INTRODUCED: November 14, 2016

AN ORDINANCE No. 2016-277

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute an Agreement between City of Richmond and Commonwealth of Virginia, Department of Transportation for Adjustment of Water Facilities between the City of Richmond and the Virginia Department of Transportation to facilitate the replacement of existing water utility facilities and an existing bridge as part of the Route 5 (East Main Street) Bridge Replacement over Norfolk Southern Railroad project.

Patron – Mayor Jones

Approved as to form and legality by the City Attorney

PUBLIC HEARING: DEC 12 2016 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the Chief Administrative Officer, for and on behalf of the City of Richmond, be and is hereby authorized to execute an Agreement between City of Richmond and Commonwealth of Virginia, Department of Transportation for Adjustment of Water Facilities between the City of Richmond and the Virginia Department of Transportation to facilitate the replacement of existing water utility facilities and an existing bridge as part of the Route 5 (East Main Street) Bridge Replacement over Norfolk Southern Railroad project. The Agreement AYES:

9 NOES:
0 ABSTAIN:

ADOPTED: DEC 12 2016 REJECTED: STRICKEN:

between City of Richmond and Commonwealth of Virginia, Department of Transportation for Adjustment of Water Facilities shall be approved as to form by the City Attorney and shall be substantially in the form of the document attached to this ordinance.

§ 2. This ordinance shall be in force and effect upon adoption.



CITY OF RICHMOND

INTRACITY CORRESPONDENCE

O & R REQUEST

OCT 2 1 2016

Chief Administration Office City of Richmond

4-5816

O&R REQUEST

DATE:

October 19, 2016

EDITION:

1

TO:

The Honorable Members of City Council

THROUGH: Dwight C. Jones, Mayor

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer

THROUGH: John Buturla, Deputy Chief Administrative Officer

FROM:

Robert Steidel, Director of Public Utilities

RE:

ROUTE 5 (East Main St.) Bridge Replacement - VDOT\COR Agreement for

Adjustment of Water Facilities

ORD. OR RES. No.

PURPOSE: To authorize the Chief Administrative Officer to enter into an agreement with the Virginia Department of Transportation ("VDOT") concerning water utility improvements associated with a project to replace the Route 5 East Main Street bridge over the Norfolk Southern Railroad, State Project #:0005-127-957\UPC#107867, (the "Project").

REASON: Pursuant to VDOT policy on utility relocations for State funded projects, the Project affects existing water utilities located on the bridge and the State is responsible for 100% of utility costs associated with the Project.

RECOMMENDATION: Department of Public Utilities recommends adoption of the proposed Ordinance.

BACKGROUND: As part of the VDOT Route 5 East Main Street bridge replacement project over the Norfolk Southern Railroad, VDOT proposes to replace the existing bridge, including the existing City water utility facilities attached to the bridge. As part of the project, VDOT's contractor will install a new water utility line with the construction of the new bridge. Once the work is complete, the City of Richmond will retain ownership of the new water utility line.

Page 2 of 2

FISCAL IMPACT / COST: Total Funding Required = \$1,000 (DPU inspections) (funded in FY17 Water CIP)

FISCAL IMPLICATIONS: VDOT will be responsible for 100% of the cost of replacing the City water utility facilities.

BUDGET AMENDMENT NECESSARY: None

REVENUE TO CITY: None

DESIRED EFFECTIVE DATE: February 13, 2017

REQUESTED INTRODUCTION DATE: November 14, 2016

CITY COUNCIL PUBLIC HEARING DATE: February 13, 2017

REQUESTED AGENDA: Consent Agenda

RECOMMENDED COUNCIL COMMITTEE: Land Use, Housing, and Transportation

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: None

AFFECTED AGENCIES: Department of Public Utilities, Department of Budget and Strategic Planning, Department of Finance, Department of Public Works.

RELATIONSHIP TO EXISTING ORD. OR RES.: Ordinance No. 2015-184-189: To Authorize the Chief Administrative Officer (CAO), for and on behalf of the City of Richmond, to execute a City\State project administration agreement for the Route 5 (East Main Street) Bridge Replacement Project over Norfolk Southern Railroad (NSSR), designated as Project 0005-127-957 and UPC # 107867.

REQUIRED CHANGES TO WORK PROGRAM(S): None

ATTACHMENTS:

- 1) Agreement between City of Richmond and Commonwealth of Virginia, Virginia Department of Transportation for Adjustment of Water Facilities.
- 2) Six (6) one-half size plan sheets numbered 37(1) through 37(5) of the State's construction plans for Project 0005-127-957, C-501 (UPC#107867).

