



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 14-0875, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF AUGUST 7, 2014

COMMITTEE ON REAL ESTATE

Mr. David St. Pierre, Executive Director

Authorization to Enter into an Elevator Use Agreement with Lexington Lion Chicago L.P. for the temporary use and access to the 101 East Erie Freight Elevator

Dear Sir:

The District's freight elevator in the MOBA is being rehabbed from August 11, 2014 to October 31, 2014. The freight elevator is utilized by District staff that park in the MOBA garage. In that this is the only MWRD elevator servicing the garage, the District has requested permission for the temporary use of the 101 E. Erie freight elevator from the owner, Lexington Lion Chicago L.P. (Lexington), a Delaware limited partnership. It should be noted that while there is a stairwell that employees could use, employees with disabilities may not be able to use the stairs to get to the ground level.

Lexington has agreed to allow designated District employees to use its freight elevator upon certain terms and conditions under an Elevator Use Agreement that requires the District to deliver evidence of comprehensive general liability insurance for a combined single limit of \$2 million dollars against claims for personal injury, death or property damage in connection with the use of the freight elevator. Further, the District will indemnify and hold the owner, its agents and representatives harmless against any claims, liens, damages, liabilities or costs without limitation, including court costs and reasonable attorney fees arising out of or relating to use of the freight elevator by the permitted persons, MWRD or its agents. In addition, the District is to waive its right of subrogation against the indemnified parties applicable to any claims brought against the owner.

Accordingly, the Board of Commissioners is requested to authorize and direct the Executive Director to execute an Elevator Use Agreement after it is approved by the General Counsel as to form and legality and take all necessary actions as appropriate to effectuate same.

Requested, Eileen McElligott, Administrative Services Manager:crb

Recommended, David St. Pierre, Executive Director

Respectfully Submitted, Mariyana T. Spyropoulos, Chairman Committee on Real Estate

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for August 7, 2014