



CITY OF PROVIDENCE
Angel Taveras, Mayor

Date: December 23, 2013

Anna Stetson
City Clerk
City hall
25 Dorrance Street
Providence, RI 02903

**Re: Funding Agreement
Downtown Providence ADA Project Contract 3**

Dear Anna:

Attached are three originals of the **Downtown Providence ADA Project Contract 3 Funding Agreement**. This requires city council approval. Please put this on the agenda for the next council meeting.

Once the agreement is approved by the city council please keep one original for the city records and send the other 2 originals to me. I will send one to the Law department and one to RIDOT. All three of these originals should have a stamp or some other form of proof that this agreement was approved by the city council. This agreement does require a signature by the City Council President for which there is a signature line.

Very Truly Yours

Natale D. Urso, PE, PTOE
Deputy City Engineer

**IN CITY COUNCIL
FEB 20 2014**

READ
WHEREUPON IT IS ORDERED THAT
THE SAME BE RECEIVED AND APPROVED
David L. Hayes CLERK

ACTING

DEPARTMENT OF PUBLIC WORKS
700 Allens Avenue Providence, Rhode Island 02905
401 467 7950 ph | 401 941 2567 fax
www.providenceri.com

Downtown Providence ADA Project Contract 3

Westminster Street (Dorrance Street to Exchange Street), Exchange Street (Westminster Street to Fulton Street(south side)), Weybosset Street (Dorrance Street to Westminster Street), Dorrance Street (Fulton Street to Westminster Street (north side)), Richmond Street (Weybosset Street to Pine Street (south side)) and Washington Street (Empire Street to Adrian Hall Way (west side)).

R.I. Contract No. 95104

RI FAP No.

Construction Funding Agreement

By and Between the

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

And the

CITY OF PROVIDENCE

AGREEMENT made and entered into by and between the State of Rhode Island and Providence Plantations acting through its Department of Transportation (hereinafter the "State") and the City of Providence (hereinafter the "Municipality").

WHEREAS, the State has identified the above-referenced Project, Downtown Providence ADA Project Contract 3 (hereinafter the Project), for improvements under the provisions established in the Federal-Aid Policy Guide (FAPG), of the United States Department of Transportation, Federal Highway Administration; and

WHEREAS, the State will accomplish said improvements with funds apportioned to the State under the Federal-Aid Highway Act, as amended and supplemented, and from other sources available for the purpose;

WHEREAS, the State has identified Providence City Streets (identified in Exhibit A) for installing of a complete lighting system, new pavement and all associated road work including but not limited to replacing catch basins and manhole covers for the Project and the engineering lighting design by McClanaghan Associates (identified in Exhibit B); and

WHEREAS, the Municipality has requested that Westminster Street (Dorrance Street to Exchange Street) and Weybosset Street (Dorrance Street to Westminster Street), be advanced for final design in the Project and agrees to be responsible for the full cost for the engineering and installation of light poles, conduit, handholds, paving and all

associated road work on the streets in the amount of Six Hundred Thousand (\$600,000.) dollars; and

WHEREAS, the State has agreed to add light poles, handholds, conduit, paving, and all other associated road work for Westminster Street (Dorrance Street to Exchange Street) and Weybosset Street (Dorrance Street to Westminster Street) to the design and construction of the Project; and

WHEREAS, the Municipality will provide the State with funds for extra work; and

WHEREAS, the Municipality will make funds available through the Providence Public Building Authority's bonds, approved by resolution of the City Council dated June 15, 2009; and

WHEREAS, the State and the Municipality will execute a Construction and Maintenance agreement that will delineate the specific details of the Project when the Project is at a more advanced stage of design; and

WHEREAS, upon signing the Funding Agreement the Municipality will provide the State with Six Hundred Thousand (\$600,000.) dollars for McClanaghan Associate's electrical engineering work for the lighting and installation of the light poles, conduit, handholds, and paving and associated road work for Westminster Street (Dorrance Street to Exchange Street) and Weybosset Street (Dorrance Street to Westminster Street).

