

AGREEMENT

between the

**LOUISVILLE AND JEFFERSON COUNTY
METROPOLITAN SEWER DISTRICT;**

and

JEFFERSON COUNTY PUBLIC SCHOOLS

pertaining to:

Construction of the JCPS Blue Lick Road Bus Compound Lateral Extension Project

This Agreement is made and entered into on this the 30TH day of November 2022, (the "Effective Date") by and between the Louisville and Jefferson County Metropolitan Sewer District ("MSD"), 700 West Liberty Street, Louisville, Kentucky 40203, and Jefferson County Public Schools ("JCPS") 3332 Newburg Road, Louisville, Kentucky 40218, ("MSD" and "JCPS" hereinafter are referred to as the "Parties").

WHEREAS, MSD is a public body corporate and municipal corporation, duly created and existing pursuant to the provisions of the Kentucky Revised Statutes, Chapter 76, et. seq., acting by and through its duly appointed Board, its statutory governing body (hereinafter referred to as "MSD").

WHEREAS, in the interest of the public health and for the purpose of providing adequate sewer and drainage facilities for the City of Louisville and the County of Jefferson, MSD was created pursuant to KRS Chapter 76; and

WHEREAS, MSD is empowered by KRS Chapter 76 to construct, acquire, operate and

maintain sewers, drains, sewer and drainage services and appurtenances in Jefferson County; and

WHEREAS, the existing JCPS Bus Compound property located at 10705 Blue Lick Road is currently served by an on-site wastewater system; and

WHEREAS, construction of a lateral extension is required to provide sanitary sewer service to the JCPS Bus Compound property located at 10705 Blue Lick Road; and

WHEREAS, JCPS agrees to fully reimburse MSD for construction costs for construction of the JCPS Blue Lick Road Bus Compound Lateral Extension Project (MSD Record Number 16863, and as shown in Attachment "A," which is incorporated as if set forth in full herein); and

WHEREAS, MSD will publicly bid the project for construction in accordance with MSD's procurement policy, procedure, and regulations; and

NOW, THEREFORE, for consideration, MSD and JCPS agree as follows:

1. SERVICES:

- a. MSD will advertise and bid construction of the JCPS Blue Lick Road Bus Compound Lateral Extension project in accordance with MSD's procurement policy, procedure, and regulations;
- b. MSD will compensate the successful bidder of construction of the JCPS Blue Lick Road Bus Compound Lateral Extension project in accordance with the bid documents;
- c. Upon completion of the JCPS Blue Lick Road Bus Compound Lateral Extension Project and MSD's acceptance of the work performed, JCPS shall fully reimburse MSD for all costs associated with the same within thirty (30) days of demand for payment from MSD.

2. PERIOD OF PERFORMANCE: This Agreement shall begin upon execution, and shall continue until JCPS fully reimburses MSD. This Agreement shall not be modified except by the written agreement of all parties. No work may begin under this Agreement until all

parties have signed it.

3. CAUSES AND TERMINATION: MSD and/or JCPS may terminate this contract without cause after thirty days written notice or for cause immediately at any time.

Termination "for cause" is limited to a Party's material breach of this Agreement. In the event of termination, payment for services complete up to and including the date of termination shall be based upon work completed at that time.

4. CONFLICT OF INTEREST: The parties certify, by the signatures of duly authorized representatives on this Agreement, that they are legally entitled to enter into this Agreement and that they shall not be violating, either directly or indirectly, any conflict of interest statute of the Commonwealth of Kentucky by the performance of this Agreement.

5. ENTIRE AGREEMENT: This Agreement is the entire agreement and understanding of the parties with respect to the subject matter set forth herein and this Agreement supersedes any and all prior and contemporaneous oral or written agreements or understandings between the parties relative thereto. No representation, promise, inducement, or statement of intention has been made by the parties that is not embodied in this Agreement.

6. SUCCESSORS: This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors and assigns.

7. SEVERABILITY: If any court of competent jurisdiction holds any provision of this Agreement unenforceable, such provision shall be modified to the extent required to make it enforceable, consistent with the spirit and intent of this Agreement. If such a provision cannot be so modified, the provision shall be deemed separable from the remaining provisions of this Agreement and shall not affect any other provision hereunder.

8. COUNTERPARTS: This Agreement may be executed in counterparts, in which case

each executed counterpart shall be deemed an original and all executed counterparts shall constitute one and the same instrument.

