

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement ("Agreement") is effective _____, 2014, by and between the University of Kansas, a state-supported institution of higher education and agency of the State of Kansas ("University") and the City of Lawrence, Kansas, a city of the first class under the laws of the State of Kansas ("City").

WHEREAS, the City and the University desire to install a new 8-inch diameter watermain on Daisy Hill along the west side of Lewis and Hashinger Residence Halls, from a connection to an existing 12-inch diameter City watermain on 15th Street on the north to a connection with a new 12-inch diameter City watermain along the north side of Irving Hill Road on the south (location) as generally shown and labeled as "Waterline-2" in Attachment A (the "Project");

WHEREAS, the University of Kansas and the City Commission have approved the Project; and

WHEREAS, the University has the ability to accomplish the construction of the Project in a timely fashion; and

WHEREAS, the City will assume ownership, operation, and maintenance of the Project upon construction completion and City acceptance; and

WHEREAS, the City desires to assist in financing of the construction of the Project, as described further below.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the University and the City agree as follows:

1. The University agrees to undertake and to be solely responsible for design and construction of the Project. Materials, equipment, and labor for the Project will be the sole responsibility of the University and its contractors. The University agrees to complete the Project no later than August 30, 2015. The University will provide the City reasonable documentation to support the Project costs.
2. The City agrees to pay to University the total actual construction costs for the Project, not to exceed \$200,000. Such payments shall be made in mutually agreed installments with the total fully paid to University not later than thirty (30) days after Project completion, whichever is sooner.
3. The City shall assume ownership of and responsibility for maintenance and operation of the new watermain upon full payment of the construction costs.

4. The parties agree that, should any dispute arise that cannot be resolved through negotiations and by mutual consent concerning the validity and effect of this Agreement, or of any breach of the Agreement herein, venue of action concerning such dispute shall be in the District Court of Douglas County, Kansas.

5. This Agreement constitutes the entire agreement between the City and the University with respect to this transaction and the Project, and it expressly supersedes all previous written, email, and oral communication between the parties. No amendment, alteration, or modification of this Agreement shall be valid unless executed in writing by all the parties.

6. By signing this agreement, the representative of each party represents that such person is duly authorized to execute this Agreement on behalf of that party and that the party agrees to be bound by its provisions.

IN WITNESS WHEREOF, the undersigned hereto have executed this Agreement this ____ day of _____, 2014.

THE CITY OF LAWRENCE

THE UNIVERSITY OF KANSAS

By: _____

By: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

ARCHITECTURAL:
TREANOR ARCHITECTS
1040 VERMONT
LAWRENCE, KANSAS 66044
OFFICE: 785.842.4858
FAX: 785.842.7536

LANDSCAPE ARCHITECT:
CONFLUENCE
417 DELAWARE STREET
KANSAS CITY, MO 64105
OFFICE: 816.531.7227
FAX: 816.531.7229

CIVIL ENGINEER:
SK DESIGN GROUP, INC.
4600 COLLEGE BLVD.
SUITE 100
OVERLAND PARK, KS 66211
OFFICE: 913.451.1818

STRUCTURAL ENGINEER:
BOB D. CAMPBELL & CO.
4338 BELLEVIEW AVE.
KANSAS CITY, MO 64111
OFFICE: 816.778.7134
FAX: 816.521.4144

M.E.P. ENGINEER:
LANKFORD + ASSOCIATES
CONSULTING ENGINEERS
1730 WALNUT STREET
KANSAS CITY, MO 64108
OFFICE: 816.221.1411

TELECOMMUNICATIONS:
**LATIMER, SOMMERS, &
ASSOCIATES, P.A.**
3639 SW SUMMERFIELD DR.,
SUITE A
TOPEKA, KS 66614

[illegible]

Department of Administration
Facilities & Property Management
Construction, & Compliance
SW Jackson, Suite 700
Topeka, Kansas 66612-1216
Telephone 785-296-8899
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THE UNIVERSITY OF KANSAS

