEN THE URBANA & CHAMPAIGN SANITARY DISTRICT, THE CITY OF CHAMPAIGN, THE CITY OF URBANA, AND THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS FOR CONDUCTING SEWER SYSTEM EVALUATION

WHEREAS, the Urbana & Champaign Sanitary District has been granted a Step I Grant by the U. S. Environmental Protection Agency for Facilities Planning of advanced waste treatment facilities in conformance with their National Pollution Discharge Elimination Permits, and

WHEREAS, as a part of the Step I project scope Sewer System Analyses have been performed by the Urbana & Champaign Sanitary District (referred to hereafter as the District) for its sewers and those under the jurisdiction of the City of Champaign (referred to hereafter as Champaign), the City of Urbana (referred to hereafter as Urbana), and the Board of Trustees of the University of Illinois (referred to hereafter as the University, and

WHEREAS, the Sewer System Analyses have shown that excessive infiltration-inflow exists and that it is cost-effective to perform a Sewer System Evaluation to define the cost of sewer rehabilitation, and

WHEREAS, it is in the mutual interest of Champaign, Urbana, the University and the District that elimination of excess flow be incorporated in the District's Facility Plan, and

WHEREAS, Champaign, Urbana, the University, and the District have legal power required to enter into and fulfill their respective obligations under the following agreement:

NOW, THEREFORE, IT IS AGREED BY THE PARTIES HERETO AS FOLLOWS:

1. That the parties entering into this joint agreement authorize the District to perform the necessary sewer system evaluations on the collection sewer systems under their respective jurisdiction.
2. That the District authorize its engineers to perform the sewer system evaluations upon concurrence by the Regional Administrator of the U. S. Environmental Protection Agency of the Sewer System Analyses.
3. That the District incorporate existing information furnished by the parties hereto regarding their respective collection systems in the Sewer System Evaluation Report. Said information shall be analyzed by the

Engineer with the data collected during the performance of evaluation in respect to the regulations set forth in Title 40, Chapter 1, Subchapter B, Part 35, Subpart E, "Grants For Construction Of Treatment Works - Federal Water Pollution Control Act of 1972: as published in the Federal Register on February 11, 1974.

4. That the District reimburse the engineer for services performed during the length of the project.

5. That Urbana, Champaign, and the University each reimburse the District on the basis of the formula included herein upon concurrence by the Regional Administrator of the U.S. EPA, Region V, of the Sewer System Evaluation Report.

6. That the formula for reimbursement to the District by each party be 13.0 percent for the first \$70,000.00, 10.1 percent of the next \$80,000.00, and 8.3 percent thereafter, of the estimated construction cost of the rehabilitation work, as defined in the Sewer System Evaluation and approved by the aforesaid Regional Administrator, in their respective jurisdictional area.

7. That the District's share will be the difference between the cost of the sewer system evaluation, less grant participation, and the total reimbursement from each of the parties as established by the formula in the above paragraph.

8. That each party hereto appropriate, or commit, the following funds for their share of the Sewer System Evaluation costs based on the preliminary rehabilitation cost estimates defined in the Sewer System Analyses, dated January and October, 1975. Should the actual share for any of the parties hereto, based on the provisions of Paragraphs 6 and 7, exceed the amount shown herein, additional appropriations shall be made by the unit of government effected, upon approval of its governing body.

<u>Unit of Government</u>	<u>Estimated Rehabilitation Cost</u>	<u>Estimated Share</u>	<u>Appropriation of Commitment</u>
Urbana	\$ 104,200	\$ 12,600	\$ 15,000
Champaign	148,350	17,000	20,000
University	19,950	2,600	3,000
District	69,450	18,200	21,000

9. That the District and its engineers shall indemnify and hold harmless the other parties to this agreement against all loss, damage, or expense, which the other parties may sustain, or become liable for, on account of injury to or death of persons or account of damage to or destruction of property resulting from the performance of work under the contract by the District or its engineers, except any such damages resulting from the negligent act or acts of the employees or agents of the said other parties determined to be the proximate cause of any such injury or destruction.

10. That this agreement shall inure to the benefit of and be binding upon all successors of each of the parties hereto.

URBANA & CHAMPAIGN SANITARY DISTRICT  
OF CHAMPAIGN COUNTY, ILLINOIS, a  
Municipal Corporation,

by *Ben B. Ewing*  
President

ATTEST:

*John J. Pfeffer*  
Clerk

CITY OF CHAMPAIGN

by *Eugene Miller*  
City Manager

ATTEST:

*R. B. Johnson*  
Clerk

CITY OF URBANA

by *Frank Kelly*  
Mayor

ATTEST:

*Dwain Kelly*  
Clerk

THE BOARD OF TRUSTEES OF  
THE UNIVERSITY OF ILLINOIS

*R. H. Brady*  
Comptroller

*Earl W. Porter*  
Secretary

See attached rider applicable to  
funding by University of Illinois

APPROVED:

*L. G. Hernecheck*  
L. G. Hernecheck

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*See next page*  
Legal Counsel

all 110  
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RIDER TO THE AGREEMENT BETWEEN THE URBANA & CHAMPAIGN SANITARY  
DISTRICT, THE CITY OF CHAMPAIGN, THE CITY OF URBANA, AND  
THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS FOR  
CONDUCTING SEWER SYSTEM EVALUATION

THE FOLLOWING PROVISION IS ADDED AS ARTICLE 11 TO THE AGREEMENT:

11. All commitments by The Board of Trustees of the University of Illinois under the terms of this agreement are subject to constitutional and statutory limitations and restricting binding upon University and to the availability of funds which may lawfully be applied to the same.

The University, by reason of statutory prohibitions and the annual appropriation period now provided by law, is unable to legally enter into a contract for District's service except to the extent that appropriations available to pay for such services have been made by the Illinois Legislature. The present period for which such appropriations have been made expires on the 30th day of June, 1976. Accordingly, this contract as to the University shall be for a term commencing on the date hereof and ending on the 30th day of June, 1976, and shall be renewable for such successive periods thereafter in respect of which the Legislature has appropriated funds to the University sufficient to permit the performance of this agreement for such period by written notice thereof being given by University to District. In any event, however, either District or University shall have the right to cancel this agreement by giving at least ninety days prior written notice to the other.

URBANA & CHAMPAIGN SANITARY DISTRICT  
OF CHAMPAIGN COUNTY, ILLINOIS, a  
Municipal Corporation,

by

*Robert Ewing*  
President

ATTEST:

*John J. Pfeiffer*  
Clerk

THE BOARD OF TRUSTEES OF  
THE UNIVERSITY OF ILLINOIS

*R. H. Brady*  
Comptroller

*Earl W. Porter*  
Secretary

APPROVED:

*L. G. Hernecheck*  
L. G. Hernecheck

*Earl Palmer*  
For Legal Counsel