

Resolution No. 212

A resolution providing for the services of an independent Engineer-Surveyor by the Town of Stevensville, Montana when the Town's Engineer-Surveyor has a conflict of interest in any project, either by his or his associates involvement in a project involving the Town, and providing for the payment to the independent professional for such services.

WHEREAS, the Town of Stevensville presently has a contract for the services of an Engineer-Surveyor who, from time to time, performs services for individual or firms that the Town has a supervisory or other interest in the project for which the Town needs professional assistance in representing and advising the Town and overseeing the project, and

WHEREAS, the independent engineer shall ensure that all work performed by a developer and his or its employee will be performed under the supervision of a professional engineer licensed to practice in the State of Montana. The engineer shall be technically and functionally correct and consistent with accepted standards for civil engineering and or surveying; and,

WHEREAS, the term for the services of the independent engineer will be for the project in which there is a conflict or apparent conflict of interest of the Town's Engineer; and,

WHEREAS, the expense to the Town of Stevensville for the services of the independent engineer shall be borne by the developer as a part of project expenses. The consultant shall submit all requests for payment on a monthly basis directed to the Clerk's office (Town of Stevensville). The Town Clerk shall arrange for collection of the amount from the developer, and remit payment to the consultant within 30 days. Independent Engineer shall maintain State of Montana Worker's Compensation insurance coverage for all employees and public liability insurance in the amount of \$1,000,000.00, indemnifying the Town of Stevensville as the insured; and,

WHEREAS, the independent engineer shall perform all work under this agreement as an independent contractor and as such shall have and maintain complete control over all of their employees, agents, representatives, operations and activities.

BE IT THEREFORE RESOLVED; that at any time that the Town's engineer has a conflict or apparent conflict of interest in performing services for a third party wherein the Town is involved in any way, the Town shall designate an independent Engineer-Surveyor to perform the services that would otherwise be the duties of the

Town's Engineer on a project, and the cost to the Town for such services shall be assessed against the developer.

Passed and approved this 13 day of September, 2005.

Attest:

Nancy Howell
Town Clerk.

William P. Harris
Mayor

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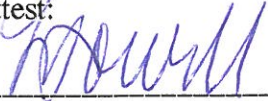
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Passed and approved this 12 day of September, 2005.

Attest:



Town Clerk.

Mayor