



Text File

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Bill No: 2010-0165, **Version:** 1

Committee: Committee on Public Works

Status: Passed Finally

Resolution granting the City, in furtherance of the City's beautification plans, leave to enter into an Agreement with Norfolk Southern Railway Company and the Urban Redevelopment Authority of Pittsburgh (URA). In that Agreement, the Railway will grant an easement to the City and the URA as its agent to clean, paint, install lighting, reconstruct sidewalks, construct a sidewalk canopy, and remove an existing building ("the facilities"), upon the Railway-owned bridges and in the area of the Railway-owned bridges spanning Anderson Street and Sandusky Street.

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 an enhancement agreement with Norfolk Southern Railway Company in which the URA will install at its sole expense and the City will maintain certain facilities as depicted in approved and signed construction drawings for the North Shore Underpasses project. This agreement 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 as the Solicitor may require.

Section 2. The privileges and easements hereby granted shall be subject to the following terms and conditions as shall be more specifically set forth in the agreement authorized by this Resolution:

- a) The URA is to bear all expenses of the installation and construction of said facilities with funds from the U.S. Department of Transportation and the City to accept and maintain said facilities.
- b) The City retains all immunities, rights, and limitations of liability, exemptions and protections granted to it and its employees by law.
- c) The City will require contractors engaged to perform the lighting work under this agreement to indemnify and save harmless the City.
- d) The Urban Redevelopment Authority will reimburse 100% of the Railway's actual cost for work required as determined in the field, that being estimated to be \$51,485.
- e) This Agreement is subject to the provisions of the Pittsburgh Home Rule Charter and the liability of the City hereunder is limited to the sum of ZERO DOLLARS (\$0.00).