

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 691

Approved October 7, 2003

WHEREAS, the State of Rhode Island proposes to undertake roadway reconstruction, rehabilitation, and/or improvement on Broad Street between Dartmouth Street and Farragut Street, to-wit, the "Southside Pedestrian Safety Enhancement Project"; and

WHEREAS, said improvements will 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 the Southside Pedestrian Safety Enhancement Project. Said Agreement shall be substantially in the form as exhibited in Attachment A, subject to such modifications as may be recommended by the Mayor and/or the Department of Law.

IN CITY COUNCIL
OCT 2 2003
READ AND PASSED

PRES.

CLERK

APPROVED

MAYOR

10/7/03

FILED

JUL 16 12 25 PM '03

DEPT. OF CLERK
PROVIDENCE, R.I.

IN CITY COUNCIL
AUG 7, 2003
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS

Michael R. Clement CLERK

THE COMMITTEE ON
PUBLIC WORKS
Approves Passage of
The Within Resolution

Ann M. Steen
9-22-03 Clerk

Councilman Luna and Councilwoman Young

WZZZ

SOUTHSIDE PEDESTRIAN SAFETY ENHANCEMENT PROJECT

STP-TEA2 (070)

DESIGN, CONSTRUCTION & MAINTENANCE AGREEMENT

By and Between

RHODE ISLAND DEPARTMENT OF TRANSPORTATION

And the

CITY OF PROVIDENCE

D R A F T

AGREEMENT made and entered into by and between the **STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS** acting through its Department of Transportation (STATE) and the **CITY OF PROVIDENCE (CITY)**.

WHEREAS, the STATE is the recipient of transportation enhancement funding from the United States Department of Transportation, administered through the Federal Highway Administration, for the Southside Pedestrian Safety Enhancement Project (PROJECT); and

WHEREAS, the PROJECT includes pedestrian crosswalks and related striping and signage along Broad Street in the City of Providence; and the STATE has chosen the CITY to undertake the construction of the PROJECT; and

WHEREAS, the PROJECT will be implemented under the provisions established in the Federal-Aid Policy guide of the United States Department of Transportation, Federal Highway Administration; and

WHEREAS, the STATE has agreed to contribute funds not exceeding \$100,000 towards the PROJECT, of this amount \$80,000 (80%) is federally funded and \$20,000 (20%) is state funded; and

NOW THEREFORE, in an effort to achieve the completion of the PROJECT in a timely fashion, the STATE and the CITY agree as follows:

1. The PROJECT includes pedestrian crosswalks and related striping and signage approximately between the intersections of Broad and Dartmouth on the northern end of Broad Street and Broad and Farragut on the southern end of Broad Street.
2. The STATE will design the PROJECT in close collaboration with the CITY.
3. The STATE will obtain an environmental determination for the PROJECT. Under 23 CFR, Part 771.117, the STATE is required to submit documentation that demonstrates that no significant environmental effect will result from the PROJECT. Only upon receipt of this determination may construction of the PROJECT proceed.
4. The CITY will construct the PROJECT using the Design prepared by the STATE.
 - A. In awarding the contract to the lowest qualified bidder, the CITY will use competitive bidding for the PROJECT in conformance with 23 CFR Part 635. The CITY will comply with the applicable requirements specified under the Office of Management and Budget (OMB), Circulars A-110, A-122 and A-133. The CITY will also comply with all provisions of Title 37, Chapter 2 of the Rhode Island General Laws.
 - B. The CITY will certify to the STATE that the PROJECT was built in accordance with the approved plans and specifications.
 - C. Work done by the contractor on the PROJECT and cost of materials supplied by the contractor to the PROJECT will be invoiced in accordance with STATE requirements and procedures.

DRAFT

- D. The STATE will reimburse the CITY for the actual costs of construction, provided that the construction work is satisfactory completed and is in accordance with Rhode Island General Laws, Chapter 42-11.1 and that the total expenditures for construction do not exceed \$100,000.
10. Upon completion, the CITY will be responsible to maintain all aspects of the PROJECT in accordance with the plans and specifications developed for the PROJECT, at its own cost and expense.
11. This Agreement may be amended only by written agreement of all its signatories.

IN WITNESS WHEREOF, THE RHODE ISLAND DEPARTMENT OF TRANSPORTATION AND THE CITY OF PROVIDENCE have caused this Agreement to be executed by duly authorized officials on the _____ day of _____ 2003.

