

AN ORDINANCE No 86-215-196

ADOPTED AUG 25 1986

To authorize the City Manager, Robert C. Bobb, for and on behalf of the City of Richmond, to accept from the Virginia Department of Highways and Transportation a Recreational Access Funds grant in the amount of \$300,000, or such other amount as may be allotted to the City of Richmond for use in providing funding to construct means of access to the Belle Isle/James River Discovery Program recreational facilities (reconstruction of a portion of Tredegar Street in the City of Richmond), to authorize execution by said City Manager of an agreement between the City and the Virginia Department of Highways and Transportation concerning such improvements, and to direct that the grant funds be deposited in a special account to be disbursed solely for the purposes of such grant and performing said agreement.

Patron - City Manager

Approved as to form and legality
by City Attorney

1. THE CITY OF RICHMOND HEREBY ORDAINS:
2. § 1. That the City Manager, Robert C. Bobb, for and on
3. behalf of the City of Richmond, is authorized to accept a
4. grant of funds in the amount of \$300,000, or such other
5. amount as may be allotted to the City of Richmond, under the
6. provisions of the Recreational Access Funds legislation for
7. use by the City for the construction of means of access to
8. the Belle Isle/James River Discovery Program recreational
9. facilities (reconstruction of a portion of Tredegar Street
10. in the City of Richmond); that the City Manager, Robert C.
11. Bobb, be and is hereby authorized and directed to enter

1. into an agreement, to be substantially in the form attached
2. to the draft of this ordinance, concerning the construction
3. of such access facility. The grant money shall be deposited
4. in a special account and shall be disbursed solely in
5. accordance with terms and conditions as set out in the
6. agreement herein authorized to be executed.
7. § 2. This ordinance shall be in force and effect
8. upon adoption.

ORDINANCE OR RESOLUTION SUMMARY
CITY OF RICHMOND, VIRGINIA

Resolution Ordinance No. 86-215	Subject To Accept Grant - \$300,000 from Virginia Department of Highways & Transportation/ Recreational Access Funds.
Requested by City Manager	
Received City Manager's Office --	
Summarized 8/18/86	

SUMMARY

This Ordinance would authorize the City Manager to accept from the Department of Highways & Transportation a Recreational Access Funds Grant of \$300,000.

Purpose - To aid in funding a means (construction) of access to the Belle Isle/James River Discovery Program recreational facilities.

Total cost of project -- \$3,022,750.

This Ordinance also authorizes the City Manager to execute an agreement between the City and the Virginia Department of Highways & Transportation, and, to establish a special account for deposit of these funds and be disbursed solely for the purposes of grant.

Effective upon adoption of this Ordinance.

COUNCIL ACTION

On Docket 8/25/86
Amended
Adopted
Rejected

THIS AGREEMENT, made this _____ day of _____, 1986, by and between the CITY OF RICHMOND, a municipal corporation of the Commonwealth of Virginia, hereinafter sometimes referred to as the CITY, party of the first part, and the VIRGINIA DEPARTMENT OF HIGHWAYS AND TRANSPORTATION, hereinafter sometimes referred to as the DEPARTMENT, party of the second part;

WITNESSETH:

THAT WHEREAS, the CITY, by appropriate resolution, requested recreational access funds to assist in providing suitable access to the Belle Isle/James River Discovery Program recreational facilities by the reconstruction of a portion of Tredegar Street in the City of Richmond, from a point approximately 0.4 mile west of Seventh Street to its intersection with Seventh Street; and

WHEREAS, the State Highway and Transportation Commission has allocated a total of \$300,000 from the recreational access fund to assist in providing this access, such being designated as Project 9999-127-104, C501; and

WHEREAS, the CITY desires to administer the construction through its capabilities; and

WHEREAS, the parties hereto mutually desire to contribute toward the construction of this access facility.

