



## Legislation Text

---

**File #:** RES 19-1275, **Version:** 1

---

Authorizing the Department of Public Works to enter into an agreement with the State of Minnesota to accept the participation in the sharing of costs for a pedestrian improvement project along East 7<sup>th</sup> Street.

WHEREAS, the City of Saint Paul and the State of Minnesota wish to enter into an agreement whereby the City will perform curb and gutter, concrete and bituminous pavement, A.D.A., and signing construction along and adjacent to Trunk Highway No. 61 (east 7th Street) between Bates Avenue and Arcade Street;

WHEREAS, the City will also perform HAWK System and Pedestrian Crosswalk Flasher System (P.C.F.S.) construction on east 7<sup>th</sup> Street;

WHEREAS, the City requested that the State participate in the costs of the ADA, signing, HAWK System and P.C.F.S. construction and the State is willing to participate in the costs of said construction;

WHEREAS, the State has agreed to provide up to \$500,000.00 of the costs of the contract construction;

WHEREAS, one of the terms of the agreement is an indemnification clause which requires the City to "indemnify, defend (to the extent permitted by the Minnesota Attorney General), and hold MnDOT harmless from any claims or costs arising out of or incidental to the project, including reasonable attorney fees incurred by MnDOT"; 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 City to receive payment from the State of Minnesota with regard to sharing the costs of improvements for pedestrians along East 7th Street.

NOW, THEREFORE, BE IT RESOLVED, that the City of Saint Paul enter into MnDOT Agreement No. 1032878 with the State of Minnesota Department of Transportation for the following purposes:

To provide for payment by the State to the City of the State's share of the costs of the ADA, signing, HAWK, and P.C.F.S. construction and other associated construction to be performed upon, along, and adjacent to Trunk Highway No. 61 from Bates Avenue to Arcade Street within the corporate City limits under State Project No. 6221-109 (T.H. 61=102).

BE IT FURTHER RESOLVED, that the Mayor and the Director of Public Works are authorized to execute the Agreement and any amendments to the Agreement.