



Text File

Introduced: 7/26/2011

Bill No: 2011-1966, **Version:** 1

Committee: Committee on Public Works

Status: Passed Finally

Resolution granting unto Children's Hospital of Pittsburgh UPMC ("Children's"), its successors or assigns, upon the application of Children's for an encroachment on City of Pittsburgh property and Children's required permits, the right and privilege to construct, maintain and use, at its own expense, a pedestrian bridge over and across Forty-Fourth Street between the Administrative Office Building and the Clinical Services Building (Hospital) with an address of 4401 Penn Avenue in the 9th Ward, 7th Council District of the City of Pittsburgh.

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

Section 1. That Children's Hospital of Pittsburgh UPMC, 600 Grant Street, Pittsburgh, PA 15219, their successors and assigns, are hereby granted the privilege to construct, maintain and use at their own cost and expense, an aerial encroachment for a structural steel and glass pedestrian bridge, a minimum height of 21'8"± from the sidewalk area, 54'10"± in length, a width of 14'4"± to span 44th Street between the Administrative Office Building and the Clinical Services Building (Hospital) with an address of 4401 Penn Avenue, in the 9th Ward, 7th Council District of the City of Pittsburgh.

Children's Hospital of Pittsburgh UPMC, its successors or assigns, is given the right, privilege and authority to construct, maintain and use at its own expense, a pedestrian bridge over and across Forty-Fourth Street from the Medical Office Building, to the Parking Garage in the 9th Ward, City of Pittsburgh.

The said encroachment shall conform to the provisions of their resolution and in accordance with the Plan identified as Accession D-748 on file in the Division of Surveys, Department of Public Works.

Section 2. Children's Hospital of Pittsburgh UPMC, prior to the beginning of the construction of the pedestrian bridge, must 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. This construction will 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, and to the provisions of any general Resolution which have been or may be thereafter passed relating to said construction, maintenance and its use on City streets and related compensation.

Section 4. Children's Hospital of Pittsburgh UPMC, will 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 this 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 Children's at least six (6) months written notice through the proper officers. At the expiration of the six (6) months, Children's Hospital of Pittsburgh of UPMC, must immediately remove the construction and return the street to its original condition at its own cost and expense.

Section 6. That Children's Hospital of Pittsburgh UPMC, 600 Grant Street, Pittsburgh, PA 15219, shall be responsible for and shall assume all liability, if any, of the City arising out of the exercise by Children's of the Privilege and obligations under this Resolution.

Section 7. The Rights and Privileges are granted subject to the following conditions: This Resolution shall become null and void unless within, thirty (30) days after its approval, Children's Hospital of Pittsburgh UPMC, 600 Grant Street, Pittsburgh, PA 15219, its successors and assigns, shall file with the City Controller its Certificate of Acceptance of the provisions, and Children's must pay to the Treasurer a fee of five hundred (\$500.00) dollars for the pedestrian bridge.

Section 8. The Art Commission will inspect this structure to assure that it is aesthetically compatible with the surrounding area.