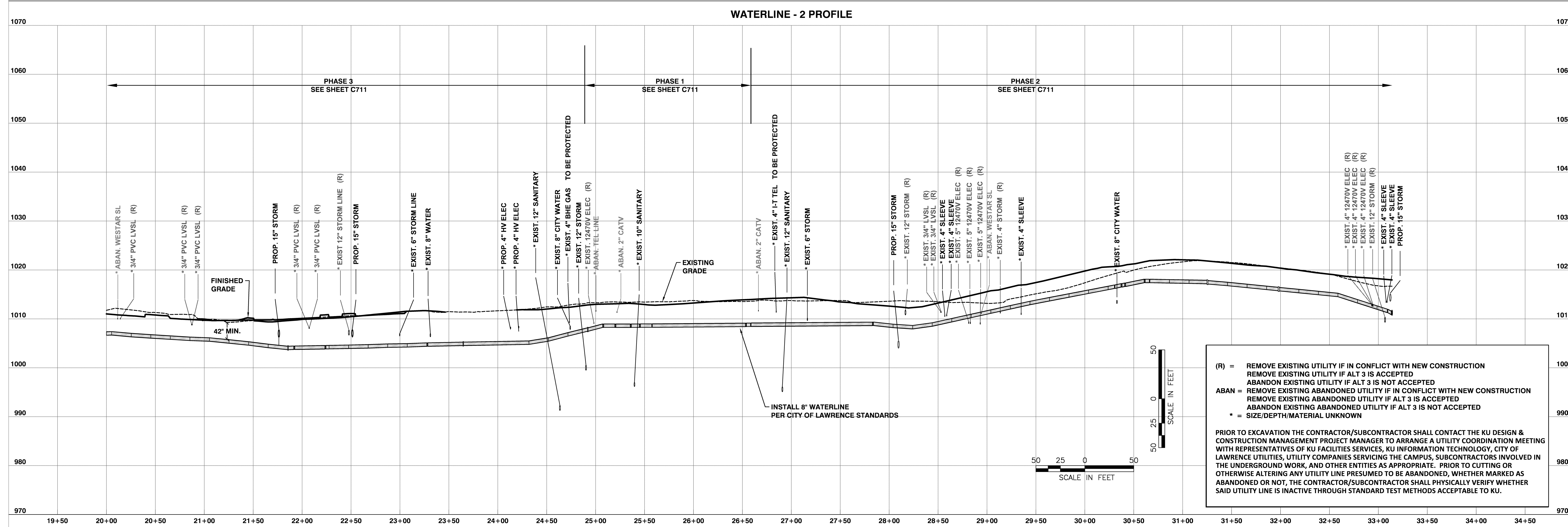
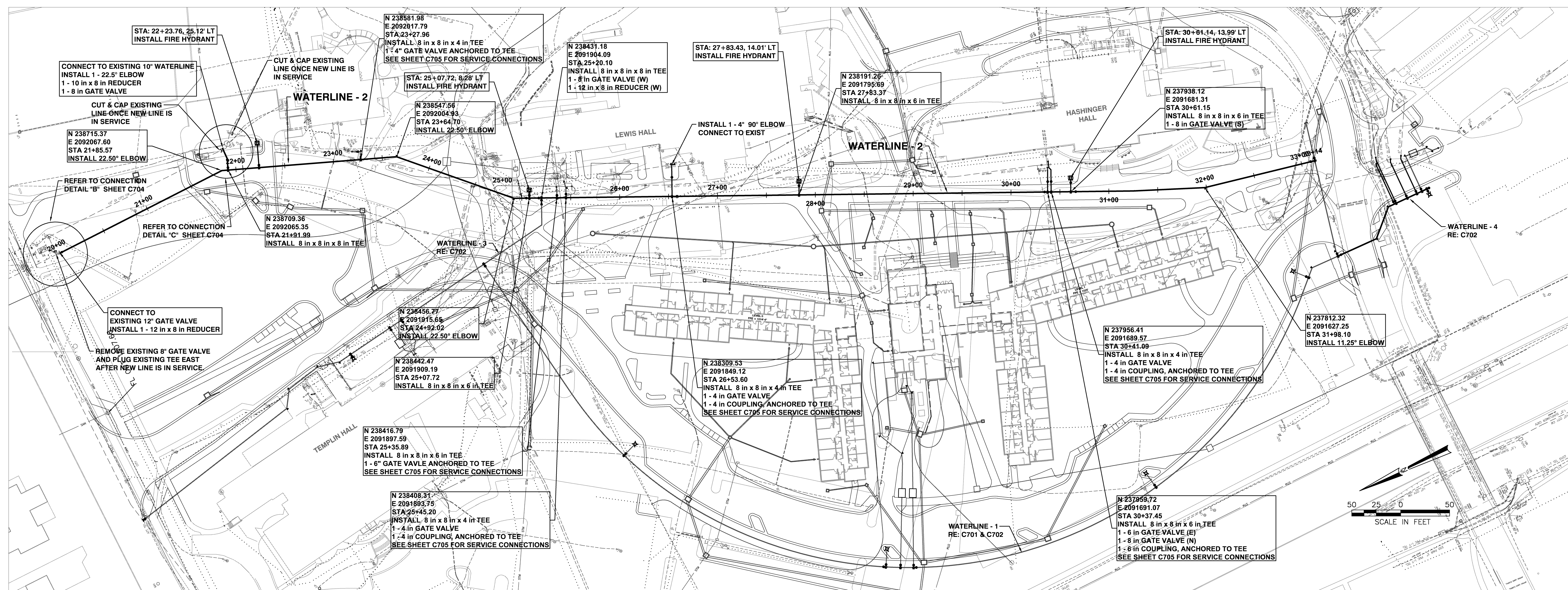
MCOLLUM HALL REPLACEMENT

LAWRENCE, KS 66045
BUILDING NUMBER 68200-00235

DATE: 02/14/2014
DRAWN BY: KM
CHECKED BY: SM
REV:

8" WATERLINE
PLAN & PROFILE - 3

A-012382

ORIGINAL CONTRACT
DOCUMENTS

DATE PRINTED: 2/14/2014 2:06 PM
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