

**AGREEMENT BETWEEN THE VILLAGE OF COAL VALLEY AND COAL VALLEY TOWNSHIP FOR JOINT OWNERSHIP AND OPERATION OF A BACKHOE**

THIS AGREEMENT is entered into by and between the Village of Coal Valley, Illinois, herein "the Village", and Coal Valley Township, of Rock Island County, Illinois, herein "the Township".

WHEREAS, the Village and the Township wish to enter into a cooperative agreement for joint ownership and operation of a backhoe, and

WHEREAS, the 1970 Illinois Constitution (Art. VII. Sec. 10) and the Illinois Compiled Statutes (5 ILCS 220/1-220/8) provide authority for intergovernmental co-operation; and

WHEREAS, the Governmental Joint Purchasing Act, 30 ILCS 525/1 et seq., authorizes municipalities to purchase personal property through a joint purchase agreement with one or more other governmental units.

NOW, THEREFORE, in consideration of the mutual covenants contained in this Agreement, the Village and the Township agree as follows:

1. Purchase of Backhoe. The Village and the Township agree to jointly purchase a backhoe for their joint and mutual ownership and use. The parties shall jointly proceed with said purchase through the letting of competitive, sealed bids. Bids shall be solicited by public notice inserted at least once in a newspaper of general circulation in Rock Island County at least 5 calendar days before the final date of submitting bids. Such notice shall include a general description of the equipment, and shall state where all blanks and specifications may be obtained and the time and place for the opening of bids. The Village shall be the lead agency for solicitation of bids. The Village may also solicit

*No mention of coverage on equipment*

sealed bids by sending requests by mail to prospective suppliers and by posting on a public bulletin board in the Village Hall. As a part of the bidding process, each party agrees to contribute a used backhoe for trade-in purposes. In the future, the newly acquired backhoe will be used as a trade-in for the purchase of a new backhoe.

2. Use, Maintenance and Storage. It is agreed that the Village and the Township will agree upon a mutual schedule for the sharing of the use of the backhoe. The parties will share the expense of maintenance equally. No other municipality or third party will be allowed use of the backhoe.

It is further agreed that the backhoe will be stored at the Township Garage during the summer months and will be stored at the Village Garage during the winter months.

3. Binding Agreement. This agreement shall be construed by the parties as a permanent and binding agreement between the Village and the Township, shall continue between the parties during the natural life of the equipment, and for future purchases or replacement equipment, and may be amended only upon agreement of both parties.

Both parties recognize that this agreement is in the best interest of the taxpayers of the Village and of the Township. The provisions, covenants and conditions of this agreement shall be binding upon and inure to the benefit of Coal Valley Township and Village of Coal Valley, Illinois, and their respective successors.

4. Event of Township Dissolution. In the event the Township is dissolved as a form of government and fails to exist, the backhoe then owned jointly by the parties, shall become the sole property of the Village.

VILLAGE OF COAL VALLEY

By Stanley B. Empt  
Its President of Board of Trustees

ATTEST:

Deanna Burnett  
Village Clerk

COAL VALLEY TOWNSHIP

By Jules T. Lader  
Pd. Comm.

Honorable John Wheeler  
Mt. Zion Township Highway Commissioner

Dear John,

Attached to this email are two "samples" of Intergovernmental agreements that might be helpful to use as a "guide" when setting up one for the purchase of the patcher you and I discussed.

Just to restate what I said in our telephone conversation:

1. One township road district would list this piece of equipment on their list of equipment with TOIRMA. All 5 of the townships you named to me are in TOIRMA so this makes things easier.
2. TOIRMA will, at your request, each year break out the amount you are paying on this equipment so that you will know how to figure to be reimbursed by the other road districts.
3. You should call Simphi Lenover at TOIRMA, 1-800-252-5059, ext 1128 and discuss with her the specifics once you get the intergovernmental agreement put together that you want to use.
4. One Road District will be the "lead township" and will be the one who actually owns the equipment and lists it on it's insurance coverage. The other road districts, through the intergovernmental agreement would reimburse that road district each year or however you decide to set it up.
5. The "lead township" will need to Bid for the new equipment. You will need to publish a notice in the newspaper requesting bids for what you want. Then you set a time and date when the bids will be opened, the Clerk opens the bids and then you award the bid.

John, I hope all this information is helpful to you. I am going to also mail you a copy of this just in case the email doesn't work for some reason.

If you need anything else, please feel free to contact me.

Bryan Smith  
Executive Director  
Township Officials of Illinois

-----Original Message-----

From: Simphi Lenover [mailto:slenover@ccmsi.com]  
Sent: Thursday, May 25, 2006 11:24 AM  
To: Bryan Smith  
Subject: Sample Intergovernmentals

Bryan - attached are a couple samples for co-owned equipment. Hope they help. ~Simphi

January 16, 2003

## A INTERGOVERNMENTAL AGREEMENT OF THE MILLER GROUP

This Agreement is between the five individual Township Road Districts commonly called The Miller Group. Those Townships are Beaver, Belmont, Chebanse, Crescent and Pigeon Grove Townships.

The above named Townships have purchased a pugmill for making cold mix to use on their own Road District roads. The cost of this machine and the repair of same was to be split equally. It was agreed that if any one Township wanted to get out of this agreement, the remaining Townships would buy out their original share. It was also agreed that if everyone would decide to buy any more equipment the cost of the purchase and up keep of such equipment would be shared equally. If any other Township wants to join the group, they have to buy in at an equal share of the total cost invested to date.

While we are working as a group in one of the Miller Groups Township, each Township is responsible for their own employees and their equipment that they own individually.

This Intergovernmental Agreement is a waiver of claims against the other Townships involved.

Beaver Township

Ray A. Barlund

Belmont Township

Douglas W. Barnes

Chebanse Township

Don W. Schantz

Crescent Township

Terry Buntag

Pigeon Grove Township

Dan Bauer

- PUGMILL ON CHEBANSE
- BELMONT HAS A ROLLER