ORDINANCE NO. 15232

FILE OF CITY COUNCIL

BILL NO. 54 - 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 and 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 to construct a roadway improvement project "Mack Boulevard Improvements from Emmaus Avenue to the bridge overpass at Trout Creek Lane".

WHEREAS, Reimbursement Agreement No. R15050008 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 and 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. R15050008.

SECTION TWO. Duration.

This delegation shall continue until all Project terms and conditions of Reimbursement Agreement No. R15050008 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. R15050008.

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. R15050008 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. Hank

CITY CLERK

LEGISLATIVE TEMPLATE

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

  Department of Public Works, Engineering Bureau

- **Summary and Facts of the Bill**

  This Bill will provide authorization to PennDOT to work on the City's behalf to perform pre-construction and construction activities including preliminary engineering, environmental studies, final design, utility relocation, and right-of-way acquisition services as well as construction inspection and management services and construction of an improved Mack Boulevard from Emmaus Avenue to the overpass at Trout Creek Lane. Authorizing PennDOT to perform the work will streamline all the processes necessary to bring the project to the construction contract bidding stage. The authorization will save overall project time, puts consultant contract selection for all pre-construction activities into PennDOT's hands, and bring the project to construction quicker. The City staff will have input into the design process and will oversee administrative and payment applications relative to the project.

- **Purpose – Please include the following in your explanation:**
  - **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
  - **What are the Benefits of doing this/Down-side of doing this**
  - **How does this Bill related to the City's Vision/Mission/Priorities**

  The bill authorizes PennDOT to act on the City's behalf for the purpose of delivering the roadway project quicker and relieving the City of the need to enter into multiple contracts with consultants to perform the pre-construction and construction phase work.

- **Financial Impact – Please include the following in your explanation:**
  - **Cost (Initial and ongoing)**
  - **Benefits (initial and ongoing)**

  This bill is an authorization bill only. The bill references a Reimbursement Agreement for the project. The reimbursement agreement lays out the terms for Reimbursement to the City for project expenses at a rate of 80% federal and 20% local funding. City staff and the Solicitor's Office will review the Reimbursement Agreement prior to execution similar to the previously executed American Parkway, 15th & Ward Street Bridges, and the Union Street Bridge projects.

  Funding Sources – Please include the following in your explanation:
  - **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

  Funds are to be reimbursed 80% from the federal government and 20% from the City of Allentown.

- **Priority status/Deadlines, if any**

  PennDOT has initiated early stages of the design process. It is anticipated that the pre-construction activities will be completed by 2016 and construction will commence in 2016.

- **Why should Council unanimously support this bill?**

  The bill should be unanimously supported to facilitate a quicker process to improve the City's infrastructure to support economic development within the City of Allentown.

- **Committee Action**
- **Public Comments**
- **Body/Text of the Bill**
- **Exhibits**
- **Vote**