



## Legislation Text

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**File #:** 27619, **Version:** 1

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### **Fiscal Note**

It is estimated that the assessment of the sanitary sewer system will cost the Sewer Utility around \$30,000, accommodated through the existing Operating Budget. All costs associated with this assessment will be reimbursed in full. Therefore, there is no net cost to the Sewer Utility or to the City from this agreement.

The proposed indemnification language has been reviewed by the City's Risk Manager. The City's risk exposure is increased by this clause, but the exposure is covered by the City's insurance policies, subject to their terms and conditions.

### **Title**

Authorizing the Mayor and City Clerk to sign an agreement with the United States Air Force Air National Guard 115 to complete a private sewer system assessment and recover costs for the work performed.

### **Body**

WHEREAS, the City of Madison has reached an agreement with the United States Air Force Air National Guard 115 to allow the City of Madison to complete a sanitary sewer system assessment for privately owned sewer and to have the costs reimbursed to the City upon completion, and,

WHEREAS, the City of Madison will complete a sanitary sewer system assessment for the United States Air Force Air National Guard 115 at Truax Field adjacent to Pearson Street and Pierstorff Street, and,

WHEREAS, the agreement with the United States Air Force Air National Guard 115 requires that the City "indemnify the Government and its officers, employees and agents against liability, including costs, for actual or alleged direct or contributory infringement of, or inducement to infringe, any United States or foreign patent, trademark or copyright, arising out of the performance of this contract, provided the Contractor is reasonably notified of such claims and proceedings" as referenced in Section 52.212-4(h), and,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk are hereby authorized to sign an agreement with the United States Air Force Air National Guard 115 to complete a private sewer system assessment and recover costs for the work performed.

BE IT FURTHER RESOLVED, that the Common Council approves indemnification of the United States Air Force Air National Guard 115 as set forth in the agreement in order to complete work.