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**Title:** Resolution agreeing to cooperate, on a project receiving one-hundred percent outside funding, with the Commonwealth Of Pennsylvania, Department Of Transportation, and Point Park University, in the planning, design and construction of improvements to the Wood Street corridor in the Downtown Section of Pittsburgh.

**Sponsors:**

**Indexes:** AGREEMENTS

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Date	Ver.	Action By	Action	Result
1/28/2010	1	Mayor	Signed by the Mayor	
1/26/2010	1	City Council	Passed Finally	Pass
1/20/2010	1	Committee on Public Works	AFFIRMATIVELY RECOMMENDED	Pass
1/12/2010	1	City Council	Read and referred	

Presented by Mr. Kraus

Resolution agreeing to cooperate, on a project receiving one-hundred percent outside funding, with the Commonwealth Of Pennsylvania, Department Of Transportation, and Point Park University, in the planning, design and construction of improvements to the Wood Street corridor in the Downtown Section of Pittsburgh.

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

**Section 1.** The Mayor and the Director of the Department of Public Works, on behalf of the City of Pittsburgh, are hereby authorized to execute agreements:

(1) Granting to the Commonwealth Of Pennsylvania, Department Of Transportation, and to Point Park University, the City's cooperation in the project and access by license, to specified necessary construction sites such that Point Park University may plan, design, and construct improvements to Wood Street Corridor (between Fort Pitt Boulevard and Third Avenue in the Downtown section of Pittsburgh); and

(2) Participating with the Commonwealth Of Pennsylvania, Department Of Transportation, and Point Park University in a program wherein the Wood Street Corridor is upgraded and enhanced through the use of federal funding, as approved by the Department of Transportation, and where Point Park University will be financially responsible for costs not eligible for federal-aid participation.

By participating in this project, the City of Pittsburgh helps to promote collaborative decision-making between local governments, planning organizations, the City's Universities and the Commonwealth. Further, the city of Pittsburgh intends use funds available on the Commonwealth and Federal levels to advance integrated land use and transportation decisions, and regional and multi-municipal cooperation. Funding for this project is made available to the City of Pittsburgh through such programs as the Commonwealth's "Smart Transportation" concept, and the Pennsylvania Community Transportation Initiative, in addition to federal-aid highway program funds through the Surface Transportation Program. By optimal use of these programs and funding, the City of Pittsburgh's infrastructure benefits without corresponding demands on the City of Pittsburgh's own limited resources.

These agreements shall be in the form approved by the City Solicitor and shall contain such terms and conditions for the protection of the City of Pittsburgh and the Wood Street Corridor as the Solicitor may require.

**Section 2.** The privileges and licenses hereby granted shall be subject to the following terms and conditions as shall be more specifically set forth in the two agreements authorized by this Resolution, namely the "Cooperation and Access Agreement" and the "Pennsylvania Community Transportation Initiative Reimbursement Agreement - Construction":

Point Park University has received federal funding from the United States Department of Transportation Federal Highway Administration which it will use for the planning, designing and construction of improvements to the Wood Street Corridor.

Point Park University will act as agent for the City of Pittsburgh to manage the implementation of the design and construction phases of the project, and has approved plans and specifications for the work. The City of Pittsburgh will have final decision-making authority over the satisfactory completion of the work and retain final right of acceptance.

Point Park University shall bear the full cost and expense of the project to the extent the costs are not eligible for federal aid participation.

Point Park University shall indemnify, save harmless, and defend the City of Pittsburgh from any and all damages or claims for damages, whether to property or to person, arising by reason of the Wood Street Corridor project.

The City of Pittsburgh will operate and maintain the completed improvements falling under its jurisdiction.