

RESOLUTION NO. 3622

A RESOLUTION TO ACCEPT A BIKE MAP GRANT.

WHEREAS, the City has been awarded a \$3,000 grant from the Oregon Department of Transportation for the development of a bicycle path map; and

WHEREAS, the conditions of the grant are specified in the attached Exhibit A, "Bicycle Map Agreement"; and

WHEREAS, funding for this grant will be budgeted in the fiscal year 1996-97 budget.

NOW, THEREFORE, BE IT RESOLVED that the City accept the \$3,000 grant from the Oregon Department of Transportation; and

BE IT FURTHER RESOLVED that the City Council authorize the Mayor and City Manager to sign the grant agreement with the Oregon Department of Transportation.

DATED THIS 10th DAY OF April 1996.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Recorder

**APPROVED ODOT Staff**  
**DATE: December 21, 1995**

Misc. Contracts & Agreements  
No. 14,042

**BICYCLE MAP AGREEMENT**

**THIS AGREEMENT** is made and entered into by and between **THE STATE OF OREGON**, acting by and through its Department of Transportation, hereinafter referred to as "State"; and **CITY OF ALBANY**, acting by and through its Elected Officials, hereinafter referred to as "City."

**WITNESSETH**

**RECITALS**

1. By the authority granted in ORS 366.514, funds received from the State Highway Trust Fund are to be expended by the State and the various counties and cities for the establishment of footpaths and bicycle trails. The establishment and maintenance of such footpaths and bicycle trails are for highway, road, and street purposes when constructed within the right of way.
2. By the authority granted in ORS 366.770 and 366.775, State may enter into cooperative agreements with the 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.
3. Under such authority, State and City plan and propose to prepare and publish the City of Albany Bicycle Map, hereinafter referred to as "map." The map is to cover general City limits and vicinity of Albany.
4. City has determined that the actual total cost of the map is estimated to be \$6,000. This cost shall be shared 50 percent by State and 50 percent by City. In no event shall State participation exceed the total sum of \$3,000 or 50 percent of the actual total cost, whichever is the lesser.

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

Contract No. 14,042  
City of Albany

### **STATE OBLIGATIONS**

1. State's Bicycle and Pedestrian Program Manager shall review and concur in the map before it is published, and shall process all billings submitted by City.
2. Upon receipt of notification that City is prepared to proceed with the work, State shall deposit with City the sum of \$1,500, such amount being equal to 50 percent of the agreed maximum State share of map costs. Said deposit shall not be made prior to July 1, 1996. Upon completion of map and receipt from City of an itemized statement of the actual total cost of the map, State shall deposit with City a final payment in an amount which, when added to the initial deposit, would equal State's proportional share of the total project costs, but in no event shall participation by State exceed the total sum of \$3,000.

### **CITY OBLIGATIONS**

1. City or its consultant shall conduct the necessary field surveys, and prepare and publish a comprehensive bicycle map. The project may be accomplished by City forces, by consultant or by any combination of these methods, as City shall elect. The map must conform with the color-coding developed by the State Bicycle and Pedestrian Program and must also include the following:
  - a. A legend.
  - b. Symbols indicating severity of grades where applicable.
  - c. Points of interest such as schools and parks.
  - d. A discussion of bicycle safety, the basic rules of the road, and the role of bikeways in the traffic flow.
2. City shall submit two copies of the map to State's Bicycle and Pedestrian Program Manager for State review and concurrence prior to publication.
3. City shall by October 1, 1996, enter into a contract for development of map with a private contractor or commence actual development if map is to be accomplished by the use of City forces. City shall complete map within one calendar year from initiation of a contract or commencement of map development.
4. Should City fail to commence work on the bicycle map by February 1, 1997, City will lose State funding match.
5. City shall, upon completion of map, submit to State Bicycle and Pedestrian Program Manager an itemized statement of costs of the final actual total cost of the bicycle map.
6. City shall enter into and execute this agreement during a duly authorized session of its City Council.

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**MUTUAL OBLIGATIONS**

1. The Contractor, its subcontractors, if any, and all employers working under this Agreement are subject employers under the Oregon Workers' Compensation Law and shall comply with ORS 656.017, which requires them to provide workers' compensation coverage for all their subject workers.

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals as of the day and year hereinafter written.

This grant was approved by the Oregon Transportation Commission on December 12, 1995, as part of the Fiscal Year 1997 Bicycle and Pedestrian Program. At that time the Chief Engineer was authorized and directed to sign the necessary agreements for and on behalf of the Commission.

This format approved as to legal sufficiency on December 21, 1995 by Dale K. Hormann, Assistant Attorney General.

**APPROVAL RECOMMENDED**

STATE OF OREGON, by and through its Department of Transportation

By Michael Roubi Date Jan 17, 1996  
Bicycle and Pedestrian Program Mgr.

By Thomas D. Helay Date 1/18/96  
Chief Engineer

CITY OF ALBANY by and through its Elected Officials:

Steve Burt Date 4/11/96  
(City Manager)

Charles H. Brown Date 04-11-96  
Mayor