

RESOLUTION OF THE CITY COUNCIL

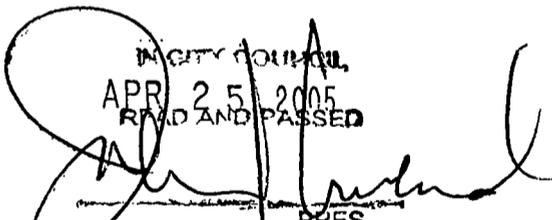
No. 196

Approved May 4, 2005

WHEREAS, the State of Rhode Island proposes to undertake substantial roadway rehabilitation, streetscape and safety improvements along the city's Manton Avenue between Delaine Street and Glenbridge Avenue, including decorative lighting, street streets, and improved pedestrian facilities, as well as a traffic signal at the intersection of Atwells Avenue and Manton Avenue; and

WHEREAS, said improvements will alleviate congestion and facilitate pedestrian and vehicular traffic as well as beautifying Manton Avenue;

NOW, THEREFORE, BE IT RESOLVED THAT His Honor, the Mayor, is authorized to execute an Enhancement Project Agreement with the State of Rhode Island with respect to the Manton Avenue Streetscape Improvements. Said Agreement shall be substantially in the form exhibited in Attachment "A", subject to such modifications as may be recommended by the Mayor and/or the Law Department.

IN CITY COUNCIL,
APR 25 2005
READ AND PASSED

PRES.
Michael B. Clement
CLERK (Cib)

APPROVED

MAYOR 5/4/05

IN CITY COUNCIL
DEC. 2, 2004
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. Stein
4-14-05
Clerk



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Rhode Island Department of Transportation
ENVIRONMENTAL & INTERMODAL PLANNING

Two Capitol Hill, Providence, RI 02903-1124
ENVIRONMENTAL PHONE (401) 222-2023
INTERMODAL PHONE (401) 222-4203
FAX (401) 222-2207 TDD (401) 222-4971

Mr. Michael R. Clement
City Clerk
City Hall
25 Dorrance Street
Providence, RI 02903

November 5, 2004

Subject: Manton Avenue Streetscape Enhancement Agreement

Dear Mr. Clement:

The Rhode Island Department of Transportation, Office of Intermodal Planning, Enhancement Program is submitting a copy of the Manton Avenue Streetscape Enhancement Agreement for approval by the Providence City Council. The original agreement is being sent to Adrienne Southgate, per her request.

If you need additional information, please call O. J. Silas of my staff at 222-4203 extension 4493.

Sincerely,

for J. Michael Bennett, P.E.
Deputy Chief Engineer

JMB/ojs

Enclosure

cc: E. Parker, Jr., S. Devine, T. Queenan, w/o encl., O. Silas, A. Southgate, T. Deller, B. Lloyd, City of Providence, w. encl.

IN CITY COUNCIL
DEC 2 2004

FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS

Michael R. Vincent
CLERK

Communicated and Reported

MANTON AVENUE STREETSCAPE IMPROVEMENTS
ENHANCEMENT PROJECT AGREEMENT

By and Between

RHODE ISLAND DEPARTMENT OF TRANSPORTATION

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 CITY).

WHEREAS, the STATE is the recipient of transportation enhancement funding from the United States Department of Transportation, administered through the Federal Highway Administration (hereinafter FHWA); and

WHEREAS, the STATE of RHODE ISLAND has approved the CITY's application for funding the MANTON AVENUE STREETSCAPE IMPROVEMENTS (hereinafter the Project); and

WHEREAS, the CITY agrees to be responsible for the design and 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 Five Hundred Thousand Dollars (\$500,000) towards the Project; of this amount eighty percent or up to Four Hundred Thousand Dollars (\$400,000) is federally funded and twenty percent (20%) or up to One Hundred Thousand Dollars (\$100,000) is STATE funded.

