

A RESOLUTION AUTHORIZING THE MAYOR)
AND RECORDER TO EXECUTE CONSTRUCTION-)
FINANCE AGREEMENT WITH DEPARTMENT OF)
TRANSPORTATION, HIGHWAY DIVISION FOR)
INSTALLATION OF TRAFFIC SIGNALS AT)
INTERSECTION OF SANTIAM HIGHWAY AND)
WHEELER STREET.)

RESOLUTION NO. 4
for 1983

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LEBANON AS FOLLOWS:

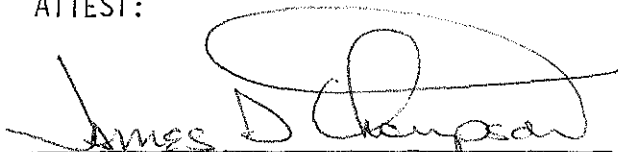
Section 1. That the Mayor and Recorder of the City of Lebanon are hereby authorized and directed to execute a construction-finance agreement with Department of Transportation, State Highway Division for installation of traffic signals at intersection of Santiam Highway and Wheeler Street. A copy of said agreement is attached hereto and made a part hereof.

Passed by the Council by a vote of 5 for and 0 against and approved by the Mayor this 9th day of February, 1983.



Mayor

ATTEST:



Recorder

Approved: L. E. George
MCH: pf
2/1/83

Misc. Contracts & Agreements
No. 2749

CONSTRUCTION-FINANCE AGREEMENT
TRAFFIC SIGNAL INSTALLATION

THIS AGREEMENT is made and entered into by and between the STATE OF OREGON, acting by and through its Department of Transportation, Highway Division, hereinafter referred to as "State"; and the CITY OF LEBANON, a municipal corporation of the State of Oregon, acting by and through its City Officials, hereinafter referred to as "City".

W I T N E S S E T H

RECITALS

1. The Santiam Highway, State Primary Highway No. 16, is a part of the state highway system under the jurisdiction and control of the Oregon Transportation Commission, and Wheeler Street is a part of the city street system under the jurisdiction and control of the City of Lebanon.
2. State and City in their judgement, have deemed it necessary and desirable in order to maintain a safer and more expeditious flow of traffic, to install traffic control signal equipment on the Santiam Highway at Wheeler Street and remove the existing pedestrian signals, hereinafter referred to as "project".
3. By the authority granted in ORS 366.770 and 366.775, the State may enter into cooperative agreements with the various counties and cities for the performance of work on certain types of improvement projects with the allocation of costs on terms and conditions mutually agreeable to the contracting parties.
4. By the authority granted in ORS 487.850, State is authorized to determine the character or type of traffic control signals to be used, and to place or erect them upon state highways at places where state deems necessary for the safe and expeditious control of traffic. No traffic control signals shall be erected or maintained upon any state highway by any authority other than State, EXCEPT with its written approval.
5. This agreement is intended to abrogate that certain State-City agreement, August 27, 1964, concerning the installation of pedestrian-actuated traffic signals on the Santiam Highway at (Main St.-Wheeler St.). The aforementioned agreement shall become null and void and have no further

force or effect upon execution of this agreement.

NOW, THEREFORE, the premises being in general as stated in the foregoing RECITALS, it is agreed by and between the parties hereto as follows:

STATE OBLIGATIONS

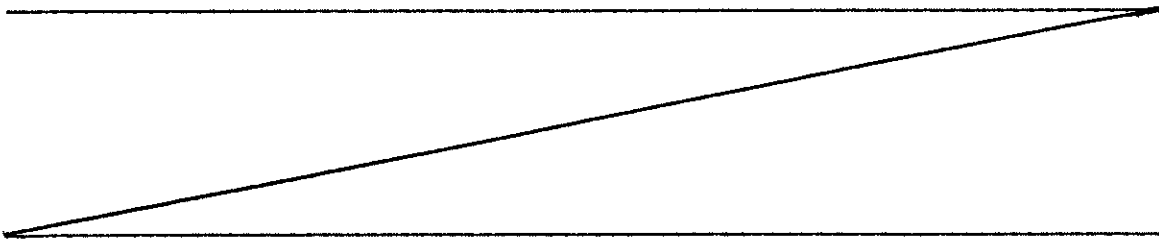
1. State shall conduct the necessary field surveys and traffic investigations, obtain all right-of-way and easements, perform all preliminary engineering and design work required to prepare plans, specifications and estimates, advertise for bid proposals, award all contracts, and furnish all construction engineering, material testing, technical inspection and project manager services for administration of the contract. The traffic signal installation may be accomplished by the use of state forces, by contract or by any combination of these methods, as State shall elect.

2. State shall, upon completion of the project, perform all necessary maintenance for operation of the traffic signal equipment, and shall retain complete jurisdiction and control of the timing established for operation of the traffic signals.

3. State shall, without cost to City, relocate or cause to be relocated, all existing privately-owned utility conduits, lines, poles, mains, pipes, and other such facilities that are located on private property where such relocation is necessary to conform said utilities or facilities to the plans for the project.

CITY OBLIGATIONS

1. City shall, upon completion of the project, accept all responsibility for, and pay all costs of, electrical energy consumed in operation of the traffic signals.



2. City shall, upon request by State and without cost to State, relocate or reconstruct, or cause to be relocated or reconstructed all privately or publicly-owned utility conduits, lines, poles, mains, pipes and all other such facilities of every kind and nature, where such utilities or facilities are located within the right-of-way of any presently existing city street when such relocation or reconstruction is necessary in order to conform the utilities or facilities to the plans for the project.

3. City shall adopt a resolution authorizing its City Officials to enter into this agreement and the same shall be attached hereto and become a part hereof.

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals as of the day and year hereinafter written. City has acted in this matter pursuant to Resolution No. 4 for 1983, adopted by its City Council on the 9th day of FEBRUARY, 1983.

This project was approved by the Oregon Transportation Commission on January 19, 1982 as a part of the Six Year Highway Improvement Program (page 29).

The Oregon Transportation Commission, by a duly adopted delegation order, authorized the State Highway Engineer to execute this agreement for and on behalf of the Commission. Said authority is set forth in the Minutes of the Oregon Transportation Commission.

APPROVAL RECOMMENDED

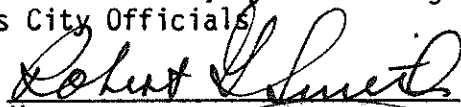
By 
Region Engineer


STATE OF OREGON, by and through
its Department of Transportation,
Highway Division

By 
State Highway Engineer

Date 3-8-83

CITY OF LEBANON, by and through
its City Officials

By 
Mayor

By 
City Recorder

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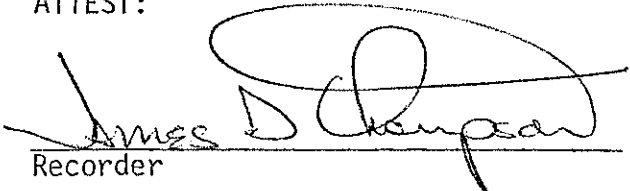
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