



**Cooperative Agreement Between
The Monroe County Soil & Water Conservation District
And
The Monroe County Parks Department**

This agreement is entered into the 3rd day of December 2018, by and between The Monroe County Soil & Water Conservation District, hereinafter referred to as MCSWCD, and the Monroe County Parks Department.

I. Purpose

The purpose of the agreement is for the MCSWCD to partner with the Monroe County Parks Department to assist with match costs for the proposed construction of a Nature Based Shoreline in the Monroe County Parks Department's Irondequoit Bay West Park located along the southwestern shoreline of Irondequoit Bay along Bay Front South Road in the Town of Irondequoit. The purpose of the project is to create approximately 350 feet of nature based shoreline wetlands as well as restore and enhance at least another 100 feet of existing shoreline wetlands to help reduce erosion and lower the impacts from waves formed from boating activities and wind in order to stabilize the shoreline. The project will protect the existing road that provides access to Irondequoit Bay.

II. The Monroe County Parks Department Agrees:

- A. To assist the MCSWCD's hired contractor with the construction of the Nature Based Shoreline in the Monroe County Parks Department's Irondequoit Bay West, according to the professionally prepared design and review and approval by the MCSWCD. Assistance may include, but is not limited to: labor for planting the shoreline, transportation of materials to the site, shared equipment from the County of Monroe for dewatering, erosion and sediment control, or other equipment as needed. Construction of the Nature Based Shoreline will be completed by September 30, 2021.
- B. To provide 25% cost-share match of the total expenses for the project, or at least \$51,970 total minimum match, which may include but are not limited to "in-kind" services such as: staff time, labor, equipment usage costs that are directly related to the design and construction of the Nature Based Shoreline in the Monroe County Parks Department's Irondequoit Bay West Park.
- C. To provide documentation of all expenses related to the assistance provided as match for construction of the Nature Based Shoreline in the Monroe County Parks Department's Irondequoit Bay West Park including but not limited to: dewatering, erosion and sediment control, time logs of staff time, and costs associated with equipment usage such as rental fees and fuel by October 31, 2021 for the Nature Based Shoreline Project.
- D. To provide staff responsible for assisting with the on-going maintenance of the Nature Based Shoreline at Irondequoit Bay West Park to include but not limited to: debris removal, maintaining and monitoring the project to ensure organic and structural materials remain in place and continue to stabilize the shoreline, wetland plants are maintained by removing unwanted plants such as aquatic invasive species and replanting wetland vegetation if needed.

- E. To agree to defend, indemnify and save harmless the MCSWCD, its officers, agents, servants and employees from and against any and all liability, damages, costs or expenses, causes of action, suits, judgments, losses and claims of every name not described, including attorneys' fees and disbursements, brought against MCSWCD which may arise, be sustained, or occasioned directly or indirectly by any person, firm or corporation arising out of or resulting from the water quality improvement project by the Monroe County Parks Department, arising from any act, omission or negligence of Monroe County Parks Department, its agents and employees, or arising from any breach or default by the Monroe County Parks Department under this Agreement.

III. The MCSWCD Agrees:

- A. To provide project oversight with the planning, survey, design, and implementation including soliciting requests for qualifications from consultants and requests for proposals from contractors to assist in the design and construction; and to provide payment to all consultants and contractors for the Nature Based Shoreline Project at Monroe County Parks Department's Irondequoit Bay West Park.
- B. To agree to defend, indemnify and save harmless the Monroe County Parks Department, its officers, agents, servants and employees from and against any and all liability, damages, costs or expenses, causes of action, suits, judgments, losses and claims of every name not described, including attorneys' fees and disbursements, brought against the Monroe County Parks Department which may arise, be sustained, or occasioned directly or indirectly by any person, firm or corporation arising out of or resulting from the water quality improvement project by the MCSWCD, arising from any act, omission or negligence of MCSWCD, its agents and employees, or arising from any breach or default by the MCSWCD under this Agreement.

IV. It Is Mutually Agreed:

- A. Nothing herein shall be construed as creating an employer/employee relationship between the MCSWCD and the Monroe County Parks Department. The responsibility of the Monroe County Parks Department to the MCSWCD is listed in Section I of this agreement.
- B. This agreement shall be effective on the date appearing in the first paragraph and shall continue through November 30, 2021.
- D. This agreement may be terminated by either party by written notice to the other party with at least thirty (30) days notice in advance of the effective date of termination.

The Monroe County Soil and Water Conservation District:

By: Jelly Emerick
Title: Executive Director
Date: 12/11/2018

Monroe County Parks Department:

By: [Signature]
Title: Director of Parks
Date: December 3, 2018