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

A. The CITY will:

1. Design and prepare plans at its expense for Project 9999-127-104, C501 to provide suitable access to the recreation facilities involved. These plans, once approved by the DEPARTMENT pursuant to paragraph B (1), will be incorporated into this agreement by reference.
2. Include in the project's design a minimum pavement width of 24 feet within sufficient width right of way, together with any necessary slope

competitive bidding procedure, provided, however, that no contractor who has been disqualified from bidding on contracts with the DEPARTMENT because of collusion or any matter relating to violation of State or Federal Anti-Trust Laws may construct, either as a prime contractor or subcontractor, any part of this Project which is funded in whole or in part with State and/or Federal funds.

5. Assure that the location, form, and character of all traffic control devices and markings installed or placed by any public authority or other entity shall be subject to the approval of the DEPARTMENT.
6. Prohibit any reduction in the number or width of traffic lanes or alterations of channelization islands after the construction of this Project without prior approval of the DEPARTMENT.
7. Acquire the necessary right of way for this Project, together with any required drainage and construction easements, at no cost to the DEPARTMENT.
8. Prepare any required environmental documents and secure any applicable permits necessary for this Project's construction.
9. Cause any utilities in conflict with the construction of this Project to be adjusted, including the cost of any installations and related engineering, at no cost to the DEPARTMENT.
10. Present the final plans, cost estimate, and specifications to the DEPARTMENT for approval prior to authorization of the access allocation.
11. Match dollar-for-dollar the cost to the recreational access fund for eligible items, as described in paragraph B (2), in excess of \$200,000. Bear all cost of otherwise eligible items in excess of \$400,000 and of any ineligible items.
12. Assume responsibility for the maintenance of the access facility constructed in connection with this Project and, at its own cost and expense, maintain or have it maintained in a manner satisfactory to the

- during its construction; make final inspection jointly with the DEPARTMENT upon completion of the Project's construction; and obtain the DEPARTMENT's concurrence in the Project's acceptance.
14. Bill the DEPARTMENT upon completion of the Project for the DEPARTMENT's portion of the actual cost of eligible items as prescribed in paragraph B (4).

B. The DEPARTMENT will:

1. Review the plans of Project, as presented by the CITY and approve them with whatever modification, if any, it deems appropriate.
2. Authorize recreation access funds, not to exceed \$300,000 to assist in the CITY's financing of the actual cost of eligible items. Eligible items are:

Clearing and grubbing

Unclassified excavation

Replacement of unsuitable subgrade with No. 25 crusher run

Removal of existing roadway to subgrade

Removal of fence and wall at Ethyl Corporation parking lot

Removal of chain link fence

Removal of existing storm drain inlets

Silt fencing

Class A-3 concrete

Common borrow material

Removal of stone wall

Replacement of unsuitable subgrade with No. 25 crusher run

No. 21A aggregate base

Filter fabric

Bituminous concrete base, intermediate and surface courses

Concrete pavement

Cobblestone paving

Timber guardrail

Required construction engineering and inspection
services pertaining to eligible items

3. Make final inspection with the CITY upon completion of the Project's construction.
4. Reimburse the CITY for the actual cost of eligible items, as described in paragraph B (2), incurred subsequent to approval of the Project's allocation by the Commission, upon compliance with all contingencies of the Commission's resolution of June 19, 1986, final approval of the Project's construction by the DEPARTMENT, and receipt of certification and billing by the CITY in a manner satisfactory to the DEPARTMENT. In no case shall the total reimbursement by the DEPARTMENT exceed \$300,000.

IN WITNESS WHEREOF, the parties to this agreement have hereunto affixed their signatures, the CITY OF RICHMOND on the _____ day of _____, 1986, and the VIRGINIA DEPARTMENT OF HIGHWAYS AND TRANSPORTATION on the _____ day of _____, 1986.

ATTEST:

CITY OF RICHMOND

City Clerk

BY: _____
City Manager

APPROVED AS TO FORM

NOTE: Any official signing for and on behalf of a municipality or political subdivision should attach a certified copy of order, resolution, ordinance or charter provision, or a citation to statute, under the authority of which this agreement is executed.

City Attorney

APPROVED AS TO FORM & SUBSTANCE

Fiscal Division
(V.D.H. & T.)

Legal Division
(V.D.H. & T.)

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF HIGHWAYS
AND TRANSPORTATION