STAFF:

Jonathan Cosby, Engineer III - DPU Technical Services (646-7849)

Robert Stone, Engineer IV - DPU Technical Services (646-8557)

Rosemary Green, Deputy Director II - DPU Water, Wastewater, Technical Services

(646-8517)

Robert Steidel, Director Public Utilities (646-1378)

AGREEMENT between CITY OF RICHMOND

and

COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION for ADJUSTMENT OF WATER FACILITIES

THIS AGREEMENT, made and entered into as of the day of	
2016, by and between the CITY OF RICHMOND (hereinafter called MUNICIPALITY), and the	
COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION, (hereinafte	er
called the STATE), acting by its Commissioner:	

WITNESSETH

WHEREAS, the STATE is proposing to construct a section of highway designated as, Main Street, Project: 0005-127-957, C-501(UPC#107867), which will necessitate changes in the MUNICIPALITY'S water facilities: and,

WHEREAS, the STATE and MUNICIPALITY wish to agree upon the terms and conditions under which the necessary changes will be made as hereinafter set forth:

NOW THEREFORE, for and in consideration of the premises and of the mutual covenants herein contained, the parties hereto agree as follows:

SECTION I

- (a) It will be to the best interest of the STATE and the MUNICIPALITY to have the adjustment of the water facilities included in the highway contract to be adjusted by the highway contractor.
- (b) The STATE through its highway contractor, will relocate and adjust the MUNICIPALITY'S water facilities in accordance with attached plans and the STATE'S Road and Bridge Specifications; said plans being identified as Six (6) one-half size plans sheets numbered 37(1) through 37(5) of the STATE'S construction plans for Project: 0005-127-957, C-501, as attached.

SECTION II

- (a) It has been determined that the project is responsible for bearing 100% of the cost of the water adjustments indicated in SECTION I (b).
- (b) It has been determined that the MUNICIPALITY is responsible for bearing 0.0% of the project cost of the water adjustments.

SECTION III

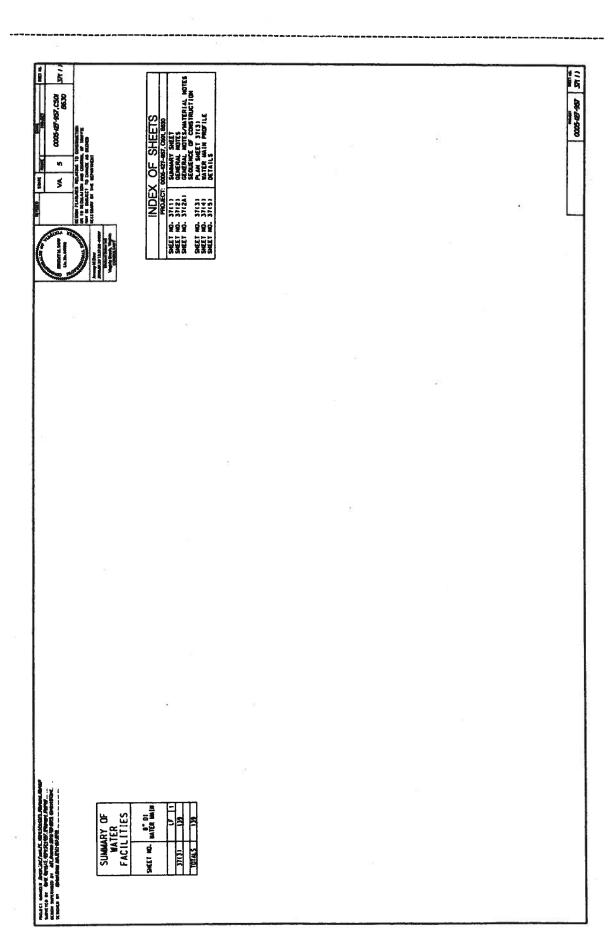
In the event, at any time hereafter that the water facilities indicated in SECTION I (b) be altered, rebuilt or relocated due to highway construction, the applicable cost incurred by the MUNICIPALITY in connection with such alteration, rebuilding or relocation of its facilities will be paid in accordance with the prevailing laws or rules and regulations in effect at the time the work is performed.

SECTION IV

The MUNICIPALITY agrees that the existing facilities, which are to be abandoned, will become the property of the STATE's highway contractor with exceptions as noted in the attached plans. Any salvage value derived therefrom will accrue to the STATE'S highway contractor.

In WITNESS WHEREOF, each party has caused this agreement to be executed in duplicate in its name and on its behalf by its duly authorized officer as of the day and year first written.

In the presence of:	CITY OF RICHMOND
As to the City of Richmond	By:Title:
In the presence of:	COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION
As to the Commonwealth	By: State Right of Way & Utilities Director
	A percosed as to form: The & leaning Senior Assistant City Attorney



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