NOW THEREFORE, in consideration of the foregoing premises and the mutual obligations contained herein, the State and the Municipality hereby agree as follows:

1. The State will advance Westminster Street, Exchange Street, Weybosset Street, Dorance Street, Richmond Street and Washington Street for final design and inclusion in the Downtown Providence ADA Project Contract 3.
2. Upon signing the Funding Agreement, The Municipality shall within 30 days provide the State with funds for the Project in the amount of Six Hundred Thousand (\$600,000.) dollars for the design, engineering and construction costs associated with adding the lighting, paving and associated road work for Westminster Street and Weybosset Street.
3. The State shall be responsible for the design, administering the construction contract, related sidewalk work and maintenance during construction of the Project in accordance with the plans and specifications.
4. The State will notify the Municipality immediately if it determines that the cost of the work as described above and currently budgeted to cost \$600,000, will exceed or be less than \$600,000 due to any reason, including the following reasons:

- a) Differing site conditions,
- b) Alteration in the plans or details, additions to, reductions in or elimination of an existing item of work contained in the proposal,
- c) Extra or unforeseen work for which there is no item of work in the Proposal,
- d) Suspension of work for any reason,
- e) Significant changes in the character of the work,

The Municipality will then have the opportunity to either alter the scope of improvements to be consistent with the \$600,000 budget or alter the budget to be consistent with the scope of improvements.

- 5. This Agreement may not be altered or amended except by written agreement signed by all the parties.
- 6. The Mayor shall 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.

(Intentionally Blank)

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1845 Post Road, Suite 7N
Warwick, RI 02886
Tel: 401-739-2224
Fax: 401-739-8884
Email: rwm@rwmengineering.com

McClanaghan Associates, Inc.

March 29, 2013

Todd E. Brayton, P.E.
Senior Project Manager
640 George Washington Highway
Building B, Suite 100
Lincoln, Rhode Island 02865

Re: Downtown Providence Lighting Design

Dear Todd:

Thank you for your interest in my firm. I propose to do the electrical engineering required for this project as outlined below. This work will include the two projects, one on Westminster St. which is at about the 90% design stage, and the other project on Weybosset St. which is a similar lighting project.

As we discussed, the Westminster CAD plans and details should be available for our use. Your firm will be doing the ground penetrating radar and gathering the other sub surface documentation, as outlined in your email dated 3/23/2013. The street lighting layout will be coordinated with other sub surface utilities.

A. 90% Submission, Westminster St.	\$2,000
B. 90% Submission, Weybosset St.	\$8,000
C. PS & E Submission, both projects	\$2,000
D. Construction Supervision	\$4,000
E. Total	\$16,000

We briefly discussed the project schedule, and I will be able to perform the electrical work to meet the schedule. This is an outline of the proposal, a contract for this work can be formalized at a later date.

Sincerely,



Robert McClanaghan, PE
Principal Electrical Engineer

ELECTRICAL ENGINEERS

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Exhibit B

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized officials as of the date last written below.

Recommended for Approval:

MUNICIPALITY
City of Providence



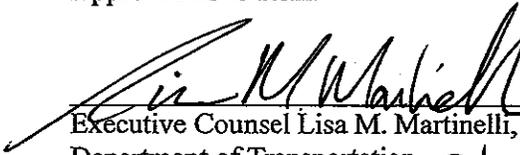
Chief Engineer Kazem Farhoumand, P.E.
Department of Transportation



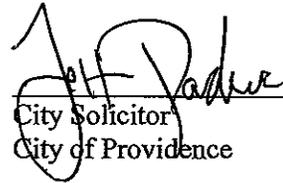
The Honorable Mayor
Angel Taveras

DATE: 11/1/13
Approved as to form:

DATE: 12/4/13
Approved as to form:



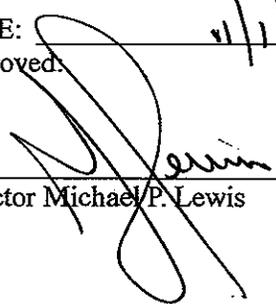
Executive Counsel Lisa M. Martinelli, Esq.
Department of Transportation 10/28/13



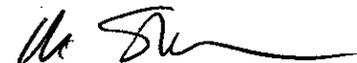
City Solicitor
City of Providence 4/27/13

DATE: 11/1/13
Approved:

DATE: _____
Examined and Approved:



Director Michael P. Lewis



City Council President
City of Providence

DATE: _____
Ratified: