

ORDINANCE NO. 012-83

AN ORDINANCE AUTHORIZING THE
ACQUISITION OF A TEMPORARY
CONSTRUCTION EASEMENT FOR
CERTAIN PROPERTY LOCATED ON
THE SOUTH SIDE OF WEST 63RD
STREET, CHICAGO, ILLINOIS

WHEREAS, The Chicago Transit Authority (“Authority”) is undertaking a project to renovate and upgrade a portion of the Red Line Rapid Transit Line extending from West 16th Street to West 95th Street, Chicago, Illinois (“Dan Ryan Track Renewal Project”); and

WHEREAS, The Metropolitan Transit Authority Act at 70 ILCS 3605/6, permits the Authority to acquire, construct, own, operate and maintain a public service transportation system in said area; and

WHEREAS, The Dan Ryan Track Renewal Project will include rail track renewal, traction power improvements, repair of rapid transit stations and other renovations which will eliminate slow zones and improve the quality of rapid transit service on the Red Line; and

WHEREAS, The existing Authority Red Line right-of-way property is not large enough to accommodate the construction staging activities that will be required to complete the Dan Ryan Track Renewal Project; and

WHEREAS, Saint Bernard Hospital is the owner of certain vacant property located on the south side of West 63rd Street, between South Harvard Avenue and South Stewart Avenue, Chicago, Illinois, located approximately one block from the Authority’s Red Line (“Property”); and

WHEREAS, Infrastructure staff has recommended that the Authority acquire a temporary construction easement for the Property to accommodate the construction staging activities associated with the Dan Ryan Track Renewal Project; and

WHEREAS, The Authority has completed negotiations with Saint Bernard Hospital to acquire a temporary construction easement for the Property, which includes approximately forty-four thousand, seven hundred and fifty (44,750) square feet, for a term of eighteen (18) months; and

WHEREAS, The temporary construction easement shall include an easement fee of Fifty Thousand Two Hundred and Fifty Dollars (\$50,250.00); now, therefore;

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

SECTION 1. Pursuant to Section 9.4 of the Procurement Policy and Procedures, competitive bidding for the grant of Temporary Construction Easement from Saint Bernard Hospital to the Chicago Transit Authority shall not be required.

SECTION 2. That the Chairman of the Chicago Transit Board, or his designee, is authorized to execute a Temporary Construction Easement Agreement between Saint Bernard Hospital, as Grantor, and the Chicago Transit Authority, as Grantee, for certain Property located on the south side of West 63rd Street, between South Harvard Avenue and South Stewart Avenue, Chicago, Illinois, further described in Exhibit A, attached hereto and made a part hereof, to accommodate the construction staging activities associated with the Dan Ryan Track Renewal Project.

SECTION 3. Said Temporary Construction Easement Agreement shall extend for a term of eighteen (18) months, requires payment of an easement fee of Fifty Thousand Two Hundred and Fifty Dollars (\$50,250.00), includes an indemnification of Saint Bernard Hospital by the Authority, requires that the Authority, or its contractor, make certain improvements to the Property and install permanent ornamental fencing as detailed in Exhibit B, attached hereto and made a part hereof, and such other terms that are substantially in conformance with Exhibit C, attached hereto and made a part hereof.

SECTION 4. This ordinance shall be in full force and effect from and after its passage.

APPROVED:

PASSED:

Chairman

Assistant Secretary

July 18, 2012

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