

Willmar Wye

Summary of Agreements

Willmar Wye Project Master Cooperation Agreement

Signors

Minnesota Department of Transportation
BNSF Railway
Kandiyohi County
City of Willmar

This is the overarching Agreement between the Partners on the Willmar Wye Project. It lays out the requirements and the responsibilities of the partners.

Article I – General

This article includes definitions and a list of exhibits.

Article II – Purpose, Duty to Complete Scope and General Cooperation

This article defines the purpose and scope of this project and affirms the partner's willingness to cooperate on the project.

Article III – TIGER Grant, Project Development and Project Maintenance

This article defines each partner's responsibility in terms of the TIGER Grant, Project Development and future Maintenance.

Article IV – Acquisition of Land, Easements, Right-of-Way and Other Interests to the Project

This article defines the applicable laws, procedures and responsibilities of the partners for purchasing and transferring the right-of Way necessary to construct the Willmar Wye. This article also defines in general which properties are being purchase by each party and the properties being transferred between parties. In addition this article defines any property restrictions that will be placed on the Right-of Way such as utility easements and covenants.

Article V – Construction and Construction Contract Administration

This article defines each party's role and responsibilities for the construction of the project including final design of the project, scheduling, supervision of construction contracts, and contract changes. This provision also establishes the right review other parties work as well as a joint working group to facilitate communication and coordination of the construction contracts.

Article VI – Financial Responsibilities

This Article defines each party's responsibility for project costs. It also defines the requirements for Grant reimbursement, financial reconciliation and project closeout.

Article VII – Applicable Federal Laws and Regulations

This article defines the Federal laws and regulations that are relevant to this project.

Article VIII – Other Agreements

This article establishes that there will be agreements between the public partners.

Article IX – General Provisions

This article covers general legal provisions and contact information for each partner.

Transfer Agreement (Kandiyohi County- BNSF)

Signors

Kandiyohi County
BNSF Railway

This agreement defines in detail the process of transferring property between Kandiyohi County and BNSF Railway and the responsibilities of each party.

Transfer Agreement (MnDOT- BNSF)

Signors

Minnesota Department of Transportation
Kandiyohi County
BNSF Railway

This agreement defines in detail the process of transferring property between Kandiyohi County and BNSF Railway and the responsibilities of each party. Kandiyohi County is signing this agreement in order to facilitate a pass through of property from MnDOT to Kandiyohi County to BNSF Railway.

Purchase and Sale Agreement

Signors

City of Willmar
BNSF Railway

This agreement defines in detail the process of transferring property from the City of Willmar to BNSF Railway and the responsibilities of each party.

Easement Agreement Trunk Highway 12

Signors

Minnesota Department of Transportation
BNSF Railway

This agreement defines the easement and the process for delivering the easement for the TH 12 Bridge over the new rail line from BNSF Railway to MnDOT.

Easement Agreement Trunk Highway 40

Signors

Minnesota Department of Transportation
BNSF Railway

This agreement defines the easement and the process for delivering the easement for the TH 40 Bridge over the new rail line from BNSF Railway to MnDOT.

Permanent Pipeline Easement Agreement

Signors

City of Willmar
BNSF Railway

This agreement defines the easement and the process for the City of Willmar to retain an easement on two sanitary sewer mains that will be left in place under the new rail line.

Maintenance Agreement Trunk Highway 12 Overpass

Signors

Minnesota Department of Transportation
BNSF Railway

This agreement defines the requirements and responsibilities of long term maintenance of the TH 12 overpass over the new rail line.

Maintenance Agreement Trunk Highway 40 Overpass

Signors

Minnesota Department of Transportation
BNSF Railway

This agreement defines the requirements and responsibilities of long term maintenance of the TH 40 overpass over the new rail line.

Cooperative Construction Agreement

Signors

Minnesota Department of Transportation
Kandiyohi County

This agreement defines the requirements and responsibilities of MnDOT and Kandiyohi County for the cost supervision of and maintenance of the roadway portion of the Willmar Wye project.

Trunk Highway Jurisdictional Transfer Kandiyohi County (“Turnback”) Agreement

Signors

Minnesota Department of Transportation
Kandiyohi County

This agreement defines the transfer of the remnants of existing TH 12 to Kandiyohi County after construction is complete.

Trunk Highway Jurisdictional Transfer City of Willmar (“Turnback”) Agreement

Signors

Minnesota Department of Transportation
City of Willmar

This agreement defines the transfer of the remnants of existing TH 12 to The City of Willmar after construction is complete.