

AGREEMENT
BETWEEN
THE CITY OF ANN ARBOR
AND
THE PUBLIC SCHOOLS FOR THE CITY OF ANN ARBOR
WATER MAIN IMPROVEMENTS AT TAPPAN MIDDLE SCHOOL

This Agreement (“Agreement”) is made and entered into this 7 date of June, 2010, by and between the Public Schools for the City of Ann Arbor, a body corporate organized and existing under the Michigan Revised School Code (“AAPS”), having its offices at 2555 S. State Street, Ann Arbor, Michigan 48106, and the City of Ann Arbor, a Michigan municipal corporation (“City”), having its offices at 100 N. Fifth Avenue, Ann Arbor, Michigan 48104, for the purpose of fixing the rights and obligations of the parties relative to water main improvements at Tappan Middle School, hereinafter referred to as the “Project.” Relevant details of the Project are set forth on Exhibit A, which is attached hereto and incorporated herein by reference.

Whereas, the fire hydrant coverage at Tappan Middle School is inadequate;

Whereas, it is beneficial to the community to have adequate fire hydrant coverage at the Tappan Middle School in the event of a fire;

Whereas, the City is replacing the water main in Copley Avenue that will provide flow to the fire hydrant that will serve nearby Tappan Middle School and Copley Avenue residences, and the AAPS and City anticipate that there will be a cost savings, increased efficiency and reduction of possible contractor conflicts if the City undertakes this project for the AAPS in conjunction with that water main replacement project;

Whereas, the City and the AAPS have reached an understanding regarding the performance of and payment for the Project and desire to enter into this Agreement.

Therefore, in consideration of the premises and of the mutual undertakings of the parties and in conformity with applicable law, the City and the AAPS agree:

1. The City shall undertake and complete the construction of the Project in accordance with the terms of this Agreement. Exhibit A to this Agreement includes Project plans and lists Project components.
2. The Project includes the installation of 2 fire hydrants, and approximately 700 linear feet of 8” water main, including all appurtenances, on Tappan Middle School property, at an estimated cost of \$100,000. The work includes the excavation, installation, and backfilling of the trench. The backfill will consist of class II sand and 12” of 21AA aggregate, compacted in place. Restoration and paving will be the responsibility of the AAPS.
3. The City shall prepare detailed construction drawings and cost estimates for the Project. The City will share these cost estimates with the AAPS as they become available. The City will

provide contract administration, construction engineering, and inspection for the construction phase of the Project.

4. The City shall award a contract to the lowest responsive and responsible bidder for the construction of the Project, based on applicable law and the City's standard practice of opening bids and selecting the lowest responsive and responsible bidder for public works construction projects.

5. The City will enter into a construction contract with the contractor for construction of the Project.


6. The AAPS will reimburse the City for the costs of the Project, including installation of the new water main and hydrants, preparation of construction drawings and cost estimates, contract administration, and construction engineering and inspection.

7. Each of the persons signing this Agreement represents and warrants that he or she has authority to sign this Agreement on behalf of the City of Ann Arbor or the Public Schools for the City of Ann Arbor, respectively.

CITY OF ANN ARBOR, a Michigan
municipal corporation

PUBLIC SCHOOLS FOR THE CITY
OF ANN ARBOR, a body corporate

By: _____
John Hieftje, Mayor

By:  _____
Randy Trent,
Executive Director of Physical Properties

By: _____
Jacqueline Beaudry, City Clerk

Approved as to substance:

Roger Fraser, City Administrator

Sue F. McCormick, Public Services Area
Administrator

Approved as to form:

Stephen K. Postema, City Attorney