

CITY OF BURNABY

BYLAW NO. 10875

A BYLAW to ratify an agreement with the City of Vancouver  
for improvements to Boundary Road

WHEREAS Boundary Road forms the boundary between the City of Vancouver and  
the City of Burnaby;

AND WHEREAS the City of Vancouver and the City of Burnaby deem it advisable  
to enter into an agreement for improvements to the traffic signals at Kingsway and Boundary Road  
and the installation of traffic signals at Moscrop Street and Boundary Road;

NOW THEREFORE the Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as BOUNDARY ROAD CONSTRUCTION AGREEMENT RATIFICATION BYLAW 1999.
2. The Council of the City of Burnaby is hereby authorized and empowered to enter into an agreement with the City of Vancouver to share the costs of improvements to the traffic signals at Kingsway and Boundary Road and the installation of traffic signals at Moscrop Street and Boundary Road in the form annexed hereto as Schedule "A" of this Bylaw.
3. The Council hereby ratifies the agreement annexed hereto as Schedule "A".

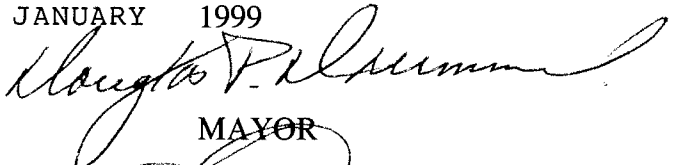

Read a first time this 18th day of JANUARY 1999

Read a second time this 18th day of JANUARY 1999

Read a third time this 18th day of JANUARY 1999

Reconsidered and adopted by an affirmative vote of at least two-thirds of all

members of Council this 25th day of JANUARY 1999

  
MAYOR  
  
CLERK

SCHEDULE "A"

THIS AGREEMENT made effective the 10th day of February, 1993

BETWEEN:

CITY OF VANCOUVER  
453 West 12th Avenue  
Vancouver, BC V5Y 1V4

(hereinafter called "Vancouver")

OF THE FIRST PART

AND:

CITY OF BURNABY  
4949 Canada Way  
Burnaby, BC V5G 1M2

(hereinafter called "Burnaby")

OF THE SECOND PART

WHEREAS Boundary Road is located upon the north/south boundary line between Vancouver and Burnaby;

AND WHEREAS Burnaby and Vancouver consider it to be in their mutual interests that the traffic signal at Boundary and Kingsway (the Kingsway Project) be improved and that new traffic signals be installed at Boundary Road and Moscrop Street (the Moscrop Project);

NOW THEREFORE the parties hereto, in consideration of the terms, covenants and agreements contained herein and other good and valuable consideration (the receipt and sufficiency of which is hereby acknowledged) mutually covenant and agree as follows:

1. Vancouver will carry out the design and construction of:
  - (a) traffic signal modifications at the Kingsway Project; and

(b) traffic signal installation at the Moscrop Project.

3. The cost of the works shall be shared between Vancouver and Burnaby as follows:

(a) Kingsway Project:

Burnaby	\$16,886.85
Vancouver	\$33,773.70

(b) Moscrop Project:

Burnaby	\$37,546.77
Vancouver	\$19,342.28

For the purposes of this Agreement, costs include design, surveying and inspection and similar administrative overhead charges normally charged by a municipality to projects of this type.

3. Vancouver and Burnaby agree to cooperate fully, the one with the other, to execute all documents and do all things required in order to more fully perfect the intention of this Agreement.

4. Following completion of the Kingsway Project and the Moscrop Project, Vancouver will ensure that it (or its respective contractors) repair any defects that become evident in the construction within a period of twelve months after completion of each respective project. The costs of such repairs will be the responsibility of Vancouver.

5. Burnaby hereby grants to Vancouver, its respective contractors, subcontractors, employees, agents and officials the right to enter, labour, pass, repass, work and be in, on, under and over Burnaby's property with or without vehicles, tools, supplies, materials and equipment

and supplies for any purpose connected with the construction of the Kingsway Project or the Moscrop Project referred to in this Agreement.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the day and year first above written.

THE CORPORATE SEAL OF THE CITY  
OF VANCOUVER WAS HEREUNTO  
AFFIXED IN THE PRESENCE OF:

\_\_\_\_\_  
Authorized Signatory

\_\_\_\_\_  
  
THE CORPORATE SEAL OF THE CITY  
OF BURNABY WAS HEREUNTO AFFIXED  
IN THE PRESENCE OF:

\_\_\_\_\_  
City Clerk - Authorized Signatory