

ORDINANCE NO. 003-104

AN ORDINANCE AUTHORIZING AN  
AGREEMENT WITH THE COUNTY  
OF COOK CONCERNING CHICAGO  
TRANSIT AUTHORITY USE OF  
COOK COUNTY RIGHTS- OF-WAY

WHEREAS, The County of Cook (“County”) owns certain right-of-way properties in suburban Cook County, Illinois (“Right-of-Way”); and

WHEREAS, The Chicago Transit Authority (“Authority”) owns certain property located adjacent to, or in close proximity to, the Right-of-Way property; and

WHEREAS, In the course of certain construction activities, the Authority is required to perform construction, maintenance and repair activities on its property, which may impact the Right-of-Way; and

WHEREAS, The County currently requires the Authority to obtain a permit and submit a surety bond and insurance coverage for each construction project that impacts the Right-of-Way; and

WHEREAS, Staff has recommended that the Authority enter into an agreement with the County which would enable the Authority to expedite construction projects on County Rights-of-Way without increasing liability; and

WHEREAS, Staff has negotiated an agreement with the County which would permit the Authority to perform construction, maintenance, repair or activities which may disturb County Right-of-Way; and

WHEREAS, Said Agreement would require the Authority to indemnify the County for the Authority’s activities and includes a waiver of a surety bond and insurance; and

WHEREAS, Pursuant to Section 54.3-3 of the Regulations Governing Purchase and Sales Transactions, contracts between units of government are not subject to a competitive bid process; now, therefore:

BE IT ORDAINED BY THE CHICAGO TRANSIT BOARD  
OF THE CHICAGO TRANSIT AUTHORITY:

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SECTION 1. That the Chairman of the Chicago Transit Board, or her designee, is hereby authorized to execute an Agreement between the County of Cook for permission to perform Authority construction, maintenance, repair or activities which may disturb Cook County Right-of-Way property, said agreement being substantially in conformance with Exhibit B attached hereto. The Right-of-Way properties subject to the agreement are attached hereto as Exhibit A. These properties may be amended from time to time without further Board approval.

SECTION 2. That said agreement shall also include a waiver of surety bond and insurance requirements, and shall include a short-term cancellation, an indemnification of Cook County by the Authority, and such other terms that are substantially in conformance with the other terms set forth in Exhibit B.

SECTION 3. This ordinance shall be in full force and effect from and after its passage.

APPROVED:

PASSED:

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Chairman

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Assistant Secretary

August 6, 2003

August 6, 2003