



Legislation Details (With Text)

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Title: Resolution granting unto University of Pittsburgh, 124 Cathedral of Learning, Pittsburgh, PA 15260, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an electric ductbank for telecom lines and steam line on the right-of-ways of Thackeray Avenue and O'Hara Street in the 4th Ward, 8th Council District of the City of Pittsburgh.

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Date	Ver.	Action By	Action	Result
7/31/2008	1	Mayor	Signed by the Mayor	
7/22/2008	1	City Council	Passed Finally	Pass
7/16/2008	1	Committee on Public Works	AFFIRMATIVELY RECOMMENDED	Pass
7/8/2008	1	City Council	Read and referred	

Presented by Mrs. Harris

Resolution granting unto University of Pittsburgh, 124 Cathedral of Learning, Pittsburgh, PA 15260, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an electric ductbank for telecom lines and steam line on the right-of-ways of Thackeray Avenue and O'Hara Street in the 4th Ward, 8th Council District of the City of Pittsburgh.

Be it resolved by the Council of the City of Pittsburgh as follows:

Section 1. That the University of Pittsburgh, 124 Cathedral of Learning, Pittsburgh, PA 15260, their successors and assigns, are hereby granted the privilege to construct, maintain and use at their own cost and expense,

Thackeray Avenue Steam Line:

Replacing an abandoned section of steam line along with the replacement of two steam vaults that currently exist in Thackeray Avenue "Exhibit Plan for a Steam Line".

Near the corner of Fifth and Thackeray Street work will begin at the existing steam vault which will remain. From this vault a new 10" high pressure steam line, a 6" low pressure condensate return line and a 2" high pressure condensate return line will be installed within a concrete enclosure. This concrete enclosure will

be approximately 5 feet wide and 3 feet in height and will be buried approximately 8-10 feet below grade. The new steam line will take the place of the abandoned steam line.

This new line will extend up Thackeray Avenue to an existing steam vault labeled point B. This existing vault will be replaced. The new steam line enclosure will continue up Thackeray Avenue to another steam vault, this vault will also be replaced.

From vault labeled point B a new direct buried steam line will be extended onto an existing University property (University Club).

Thackeray Avenue owner Ductbank:

The University will install a new power ductbank between two University properties; Bededum hall and Thackeray Building. This ductbank will consist of two 5” conduits which will be encased in an 18” by 24” concrete enclosure. This concrete enclosure will be buried approximately 4 feet below grade. “Exhibit Plan for an Electric Line”.

This telecommunication ductbank shall consist of six 4” conduits which will be encased in a 24” by 36” concrete enclosure. This enclosure will be buried approximately 4 feet below grade. The telecommunication ductbank will be extended from Old Engineering Hall to a new manhole located in O'Hara Street. From this manhole the ductbank will be extended to another new manhole near the intersection of O'Hara Street and Thackeray Street. From this point two of the six conduits will be extended into University Property (Benedum Hall) from labeled point B-1. From this same manhole four telecommunication conduits will be extended to a man hole labeled A-1; from there they will be extended into University property (University Club).

The said encroachment shall conform to the provisions of this Resolution and in accordance with the Plan identified as Accession D-653 on file in the Division of Surveys, Department of Public Works.

Section 2. The said Grantee prior to the beginning of the construction of said encroachment shall submit to the Director of the Department of Public Works of the City of Pittsburgh a complete set of plans, in triplicate, showing the location and all details of said construction. Said plans and said construction shall be subject to the approval and supervision of the Director of the Department of Public Works.

Section 3. The encroachment herein granted shall be subject and subordinate to the rights of the City of Pittsburgh and its powers and supervision over City streets, and also to Resolutions of the City of Pittsburgh relating thereto, and to the provisions of any general Resolutions which have been or may be hereafter passed relating to said construction, maintenance and its use on City streets and compensation for same.

Section 4. The said Grantee shall bear the full cost and expense of the repair of any street pavement damaged, repair of sewer, water lines and other surface and sub-surface structures which may be in any way damaged or disturbed by reason of the construction, maintenance, use and operation of said construction. All work, including the repaving and repairing of any portion of the street damaged, shall be done in the manner and at such times as the Director of the Department of Public Works may order and shall be subject to their approval and supervision.

Section 5. The rights and privileges granted by their Resolution are granted upon the express condition that the City of Pittsburgh, without liability, reserves the right to cause the removal of said construction upon giving to the said Grantee at least three (3) months written notice through the proper officers, pursuant to a resolution of Council, to the said the University of Pittsburgh, 124 Cathedral of Learning, Pittsburgh, PA 15260, their

successors and assigns, to that effect and that the said Grantee shall when so notified at the expiration of the said three (3) months forthwith remove said construction and replace street to its original condition at their own cost and expense.

Section 6. That the University of Pittsburgh, 124 Cathedral of Learning, Pittsburgh, PA 15260, shall be responsible for and shall assume all liability, either of said the University of Pittsburgh, 124 Cathedral of Learning, Pittsburgh, PA 15260, or the City of Pittsburgh, for damages to persons or property by reason of the construction, maintenance and use of said encroachment and it is a condition of their grant that the City of Pittsburgh assumes no liability for damage to either persons, or property on account of their grant, and that the University of Pittsburgh, 124 Cathedral of Learning, Pittsburgh, PA 15260, for themselves, their successors and assigns, shall, by accepting the terms of their Resolution, hereby indemnify, save harmless and defend the City of Pittsburgh from any and all damages and claims for damages arising by reason of said construction, maintenance and use.

That the University of Pittsburgh, 124 Cathedral of Learning, Pittsburgh, PA 15260, shall maintain in effect during the entire period of their license the following insurance for the protection of the City of Pittsburgh, all premiums being at the expense of the licensee, which insurance shall be non-cancelable except upon thirty (30) days written notice to said City and which insurance shall cover and name said City as an additional insured:

Public Liability	\$ 100,000.00 -	\$ 300,000.00
Property Damage	\$ 50,000.00	

Prior to commencement of their license and as required by said City, from time to time licensee shall submit proof of the above insurance in the form of a certificate, duly attested by the proper officers or authorized representatives of a responsible insurance company.

Section 7. The foregoing rights and privileges are granted subject to the following conditions, to wit: Their Resolution shall become null and void unless within 120 days after its approval the said the University of Pittsburgh, 124 Cathedral of Learning, Pittsburgh, PA 15260, their successors and assigns, shall file with the Department of Public Works their certificate of acceptance of the provisions thereof, said certificate to be executed by the University of Pittsburgh, 124 Cathedral of Learning, Pittsburgh, PA 15260.