



City of Saint Paul

City Hall and Court House
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Legislation Text

File #: RES 19-495, **Version:** 1

Authorizing the Department of Public Works to enter into an agreement with the State of Minnesota to adjust the City's sanitary sewers during the State's construction on Trunk Highway 94.

WHEREAS, the State of Minnesota plans to construct State Project Number 6282-212 on Trunk Highway Number 94; and

WHEREAS, the City owns and operates sanitary sewers, their fixtures, and related equipment that are located on property where the State will construct the project; and

WHEREAS, the State's construction project will require the adjustment of the sanitary sewers facilities; and

WHEREAS, in order to prevent interference with the State's construction, the agreement permits the State to perform the sanitary sewer adjustment as part of their construction project; and

WHEREAS, one of the terms of the agreement is an indemnification clause which requires the City to "defend (at its own expense and to the extent Minnesota's Attorney General allows), indemnify, save, and hold the State and all of its agents and employees harmless of and from all claims, demands, actions, or causes of action arising from the Utility Owner's acts and omissions and from the State's (and its Contractor's) use of plans, designs, shop drawings, specifications, and special provisions prepared, reviewed, or approved by the Utility Owner; and

WHEREAS, the Department of Public Work wishes to enter into this agreement; and

WHEREAS, the City Council finds that the promise of indemnification is appropriate in order for the sanitary sewer adjustment to be performed by the State of Minnesota; now, therefore, be it

RESOLVED, that the Department of Public Works is authorized to enter into the agreement with the State (MNDOT Agreement Number 1033070.)