

ORDINANCE NO. 88-21

AN ORDINANCE AUTHORIZING A
TRI-PARTY AGREEMENT FOR THE
CONSTRUCTION OF A VIADUCT
UNDERNEATH THE AUTHORITY'S
ELEVATED STRUCTURE IN THE
CITY OF EVANSTON, AND THE
GRANT OF TWO TEMPORARY AND
ONE PERMANENT EASEMENTS

WHEREAS, The State of Illinois and the City of Evanston are constructing a viaduct underneath the Authority's rapid transit tracks at Clark Street in the City of Evanston; and

WHEREAS, The Authority's rail service, as well as related signal and communication facilities, must be preserved during construction, the Agreement defines certain work to be performed by the Authority; and

WHEREAS, The City of Evanston and the State of Illinois will reimburse the Authority for certain work to be performed by the Authority, the cost of which is estimated to be \$320,000.00; and

WHEREAS, Upon completion of the project, Evanston will have jurisdiction and maintain, at its expense, the roadway and lighting portion of the project; and

WHEREAS, The Authority will have jurisdiction and maintain, at its expense, the structural integrity of the viaduct including the retaining walls; and

WHEREAS, The Agreement also provides that the Authority grant two temporary construction easements and one permanent easement to the City of Evanston; and

WHEREAS, Pursuant to an Ordinance adopted in 1915 by the City of Evanston, CTA's predecessor, Chicago, Milwaukee & St. Paul Railway Company, was to build, at its expense, certain viaducts beneath the tracks of its railway, one of which was to be built at the site in question; and

WHEREAS, Because the viaduct is now being built by the State of Illinois and the City of Evanston, Evanston has proposed that, in exchange for the building of the viaduct, the Authority waive compensation for the grant of the permanent easement, which easement is to be used as a right-of-way for the extension of Clark Street through the proposed viaduct; and

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WHEREAS, Section 54.2-4 of the Authority's Regulations Governing Purchase and Sales Transactions provide that agreements entered into with units of local government do not require competitive bidding; now, therefore:

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

SECTION 1. The Chairman of the Chicago Transit Board, or designee, is hereby authorized to execute the Tri-Party Agreement between the Chicago Transit Authority, the City of Evanston and the State of Illinois.

SECTION 2. Competitive bidding is not required pursuant to Section 54.2-4 of the Authority's Regulations Governing Purchase and Sales Transactions.

SECTION 3. Consideration for said Easements are hereby waived.

SECTION 4. The Chairman of the Chicago Transit Board, or designee, is hereby authorized to execute any and all documents necessary for the grant of the permanent and temporary easements for the property which is more particularly described on Exhibits "A", "B" and "C", attached hereto and made a part hereof.

SECTION 5. This ordinance shall be in full force and effect from and after its passage.

APPROVED:

PASSED:


Chairman


Secretary

February 3, 1988

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