

ORDINANCE NO. 15225

FILE OF CITY COUNCIL

BILL NO. 52 - 2015

AUGUST 19, 2015

AN ORDINANCE

Authorizing PennDOT to execute for and on behalf of the City of Allentown pre-construction and construction activities including preliminary engineering, environmental studies, final design, utility relocation, right-of-way acquisition services, construction inspection and management services, and construction for the Commonwealth's performance of the project.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

Whereas, the City of Allentown and the Commonwealth of Pennsylvania, Department of Transportation, have coordinated through appropriate officials a roadway improvement project "Hamilton Street Improvements from the Railroad to 6th Street and 10th to 15th Street".

WHEREAS, Reimbursement Agreement No. R15050009 for the roadway project will be executed for the project; and

WHEREAS, The Secretary of Transportation, acting for an on behalf of the Governor as well as himself, wishes to proceed in a prompt manner with pre-construction and construction activities including preliminary engineering, environmental studies, final design, utility relocation, right-of-way acquisition services, construction inspection and management services, and construction for the Commonwealth's performance of the project.

NOW WHEREFORE, pursuant to Sections 2305 and 2307 of the General Local Government Code, 53 Pa.C.S. Sections 2305 and 2307, the City of Allentown hereby enacts this date the following Ordinance:

SECTION ONE. Delegation of Authority.

The City of Allentown hereby delegates to the Secretary of Transportation its authority to perform pre-construction activities including preliminary engineering, environmental studies, final design, utility relocation, and acquire right-of-way necessary and construction activities including construction inspection and management, and construction for the roadway project described and enumerated in Reimbursement Agreement No. R15050009.

SECTION TWO. Duration.

This delegation shall continue until all Project terms and conditions of Reimbursement Agreement No. R15050009 shall be fully satisfied or, at the election of the parties as set forth therein, the same shall be otherwise terminated.

SECTION THREE. Purpose and Scope of Delegation.

The Secretary of Transportation shall have the authority to perform pre-construction and construction activities including preliminary engineering, environmental studies, final design, utility relocation, and acquire right-of-way and construction phases including construction inspection and management, and construction necessary for the Project described and enumerated in Reimbursement Agreement No. R15050009.

SECTION FOUR. Financing.

One hundred percent of right-of-way acquisition costs, along with all other pre-construction and construction costs under the Reimbursement Agreement No. R150500109 is being funded with 20% local and 80% federal funding.

SECTION FIVE. Organizational Structure.

All pre-construction and construction phases of the project shall be managed, directed and performed by the Commonwealth of Pennsylvania, Department of Transportation.

SECTION SIX. Property.

The Secretary of Transportation shall acquire property pursuant to all applicable policies and procedures as necessary for the Project as authorized by Section 2003(e) of the Administrative Code, 71 P.S. Section 513(e), for all transportation purposes which shall include, and not be limited to, acquisitions for local roads and streets.

SECTION SEVEN. That this Ordinance takes effect ten (10) days after final passage.

SECTION EIGHT. That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

	Yea	Nay
Joe Davis	X	
Jeanette Eichenwald	X	
Jeff Glazier	X	
Daryl Hendricks	X	
Cynthia Y. Mota	X	
Julio A. Guridy, VP	X	
Ray O'Connell, Pres.	X	
TOTAL	7	0

I hereby certify that the foregoing Ordinance was passed by City Council on September 16, 2015 and signed by the Mayor on September 22, 2015.

Michael P. Hawley

CITY CLERK