

# RESOLUTION OF THE CITY COUNCIL

No. 174

Approved April 24, 2023

RESOLVED, That the Members of the Providence City Council  
hereby authorize the Mayor to enter into a Construction and Maintenance  
Agreement with the Rhode Island Department of Transportation for the purpose of  
bridge repairs and improvements on West River Street over West River.

IN CITY COUNCIL

APR 20 2023

READ AND PASSED

  
RACHEL M. MILLER, PRESIDENT  
  
CLERK

I HEREBY APPROVE.

  
Mayor

Date: 4/24/2023



Department of Transportation  
Division of Project Management  
Office of Scoping & Compliance  
Two Capitol Hill, Room 133  
Providence, RI 02903

Office (401) 563-4000

September 15, 2022

Craig J. Hochman, P.E., City Engineer  
City of Providence  
Department of Public Works  
700 Allens Avenue  
Providence, RI 02905

Subject: **Bridge Group 13E – West River**  
PTS ID: 2605F  
RIC Design: 2019-EH-022M  
FAP Design: STP-SCOP(001)  
**Construction & Maintenance Agreement**

Dear Mr. Hochman,

Attached please find two (2) originals of the Construction & Maintenance (C&M) Agreement for the Bridge Group 13E – West River bridge project. This Agreement is associated the replacement of the West River Street Bridge No. 883.

We respectfully request both originals of the Agreement be signed by the appropriate City Officials. Please return one (1) signed original to my attention at the address above and retain one (1) for your files.

Should you have any questions or require additional information please contact myself at [james.primeau@dot.ri.gov](mailto:james.primeau@dot.ri.gov), or the Project Manager, Spiros Fotopoulos P.E. at [spiros.fotopoulos@dot.ri.gov](mailto:spiros.fotopoulos@dot.ri.gov).

Sincerely,

James R. Primeau, P.E., PMP  
Managing Engineer  
Division of Project Management – Office of Scoping & Compliance

Attachments

cc: Fisette, Walsh, Pompei, Fotopoulos, Querceto (via email)  
Nicholas Poulos, Assistant City Solicitor (via email)

year for such maintenance; and

(b) regulate the parking, standing, moving and guiding operations of vehicles and pedestrians in conformance with the specifications of the approved plans for the PROJECT; and

(c) enforce traffic regulations established in accordance with this Agreement and for the traffic devices installed in connection therewith; and

(d) 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 by this PROJECT. Dated and attested copies of amendments to the Municipal Ordinance necessary for the enforcement of any specific provisions will be forwarded by the MUNICIPALITY to the STATE. All necessary Municipal Ordinances applicable to this PROJECT shall be in effect prior to completion of construction; and

(e) conform to the latest edition of the Manual on Uniform Traffic Control Devices and Standards relative to all traffic control signals, flashing beacons, traffic islands, regulatory or warning signs, pavement markings, or other traffic control devices; and

(f) maintain the roadway, sidewalks, street lightings, railings, manhole frames and covers, drainage system installed during construction of the PROJECT within the Right-of-way; and

(g) notify the STATE's Maintenance Division at least 24 hours in advance of entering a traffic signal controller cabinet. The STATE's representative must be on site during maintenance of the Emergency Vehicle Priority Control System; and

(h) maintain the PROJECT listed above in accordance with the PROJECT plans and Specifications, at its own cost and expense, and will make provision each year for such maintenance.

4. All work performed under this PROJECT is subject to the approval and inspection of the STATE and Federal authorities in accordance with the provisions of the Federal-Aid Highway Act and the regulations, including the Federal-Aid Policy Guide (FAPG), as aforementioned, which are hereby made a part of this Agreement by reference.

5. This Agreement may be amended only after the prior approval of the Division Administrator, Federal Highway Administration has been obtained as to such proposed amendment.

6. The MUNICIPALITY will use or allow the use of for transportation purposes only the space below a plane sixteen feet, four inches (16' - 4") above the existing grade of the highway or the minimum clearance plus four inches as approved by the STATE, except the space necessary for foundations, vertical support facilities and utility and mechanical systems. Any other space above and below the highway may be used for other than transportation purposes only with the approval of the STATE and Federal authorities and in accordance with the provisions of the Federal-Aid Highway Act and the regulations adopted thereunder.

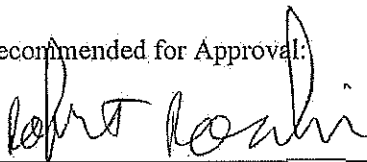
7. Prior to Substantial Completion of the PROJECT, the MUNICIPALITY shall have the opportunity to participate in the Final Inspection and include any deviations from the PROJECT plans and specifications in the PROJECT punch list. Upon the acceptance of the punch list work, the assets within the MUNICIPALITY right-of-way shall become the responsibility of the MUNICIPALITY.

8. The STATE reserves the right to require the execution of an Agreement between the STATE and the MUNICIPALITY or a third party responsible for developing and operating the air space for any use of the space above and below the highway for other than transportation purposes and said Agreement shall be submitted to the FHWA for approval.

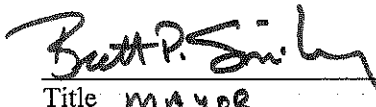
9. The Mayor will take all necessary steps to receive authority from the City Council to enter and execute this AGREEMENT including, but not limited to, submission of the AGREEMENT to the City Council for ratification and submission of proof of such authority to the STATE prior the PROJECT design.

IN WITNESS WHEREOF, the STATE and the MUNICIPALITY have caused this AGREEMENT to be executed by their duly authorized officials as of the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

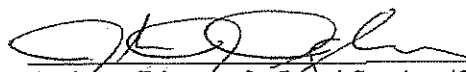
Recommended for Approval:

  
\_\_\_\_\_  
Chief Engineer  
Department of Transportation

Municipality:

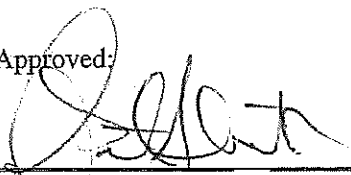
  
\_\_\_\_\_  
Title MAYOR

Approved as to form:

  
\_\_\_\_\_  
Assistant Director for Legal Services/Chief of Staff  
Department of Transportation

  
\_\_\_\_\_  
Municipality Solicitor

Approved:

  
\_\_\_\_\_  
Director  
Department of Transportation

N.A.  
\_\_\_\_\_  
Division Administrator  
U.S. Department of Transportation  
Federal Highway Administration

## **ATTACHMENT A**

### **PROJECT DESCRIPTION**

This Project, located in the County of Providence, City of Providence, involves the following replacement of City-owned Bridge 088301, West River Street. The work includes but is not limited to bridge demolition and full replacement, utility relocations, staged construction, maintenance and protection of traffic, approximately 400-feet of roadway and sidewalks will be required to accommodate the 16-inch +/- increase in vertical profile, new drainage system installed on the south side of the structure, new bridge attachment and guardrail and safety features, striping, and all other work items associated with the above, within the project limits.

City/Town Council Resolution Authorizing Mayor Authority to Execute  
AGREEMENT