

Elements of a Good Intergovernmental Cooperation Agreement

[Source: Adapted from Intergovernmental Cooperation in Illinois (DLGA and NIPC, March 1976) and Illinois Institute of Continuing Legal Education, Municipal Law and Practice in Illinois (2000)]

1. Purpose: the problems that create the need for an agreement and what is intended to be accomplished
2. Legal Authority: the authority under which the agreement exists. Constitutional and statutory provisions
3. Authority: policy-making body; management; decision making for important and routine matters
4. Organization: the powers, procedures, and duties of the governing body; withdrawal of parties; adding new parties; dissolution; breach; amendment
5. Financing: the parties' contributions to the cost of the project; from what source revenues are to be derived; when are monies to be contributed and distributed
6. Work to be Performed: the work to be performed under the agreement
7. Limitations: limits or restrictions imposed on the performance of the services
8. Personnel: who provides; for what periods; for what purposes; who directs them
9. Status of Real and Personal Property: the provision for the acquisition, maintenance, operation, and disposition of property
10. Legal Liability and Insurance
11. Duration: the term of the agreement
12. Termination: the point at which the agreement is to conclude
13. Amendment: the procedures for amending the agreement
14. Severability: the effect in the event that one portion of the agreement is found unlawful or void