

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 268

Approved May 10, 2002

WHEREAS, the State of Rhode Island proposes to undertake roadway construction, rehabilitation and/or improvement on Westminster Street; and

WHEREAS, said improvements will alleviate congestion and facilitate pedestrian and vehicular traffic.

NOW, THEREFORE, BE IT RESOLVED, That His Honor, the Mayor, is authorized to execute a Statewide Construction and Maintenance Agreement to the State of Rhode island with respect to said Westminster Street. Said Agreement shall be substantially in the form, as exhibited in attachment "A" provided, however, that Section 4 be amended to read as follows; "Upon completion, the CITY will be responsible to maintain only those improvements which have been made by this enhancement project, in accordance with the plans and specifications developed for the project, at their own cost and expense" and subject to such further modifications as may be recommended by the Mayor and/or the Department of Law.

IN CITY COUNCIL
MAY 2 2002
READ AND PASSED

PRES.

CLERK

APPROVED

MAY 10 2002

IN CITY COUNCIL
MAR 7 2002
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS

CL 16

THE COMMITTEE ON
FINANCE & Public Works,
Approves Passage of *as amended jointly*
The Within Resolution
Ann M. Stets
4-22-02 OK

Councilman Lombardi, By Request

WESTMINSTER STREET REVITALIZATION

OLNEYVILLE STREETSCAPE

DESIGN, CONSTRUCTION AND MAINTENANCE AGREEMENT

by and between

THE DEPARTMENT OF TRANSPORTATION

And the

CITY OF PROVIDENCE

AGREEMENT made and entered into by and between the **STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS** through its Department of Transportation (hereinafter referred to as the **STATE**) and the City of Providence (hereinafter referred to as the **CITY**).

WHEREAS, the **STATE** has programmed an amount not to exceed \$785,000 in Transportation Enhancement funds, comprised of \$628,000 in **FEDERAL** funds and \$157,000 in **STATE** funds for construction of streetscape improvements to Westminster Street in the City of Providence; and,

WHEREAS, the **CITY** will provide an amount not to exceed \$100,000 of **CITY** funds to fund the design of the **PROJECT**; and

WHEREAS, the **FEDERAL HIGHWAY ADMINISTRATION** (hereinafter referred to as **FHWA**) has awarded a Transportation Community System Preservation (hereinafter referred to as **TCSP**) grant to the **CITY** for streetscape and transit friendly amenities to Olneyville Square; and

WHEREAS, the **STATE**, **FHWA** and the **CITY** agree the Westminster Street Revitalization and Olneyville Streetscape (hereinafter referred to as the **PROJECT**) should be jointly implemented.

NOW, THEREFORE, the **STATE** and the **CITY** hereby agree as follows:

1. The **PROJECT** will consist of design and construction of Americans with Disability Act (ADA) compliant infrastructure improvements, including but not limited to lighting, sidewalks, wheelchair ramps, bicycle lanes, crosswalks and tree planting on Westminster Street from the I-95 service road to Olneyville Square. The **PROJECT** shall also design and construct transit friendly amenities, developed in close coordination with the Rhode Island Public Transit Authority (RIPTA) in Olneyville Square.

2. The **CITY** will design the **PROJECT** using **CITY** funds and/or **TCSP** funds.
 - A. Such design will be developed cooperatively by the **CITY** with the West Broadway Neighborhood Association the **STATE**, and **FHWA**.
 - B. The **STATE** will review and approve all draft and final reports and all design submissions. Such review will include but not be limited to final review of all engineering, landscaping and architectural drawings and documents and providing technical information on related or affected **STATE** projects.
 - C. The **PROJECT** will conform to all **STATE** and Federal Highway Administration design standards and policies.
 - D. The **STATE** will respond to the submissions within sixty (60) days of their receipt.
3. The **STATE** will construct the **PROJECT** using the design provided by the **CITY** and approved by the **STATE** and **FHWA**. All costs for construction over \$785,000 are the responsibility of the **CITY** and subject to an amendment to this Agreement.
4. Upon completion, the **CITY** will be responsible for maintaining all aspects of the **PROJECT** at its own cost and expense.
5. This Agreement between the **STATE** and the **CITY** will be recorded in the Land Evidence Records or other appropriate office of the **CITY**.
6. This Agreement may only be amended through prior written agreement of all signatories.

THIS SPACE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS and the CITY OF PROVIDENCE have caused this Agreement to be executed by duly authorized officials on the _____ day of _____ 2001.

RECOMMENDED FOR APPROVAL:

 11/20/01

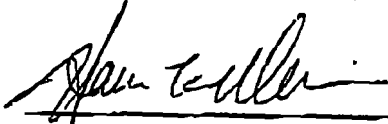
CHIEF ENGINEER DATE
DEPARTMENT OF TRANSPORTATION

APPROVED:

_____
DIRECTOR DATE
DEPARTMENT OF TRANSPORTATION


MAYOR, DATE
CITY OF PROVIDENCE

APPROVED AS TO FORM:

_____
CHIEF LEGAL COUNSEL, 1/12/01 DATE
DEPARTMENT OF TRANSPORTATION

CHIEF LEGAL COUNSEL, DATE
CITY OF PROVIDENCE

EXAMINED AND APPROVED:

_____
DIVISION ADMINISTRATOR, 2/23/01 DATE
U. S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION



Department of Law

February 22, 2002

The Honorable John J. Lombardi
City Council Office
City Hall
Providence, RI 02903

Dear Councilman Lombardi:

I have forwarded a resolution to the City Clerk. John Ozbek of Planning has indicated that you have agreed to sponsor this resolution. The resolution concerns the state expenditures on Westminster Street.

If you have any questions, please do not hesitate to call me.

Very truly yours,

A handwritten signature in black ink, reading "John T. D'Amico, Jr.", with a large, stylized flourish at the end.

John T. D'Amico, Jr.
Senior Assistant City Solicitor