RECOMMENDED FOR APPROVAL:

CHIEF ENGINEER
DEPARTMENT OF TRANSPORTATION
DATE: _____

APPROVED:

DIRECTOR OF TRANSPORTATION
DATE: _____

MAYOR
CITY OF PROVIDENCE
DATE: _____

APPROVED AS TO FORM:

CHIEF LEGAL COUNSEL
DEPARTMENT OF TRANSPORTATION

CITY SOLICITOR
CITY OF PROVIDENCE
DATE: _____

EXAMINED AND APPROVED:

DIVISION ADMINISTRATOR
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
DATE: _____

MAKRAM H. MEGALLI, P.E.
Director



DAVID N. CICILLINE
Mayor

Department of Public Works
"Building Pride in Providence"

MEMO

TO: Adrienne G. Southgate, Esq.
Law Department
Senior Assistant City Solicitor

FROM: David J. DiBiase, Assistant Director
Project Management and Construction

RE: Statewide Construction and Maintenance Agreement

DATE: August 1, 2003

A handwritten signature in black ink, appearing to be "D. DiBiase", written over the "FROM:" line of the memo.

In reference to the draft agreement between the State of Rhode Island and the City of Providence regarding Southside Pedestrian Safety Enhancement Project the contract is in order and meets the requirements of the City of Providence as I understand the scope of work at this time.

SOUTHSIDE PEDESTRIAN SAFETY ENHANCEMENT PROJECT

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CHIEF ENGINEER
DEPARTMENT OF TRANSPORTATION
DATE: _____

APPROVED:

DIRECTOR OF TRANSPORTATION
DATE: _____

MAYOR
CITY OF PROVIDENCE
DATE: _____

APPROVED AS TO FORM:

CHIEF LEGAL COUNSEL
DEPARTMENT OF TRANSPORTATION

CITY SOLICITOR
CITY OF PROVIDENCE
DATE: _____

EXAMINED AND APPROVED:

DIVISION ADMINISTRATOR
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
DATE: _____

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: August 14, 2003

TO: Dean Esserman, Chief of Police

SUBJECT: PUBLIC WORKS COMMITTEE

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

DISPOSITION: I have been directed by Councilman Terrence M. Hassett, Chairman, Committee on Public Works to refer to you the accompanying resolutions for study, report and recommendation.

Please report back in writing to the above-named committee as soon as practical.

RESOLUTION AUTHORIZING HIS HONOR THE MAYOR TO EXECUTE A STATEWIDE CONSTRUCTION AND MAINTENANCE AGREEMENT TO THE STATE OF RHODE ISLAND WITH RESPECT TO LUONGO SQUARE STREETSCAPE AND TRAFFIC FLOW IMPROVEMENT PROJECT.

RESOLUTION REQUESTING HIS HONOR THE MAYOR TO EXECUTE A STATEWIDE CONSTRUCTION AND MAINTENANCE AGREEMENT TO THE STATE OF RHODE ISLAND WITH RESPECT TO DOWNTOWN PROVIDENCE TRAFFIC CIRCULATION IMPROVEMENTS TO WASHINGTON STREET.

RESOLUTION AUTHORIZING HIS HONOR THE MAYOR TO EXECUTE A STATEWIDE CONSTRUCTION AND MAINTENANCE AGREEMENT TO THE STATE OF RHODE ISLAND WITH RESPECT TO THE SOUTHSIDE PEDESTRIAN SAFETY ENHANCEMENT PROJECT.

Anna M. Stetson
Second Deputy City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: August 14, 2003

TO: Chief Gary Mulcahy, Chief of Fire

SUBJECT: **PUBLIC WORKS COMMITTEE**

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

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Anna M. Stetson
Second Deputy City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: August 14, 2003

TO: Makram H. Megalli, Director of Public Works

SUBJECT: **PUBLIC WORKS COMMITTEE**

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

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Anna M. Stetson
Second Deputy City Clerk

MAKRAM H. MEGALLI, P.E.
Director



DAVID N. CICILLINE
Mayor

Department of Public Works

"Building Pride in Providence"

August 20, 2003

Councilman Terrence M. Hassett
Chairman Public Works Committee
Department of City Clerk
City Hall
Providence, R.I. 02903

RE: Review of Resolutions

Dear Chairman:

Please be advised after reviewing the three (3) Construction and Maintenance Agreements with the city and the State of Rhode Island my staff recommends approval of the Resolutions as follows:

1. Luongo Square Streetscape and Traffic Flow Improvement Project.
2. Downtown Providence Traffic Circulation Improvements to Washington Street.
3. Southside Pedestrian Safety Enhancement Project.

Any questions please feel free to call David DiBiase, Assistant Director of Project Management and Construction in my office at 467-7950 Ext. 37.

Sincerely,

A handwritten signature in dark ink, appearing to read "Makram H. Megalli".

Makram H. Megalli, P.E.
Director Public Works