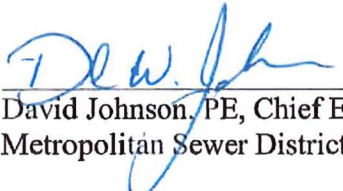
APPROVED:

Jefferson County Public Schools

Dr. Martin Polio, Superintendent
Jefferson County Public Schools

Date

METROPOLITAN SEWER DISTRICT



David Johnson, PE, Chief Engineer
Metropolitan Sewer District

11-7-22

Date

APPROVED AS TO FORM AND LEGALITY:



MSD Attorney

11-3-2022

Date

ATTACHMENT "A"



LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SENIOR DISTRICT
PROPERTY SERVICE CONNECTION INLET SHEET

AREA OF DISTURBANCE: 0.34 AC

LOS ANGELES DETAIL 87-28-42

IN COUNTY, APPROXIMATE EARTH DISTANCE FROM SOURCE TO LOCATION OF SERVICE CONNECTION (SEE SHEET NO. 1 FOR LOCATION OF SERVICE CONNECTION)		IN FEET		IN FEET		IN FEET	
LOC.	NO.	LOC.	NO.	LOC.	NO.	LOC.	NO.
1	1/4	2	1/4	3	1/4	4	1/4

SHEET 2 OF 3	CONTRACT NO. ORDER NO. DATE	SEE PLAN AND PROFILE SHEET: LINE "A-A" AND PROPERTY SERVICE CONNECTION INLET CHART
		PROJECT TITLE: JPCS BLUE LICK ROAD BUS COMPOUND 10705 BLUE LICK ROAD LOUISVILLE, KY 40229 TAX BLOCK: NO. LDT. 39 D.B. 7251, PG. 0040

NO.	PERSON	DATE
1	BOB SUBMITTAL	12/20/21
2	BOB SUBMITTAL	12/20/21
3	BOB SUBMITTAL	01/26/22
4	BOB SUBMITTAL	01/26/22

PLANS PREPARED AND SUBMITTED BY:



MINDEL SCOTT
ENGINEERING • SURVEYING • PLANNING • LANDSCAPE ARCHITECTURE
5151 Jefferson Blvd., Louisville, KY 40219
502-482-1109 • MindelScott.com