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

1. The Project will consist of the construction of streetscape and safety improvements to Manton Avenue including but not limited to decorative lighting, street trees, improved pedestrian facilities between Delaine Street and Glenbridge Avenue, and a traffic signal at the intersection of Atwells Avenue and Manton Avenue.

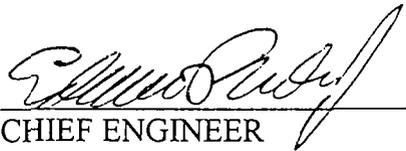
2. The CITY will be responsible for the design and construction of the Project in accordance with the plans and specifications approved by the STATE. The CITY will perform the design of the Project at its own cost and expense, without reimbursement from the STATE.
3. The CITY will be responsible for payment of all costs associated with construction of the Project; the STATE will reimburse the CITY up to and not exceeding Five Hundred Thousand Dollars (\$500,000) for such costs; costs in excess of said reimbursement are the responsibility of the CITY. Supporting documentation of payment will be required for all reimbursements.
4. The CITY will select a Project Manager to administer the Project. Such administration will include but not be limited to the maintenance of a Project account, as well as processing invoices, change orders, and contract addenda. The CITY will maintain all financial records.
5. The design of the Project will conform to all STATE design standards and policies.
 - A. The CITY will submit the design plans to the STATE for review and approval at the preliminary stage of design and submit the plans, specifications, and estimates (hereinafter PS&E) at the 90% stage of design and at the PS&E stage of design. Such submissions will include but not be limited to all engineering, landscaping, and permitting requirements, as applicable to the Project.
 - B. The STATE will respond to the submissions within thirty (30) days of their receipt.
 - C. Review by the STATE is for the limited purpose of confirming that final design documents will be acceptable to the STATE and is not intended to relieve the CITY of full responsibility with respect to errors and omissions.
6. The CITY will work with the STATE to obtain an Environmental Determination of no significant impact for the Project in accordance with FHWA regulation at 23 CFR Part 771.117. Construction of the Project may proceed only after receipt of said Environmental Determination.
7. The CITY will construct the Project using the design approved by the STATE.
 - A. In awarding the construction contract to the lowest qualified bidder, the CITY will use competitive bidding for the Project in conformance with 23 CFR Part 635.

- B. The CITY will comply with the applicable requirements specified under the Office of Management and Budget (OMB), Circular A-133. The CITY will also comply with all provisions of Title 37, Chapter 2 of the Rhode Island General Laws.
 - C. The CITY will certify to the STATE that the Project was built in accordance with the approved plans and specifications.
 - D. The CITY will invoice the STATE for work done by the contractor on the Project and the cost of materials supplied by the contractor to the Project in accordance with STATE requirements and procedures.
8. 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.
9. This Agreement may not be altered or amended except by written agreement signed by all the parties.

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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 _____ 2004.

RECOMMENDED FOR APPROVAL:



CHIEF ENGINEER
DEPARTMENT OF TRANSPORTATION
DATE: 3/2/04

APPROVED AS TO FORM:



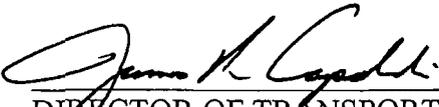
CHIEF LEGAL COUNSEL
DEPARTMENT OF TRANSPORTATION
DATE: 3-1-04

APPROVED AS TO FORM:



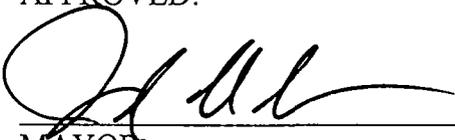
CITY SOLICITOR
DATE: 14 oct 04

APPROVED:



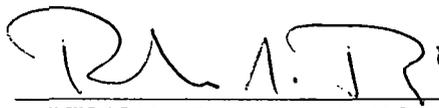
DIRECTOR OF TRANSPORTATION
DATE: 3-4-04

APPROVED:



MAYOR
DATE: _____

EXAMINED AND APPROVED:



DIVISION ADMINISTRATOR
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
DATE: 4/30/04