



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
 Rhode Island Department of Transportation
 ENGINEERING DIVISION
 Two Capitol Hill, Rm. 226
 Providence, R. I. 02903-1124
 PHONE 401-222-2694
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January 18, 2008

The Honorable David N. Cicilline
 Mayor of Providence
 Providence City Hall
 25 Dorrance Street
 Providence, RI 02903

Dear Mayor Cicilline:

Subject: Traffic Signal Design for STC
 Cranston
 RIC No. 2003-ET-003
 FAP No. STPG-8888(148)

The traffic signals at the intersections of Huntington Avenue/Magnan Street and Niantic Avenue/Dupont Drive were included in the Cranston Viaduct project. To date they are not operating correctly and Providence Department of Public Works has asked RIDOT to make any necessary changes to fix the problems. RIDOT agreed to add these intersections to the above referenced project.

Please find attached two copies of the Construction & Maintenance Agreement for these traffic signals. This Agreement was originally submitted to in August. They have been revised based on comments by the City's Legal Department. Specifically, paragraphs 8, 9 and 10 have been revised. Please review and provide any comments you may have to this office. If you find them acceptable, please sign both copies and return for further processing.

Should you have any questions, please contact our project engineer Mr. Steve Pristawa at 222-2694, ext. 4207.

Sincerely,

Robert Rocchio, P.E.
 Managing Engineer
 Traffic Engineering

RR/SWP
 cc: Farhoumand, Rocchio, file

IN CITY COUNCIL

JUN 5 2008

READ
 WHEREUPON IT IS ORDERED THAT
 THE SAME BE RECEIVED.

 CLERK

STATE OF RHODE ISLAND
 DEPARTMENT OF TRANSPORTATION
 ENGINEERING DIVISION

NO REPLY TO THIS OFFICE
 FOR INFORMATION ONLY

CONSTRUCTION AND MAINTENANCE AGREEMENT

By and Between

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

And the

CITY OF PROVIDENCE

For

STATE TRAFFIC COMMISSION TRAFFIC SIGNAL INSTALLATION (Cranston)

Agreement entered into by and between the State of Rhode Island and Providence Plantations, through its Department of Transportation (hereinafter the State), and the City of Providence (hereinafter the City).

WHEREAS, the State has agreed to advance the design and construction of traffic signals at the intersections of Huntington Avenue/Magnan Street and Niantic Avenue/Dupont Drive (collectively the Facilities) at the request of the City in the interest of public safety; and

WHEREAS, the State will be responsible for the design and construction costs of the Facilities.

WHEREAS, the State and the City agree that the construction of said Facilities must be closely and dependably integrated with said Project during the various phases of operation, both preparatory and permanent, for the best interest of traffic movement and control and for public convenience.

NOW, THEREFORE, the State and the City hereby agree as follows:

1. The above recitals are hereby incorporated as if fully restated.
2. The City will allow the State and its contractor to enter onto its property at the Huntington Avenue/Magnan Street and Niantic Avenue/Dupont Drive intersections for purposes of constructing the Facilities.
3. All necessary labor, materials, equipment and other services shall be provided by the State's contractor in accordance with the State's Standard Specifications for Road and Bridge Construction, 2004 edition as may be amended or revised.
4. After award of the State contract, a pre-construction conference will be held at which

time the contractor will meet with representatives of the State and the City to expedite the progress of the Project and the installation and adjustments of the Facilities.

5. All work performed under this Agreement is subject to approval and inspection of State and federal authorities. All work performed in reference to the Facilities shall conform to the specifications and procedures referenced in the Contract Documents entitled "State of Rhode Island and Providence Plantations, Department of Transportation, Rhode Island Contract No. 2007-CT-034" and all addenda thereto and "Distribution of Quantities" document provided therewith which are hereby made a part of this Agreement by reference.

6. Extra Work is defined as work not provided for in the contract as awarded but considered essential to the satisfactory completion of the Project. Any extra work will be the responsibility of the State.

7. Upon completion of construction of the Facilities, the City shall maintain the traffic signals at Huntington Avenue/Magnan Street and Niantic Avenue/Dupont Drive as constructed at its own cost and expense with the restriction that maintenance thereof shall be done in a manner not detrimental to the highway and its uses. Sufficient traffic control, at the City's expense must be provided in accordance with the requirements of the Manual of Uniform Traffic Control Devices, including all latest revisions. The City will enact any further regulations necessary to assure the preferential, safe and efficient movement of traffic in keeping with the through traffic service to be provided.

8. The City shall indemnify and hold the State harmless from any and all injury or damage to persons or property arising out of the performance of any work by the City or persons engaged by the City necessary to complete the adjustments of the Facilities.

9. The Mayor will take all necessary steps to receive authority from the City Council to enter into and execute this Agreement including but not limited to submission of this Agreement to the City Council for ratification and submission of proof of such authority to the State prior to award of the construction contract.

10. This Agreement may be amended only by written agreement of the parties.

IN WITNESS WHEREOF, the State and the City have caused this Agreement to be executed by their duly authorized officials as of the _____ day of _____, 2008.

STATE OF RHODE ISLAND

DEPARTMENT OF TRANSPORTATION

CITY OF PROVIDENCE

Recommended for Approval:

Chief Engineer

Recommended for Approval:

Chief Financial Officer

Recommended for Approval:

Title

Approved as to form:

Executive Counsel

Approved:

Director