



Text File

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Committee: Committee on Public Works

Status: Passed Finally

Resolution granting unto Three Crossings Riverfront East, L.P., a Pennsylvania limited partnership, One Oxford Centre, Suite 4500, Pittsburgh, PA 15219, its successors and assigns, an encroachment (i) for a staircase that is part of its riverfront development, and (ii) to construct, maintain and use at its own cost and expense, the streetscaping features described herein, for the benefit of the public right of way and neighboring properties on the right of way at 26th Street from Railroad Street north to the Allegheny River, in the Strip District neighborhood of the of the City of Pittsburgh, 2nd Ward, 7th Council District.

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

Section 1. That Three Crossings Riverfront East, L.P., One Oxford Centre, Suite 4500, Pittsburgh, PA 15219, its successors and assigns, is hereby granted the privilege to construct, maintain and use at its own cost and expense:

Monumental entry stair and concrete landing measuring fifty feet (50') along the length of 26th Street, twenty eight (28') wide, and six feet (6') above grade; sixteen (16) trees planted in landscaping strips twelve feet (12') in width located the length of 26th Street; eleven (11) illuminated bollards, eleven and one fourth inches (11 ¼") below and above sidewalk grade (core structure) eight and a half inches (8.5") in diameter, thirty one and three eighths inches (31 3/8") in height; sixteen (16) standard traffic control bollards; concrete walkways with flush curbs six feet (6') wide by three hundred twenty three feet (323') along the length of 26th Street; one bicycle parking rack to be placed on a concrete pad measuring fourteen feet (14') by fifteen point nine feet (15.9'); city standard sidewalk and curb five feet (5') by eleven feet (11') with ADA ramps and detectable warning surface and traffic signage at the intersection of 26th Street and Railroad Street.

The said encroachment shall conform to the provisions of this resolution and in accordance with plans to be filed with the Division of Surveys, Department of Public Works, and such plans to be approved by the 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.

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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 improvements described in this Resolution. 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 the said Grantee at least three (3) months written notice through the proper officers, pursuant to a resolution of Council, to the said Three Crossings Riverfront East, L.P., One Oxford Centre, Suite 4500, Pittsburgh, PA 15219, 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 Three Crossings Riverfront East, L.P., One Oxford Centre, Suite 4500, Pittsburgh, PA 15219 shall be responsible for and shall assume all liability, either of said Three Crossings Riverfront East, L.P., One Oxford Centre, Suite 4500, Pittsburgh, PA 15219 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 Three Crossings Riverfront East, L.P., One Oxford Centre, Suite 4500, Pittsburgh, PA 15219 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 Three Crossings Riverfront East, L.P., One Oxford Centre, Suite 4500, Pittsburgh, PA 15219 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	\$ 50,000.00
Damage	

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.