



Legislation Text

File #: 47942, **Version:** 1

Title

Request from the Building and Construction Trades Council of South Central Wisconsin to install an accessible fishing pier at Vilas Park.

Body

The City of Madison Parks Division has received a request from the Building and Construction Trades Council of South Central Wisconsin to refurbish and install an accessible fishing pier within Vilas Park.

The City of Madison Parks Division hereby agrees to allow the Building and Construction Trades Council of South Central Wisconsin and/or their subcontractors to install an accessible fishing pier within City-owned property located at 702 S. Randall Avenue, aka, Vilas Park, as depicted on attached Exhibit A (the "Premises"); including the right of ingress and egress and the right to operate necessary equipment thereon for said construction activities.

This Approval is subject to the following conditions:

The Building and Construction Trades Council of South Central Wisconsin shall be required to enter into a separate agreement for the maintenance of the accessible fishing pier, including but not limited to, indemnification of the City; general upkeep and repairs of the pier, abutment and railings, including repairs due to vandalism; and responsibility for off-season storage and removal and installation at the beginning and end of the season.

The Building and Construction Trades Council of South Central Wisconsin shall work with City Parks on the design and renovation of the existing pier. Final pier designs shall be submitted to Corey Stelljes at cstelljes@cityofmadison.com <<mailto:cstelljes@cityofmadison.com>> for comment. All final designs shall be approved by the Parks Superintendent or his designee prior to any work commencing within the park.

All damage to the existing pavements, turf areas or other park infrastructure or amenities shall be replaced in kind.

The Building and Construction Trades Council of South Central Wisconsin and/or their contractor shall be responsible for all clean up after the work is completed. If City resources are required for cleanup, the User will be invoiced on a time and material basis for all costs incurred to the City.

All work must be fenced off or protected during non-work hours. No open excavations shall be permitted at any time. Any pavement that is removed shall be brought up to grade with plates, stone or surfacing until the final restoration is completed.

The contractor must notify Chad Hughes at 608-267-8805 a minimum of 72 hours in advance and prior to the start of work. Access shall only be allowed upon written or verbal approval by the Madison Parks Division.

Access through the park is only granted between 7am and 4pm, unless otherwise approved by the Parks Superintendent or his designee.

The City shall secure all permits required for the pier installation, including the following:

1) City of Madison Erosion Control Permit

2) Wisconsin DNR Pier Permit to place a pier/wharf on the bed of Lake Wingra Pier Permit

The Building and Construction Trades Council of South Central Wisconsin and their subcontractors shall comply with all applicable laws, ordinances and regulations related to environmental pollution or contamination, or to occupational health and safety.

The Building and Construction Trades Council of South Central Wisconsin and their subcontractors shall be liable to and hereby agrees to indemnify, defend and hold harmless the City, and its officers, officials, agents, and employees, against all loss or expense (including liability costs and attorney's fees) by reason of any claim or suit, or of liability imposed by law upon the City or its officials, officers, agents or employees for damages because of bodily injury, including death at any time resulting there from, sustained by any person or persons or on account of damages to the Premises, including loss of use thereof, arising from, in connection with, caused by or resulting from the acts or omissions of the User and/or its officials, officers, agents, employees, assigns, guests, invitees, or subcontractors, in the performance of this Permit, whether caused by or contributed to by the negligent acts of the City, its officers, officials, agents, and employees.

Any contractors or subcontractors performing work within the park shall be prequalified and shall be required to carry commercial general liability insurance covering as insured the User and naming the City as an additional insured, with no less than the following limits of liability: bodily injury, death and property damage of \$1,000,000 in the aggregate. This policy shall also be endorsed for contractual liability in the same amount.