

RESOLUTION NO. 5022

A RESOLUTION ACCEPTING THE 2004-2005 OREGON STATE UNIVERSITY INTER-GOVERNMENTAL AGREEMENT FOR FUNDING THE OSU/LBCC DUAL ENROLLMENT PASS PROGRAM AND THE OSU STUDENT, STAFF, AND FACULTY PASS PROGRAM ON THE LINN-BENTON LOOP TRANSIT SYSTEM AND ON ALBANY TRANSIT SYSTEM.

WHEREAS, Oregon State University has submitted the 2004-2005 pass program agreement for the Linn-Benton Loop Transit System and Albany Transit System; and

WHEREAS, the City of Albany is the service provider for the Linn-Benton Loop Transit System and Albany Transit System.

NOW, THEREFORE, BE IT RESOLVED that the City of Albany accepts the Oregon State University funding support for the OSU/LBCC dual enrollment pass program in the amount of \$12,000 and the OSU student, staff, and faculty pass program in the amount of \$5,000 for the Linn-Benton Loop and Albany Transit System for fiscal year 2004-2005 for a total of \$17,000; and

BE IT FURTHER RESOLVED that the City Council of the City of Albany, Oregon, accepts these funds and authorizes the City Manager to execute the agreement and conditions for their acceptance; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage by the Council and approval by the Mayor.

DATED AND EFFECTIVE THIS 11TH DAY OF AUGUST 2004.



Mayor

ATTEST:



City Clerk

INTERGOVERNMENTAL AGREEMENT

THIS AGREEMENT is entered into this 11th day of August 2004, by and between the CITY OF ALBANY, hereinafter referred to as "City," and OREGON STATE UNIVERSITY, hereinafter referred to as "OSU," the promises of each being given in consideration of the promises of the other.

WHEREAS, the City is the operator of the Linn-Benton Loop Transit System (Loop), which provides economical, effective, and responsive public transportation between Albany, Corvallis, OSU, and Linn-Benton Community College (LBCC); and

WHEREAS, the City is the operator of the Albany Transit System (ATS), which provides economical, effective, and responsible public transportation within Albany City limits; and

WHEREAS, OSU desires to provide a public transit option for OSU students, staff, and faculty; and

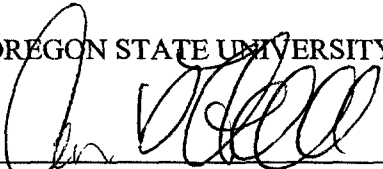
WHEREAS, the City agrees to provide regular bus route transportation on the Loop and ATS to OSU students, staff, and faculty at no fare upon the display of a valid OSU identification card.

NOW, THEREFORE, the parties agree as follows:

1. Compensation. OSU shall pay \$5,000 to the City to provide transit service for OSU students, staff, and faculty and \$12,000 for students engaged in the OSU/LBCC dual enrollment program.
2. Scope of Service. The transit service provided shall be on regular Loop and ATS bus routes.
2. Purpose. The City shall use these funds to offset the operating expenses of the Loop and ATS bus systems.
3. Term. The period of this Agreement is from July 1, 2004, through June 30, 2005.
4. Review. The City will record and review the affected ridership figures monthly and adjust the requested Compensation accordingly on an annual basis.
5. Each party shall indemnify and hold harmless the other from any suits or damages caused by the negligent actions or omission of its employees or agents. Nothing in the hold harmless condition shall be deemed to create a liability in excess of the Oregon Tort Claims limit for either party. The City shall maintain general and automobile liability insurance meeting or exceeding the amounts stated in ORS 30.260 through 30.300 as now exists or as may be hereinafter amended. Such insurance shall name Linn-Benton Community College, Oregon State University, the Linn-Benton Loop Transit System, and Albany Transit System as additional insureds, but only with respect to the City's services to be provided under this Agreement.
6. The parties shall not discriminate on the basis of race, religion, sex, color, age, source of income, sexual orientation, or national origin in the performance of this contract.

In witness whereof the parties hereto affix their signatures below.

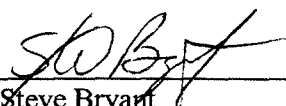
OREGON STATE UNIVERSITY



7/19/04

Aaron D. Howell, C.P.M., CPPO, Manager Date
Procurement and Construction Contracting (PaCC)/
Contracts Officer

CITY OF ALBANY, OREGON



8/11/04

Steve Bryant Date
City Manager