

BOARD OF PUBLIC WORKS AND SAFETY
Agenda Request Form

(Form B-01-2012)

Organizations and individuals are asked to submit a request form and supporting documents to be placed on the agenda. You will be contacted by the City confirming the date of the meeting in which your request will be heard.

Please make sure that your contact information is accurate in case we need to get in touch with you. The Board of Works meets on the 1st and 3rd Monday of each month at 5:00 p.m. in City Hall located at 70 E. Monroe Street.

Date Submitted:	10/13/2015	Requested Meeting Date:	10/19/2015
		Confirmed Meeting Date:	
Received by:			
Contact Information: Please provide all requested information in the fields below. (Print or Type)			
On Behalf of Organization or Individual:		Planning and Engineering Department	
Name:	Travis Underhill	Telephone:	736-3631
Title or Position:	City Engineer		
E-Mail:	tunderhill@franklin.in.gov		
Address:	70 E. Monroe Street		
City:	Franklin	State:	IN
		ZIP:	46131
Who will attend the meeting and present the request?			
Name:	Travis Underhill	Telephone:	736-3631
Title or Position:	City Engineer		
E-Mail:	tunderhill@franklin.in.gov		
Please describe the purpose or title of your presentation.			
The approval of a Memorandum of Understanding between the City of Franklin and the Franklin Community School Corporation for the construction of a pedestrian crossing at Franklin Middle School.			
Supporting documents: All supporting documents should be submitted with the request form.			
1. Memorandum of Understanding			
2.			
3.			
4.			

MEMORANDUM OF UNDERSTANDING

AN UNDERSTANDING REGARDING USE OF PROPERTY OWNED BY THE FRANKLIN COMMUNITY SCHOOL CORPORATION FOR PEDESTRIAN CROSSING UPGRADES AS PART OF THE SAFE ROUTES TO SCHOOL PROJECT IN THE CITY OF FRANKLIN, INDIANA.

This Memorandum of Understanding ("MOU") is entered into between the City of Franklin ("City") and the Franklin Community School Corporation ("FCSC") wherein FCSC is willing to permit the City to utilize certain of its property in association with the City' s U.S.31/Mallory Parkway pedestrian upgrades at the intersection of Mallory Parkway and U.S. 31 in the City of Franklin as outlined in the Safe Routes to School project.

WHEREAS, construction of the U.S.31/Mallory Parkway pedestrian intersection improvements calls for the design, installation and maintenance of certain improvements including but not limited to, the reconfiguration of the FCSC Middle School entrance and adjacent sidewalks for improved pedestrian movement and safety, all as identified on the attached Exhibit "A" ; and

WHEREAS, the construction of said improvements includes pedestrian and vehicular enhancements that require the City and its' contractors the ability to access property owned by the FCSC as well as to reconfigure certain of the entrances, sidewalks and access drives to the FCSC, per the attached Exhibit "A" ; and

WHEREAS, the City of Franklin has received funding for the construction of a pedestrian crossing at U.S. 31 and Mallory Parkway as part of the projects outlined in the City' s Safe Routes to School (" SRTS") Plan; and

WHEREAS, the FCSC is a willing participant and supporter of the Safe Route to School study and the proposed U.S.31/Mallory Parkway intersection improvements; and

WHEREAS, the FCSC does not desire to sell or transfer the required property to either the City or INDOT but this Memorandum of Understanding will establish the framework to allow the construction of the improvements located on the FCSC property per the attached Exhibit "A" ; and

THEREFORE, the City and FCSC agree that FCSC will allow the City access to FCSC property to permit the work necessary to move, reconfigure and otherwise complete the necessary improvements in accordance with the attached Exhibit "A" designed to upgrade and improve pedestrian and vehicular crossing at the U.S.31 and Mallory Parkway intersection. FCSC will be provided with copies of all plans and design documents utilized in the construction of the improvements.

FURTHERMORE, the City and FCSC agree as follows:

1. The cost of the improvements will be paid by the City through utilization of the INDOT/FHWA funds received for the construction of the pedestrian crossing at U.S.31 and Mallory Parkway at Franklin Middle School. Once all necessary work is completed in accordance with Exhibit "A", all care, maintenance and upkeep of the access property shall return to FCSC.

2. The parties agree that prior to and during construction, the City will coordinate the work with FCSC to use their best efforts to avoid disruption to FCSC's operation and further the City and its' Contractor will use their best efforts to ensure the proposed construction will not materially hinder ingress and egress to FCSC's facilities.

3. During construction and until such time as the necessary work is completed in accordance with Exhibit "A", the City agrees to hold FCSC harmless and indemnify FCSC on any claim brought against FCSC by any person or entity based upon alleged negligence of the City and/or its contractors performing construction.

4. Upon completion of the work performed on FCSC's property, the City agrees to assign to FCSC all warranties obtained from the Contractor, relating to work completed on FCSC's property and being returned to the responsibility and control of FCSC.

INTRODUCED & APPROVED by the Board of Public Works and Safety of the City of Franklin, Johnson County, Indiana this _____ day of September, 2015.

City of Franklin, Indiana, By its Board of Public Works and Safety:

Voting Affirmative:

Voting Opposed:

Mayor Joseph E. McGuinness

Mayor Joseph E. McGuinness

Stephen Barnett

Stephen Barnett

Robert Swinehamer

Robert Swinehamer

Attest:

Janet P. Alexander, Clerk Treasurer

Franklin Community School Corporation
Board of School Trustees
("FCSC")

By: _____
William Maschmeyer, President

Attest:

Kristine Ott, Secretary

Prepared by: Lynnette Gray
Attorney No. : 11567-41