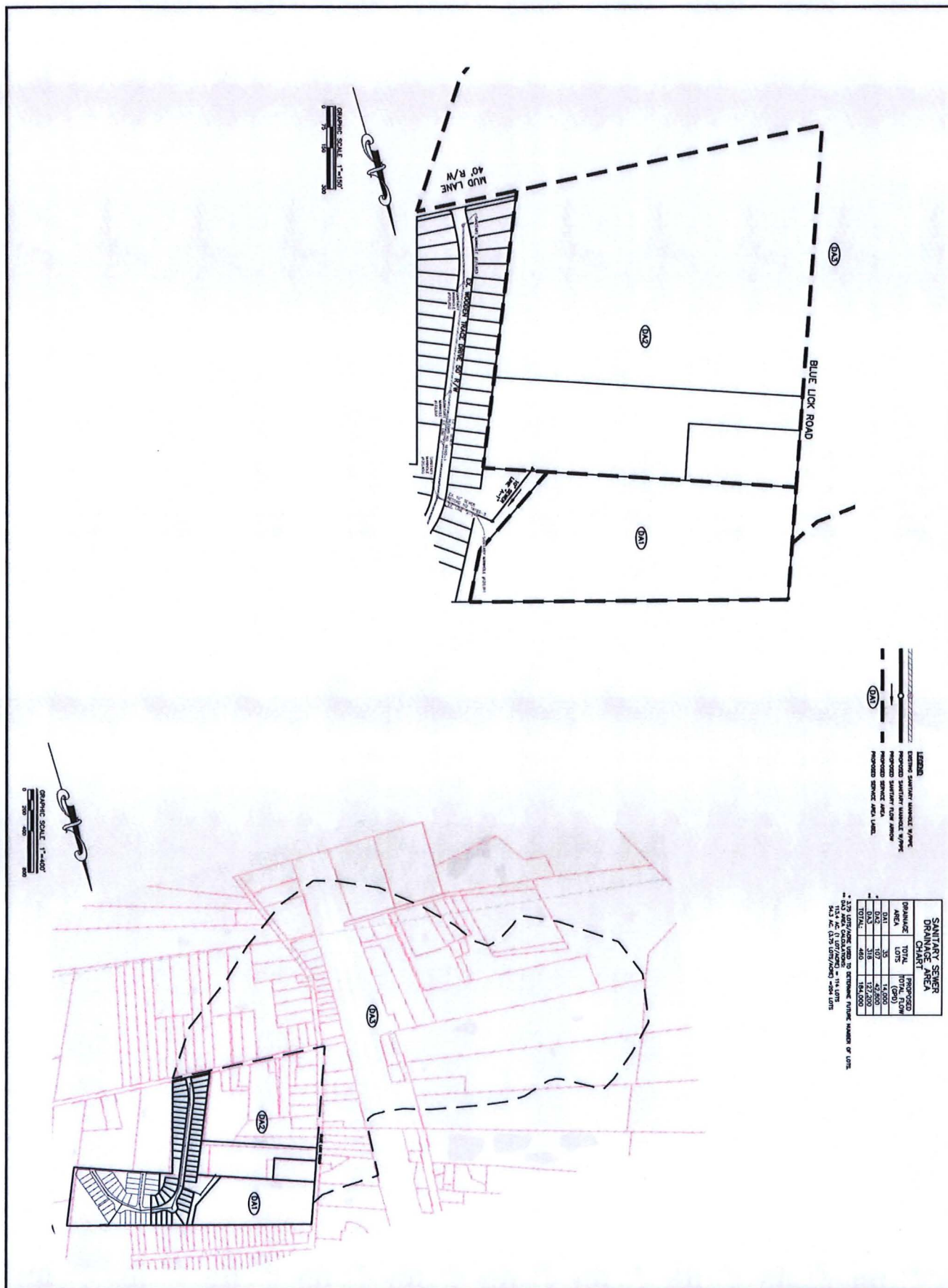
Professional Engineer's Seal

ASACINIA L
SOUTH
32000
KENTUCKY
REGISTERED PROFESSIONAL
STATE OF KENTUCKY

David L. Smith
Signature Date 8/10/22

SECONDED BY:	DATE:
AS	12/08/22
AS	12/09/22
AS	12/09/22

DATE: 12/07/2023



SANITARY SEWER DRAINAGE AREA CHART	
IRRAWADDI AREA	PROPOSED
AREA	AREA
1.00	1.00
2.00	2.00
3.00	3.00
4.00	4.00
5.00	5.00
6.00	6.00
7.00	7.00
8.00	8.00
9.00	9.00
10.00	10.00
11.00	11.00
12.00	12.00
13.00	13.00
14.00	14.00
15.00	15.00
16.00	16.00
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42.00	42.00
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89.00	89.00
90.00	90.00
91.00	91.00
92.00	92.00
93.00	93.00
94.00	94.00
95.00	95.00
96.00	96.00
97.00	97.00
98.00	98.00
99.00	99.00
100.00	100.00

* 3.37 LBS/AREA USED TO DETERMINE PLUMBING NUMBER OF LOTS.
 1.00 LBS/AREA (1.00 LBS/AREA) = 114 LBS
 3.37 LBS/AREA (3.37 LBS/AREA) = 354 LBS

SHEET TITLE: SERVICE AREA MAP

PROJECT TITLE: JCPS BLUE LICK ROAD BUS COMPOUND

10708 BLUE LICK ROAD
 LOUISVILLE, KY 40229
 TAX BLOCK: 90, LOT: 39
 D.B. 7231, PG. 5040



msd
Safe, clean waterways

Louisville and Jefferson County Metropolitan Sewer District
 700 W. Liberty Street - Louisville, Kentucky 40203-1913
 502-581-8000 • www.mpsd.com

PLANS PREPARED AND SUBMITTED BY:



MINDEL SCOTT
 ENGINEERING & SURVEYING • PLANNING & LANDSCAPE ARCHITECTURE
 5111 Jefferson Blvd. Louisville, KY 40219
 502-459-2558 • MindelScott.com

REVISIONS

NO.	DATE	DESCRIPTION
1	12/20/23	ISSUED FOR PERMIT
2	12/20/23	ISSUED FOR PERMIT
3	12/20/23	ISSUED FOR PERMIT
4	12/20/23	ISSUED FOR PERMIT

APPROVED

DATE: 12/27/2023

STATE OF KENTUCKY

REGISTERED PROFESSIONAL ENGINEER

DATE: 12/27/2023

PROJECT NO. 16663

DRAWING NO. 16663

PROJECT TITLE: JCPS BLUE LICK ROAD BUS COMPOUND

PROJECT NO. 16663

PROJECT NO. 16663

PROJECT TITLE: JCPS BLUE LICK ROAD BUS COMPOUND

PROJECT NO. 16663

S3

SHEET 3 OF 3