SUMMARY STATEMENT

ITEM NO.                  SUBJECT:          PennDOT I-95 and S.R.291 Access Project Construction, Jurisdiction & Maintenance Agreement Exchange of Property Interests with PennDOT for Property Located in Chester, Pennsylvania

COMMITTEE:                   Operations & Maintenance

COMMITTEE MEETING DATE:      June 13, 2007

BOARD ACTION DATE:           July 18, 2007

PROPOSAL:       That the Board authorizes the Authority to negotiate agreements with the Pennsylvania Department of Transportation (PennDOT) to permit PennDOT to design and construct elevated ramps and roadways connecting the Commodore Barry Bridge to State Route 291 in the City of Chester, Delaware County, Pennsylvania.

PURPOSE:         To support PennDOT’s I-95 and State Route 291 interchange improvement and permit PennDOT to design and construct elevated ramps and roadways connecting the Commodore Barry Bridge to State Route 291 and to clarify the jurisdictional limits and maintenance responsibilities of PennDOT and the Authority.

BACKGROUND:     PennDOT has recently completed certain roadway improvements to State Route 291 in the City of Chester and now wishes to improve, at its cost, the flow of traffic in the vicinity of the Commodore Barry Bridge, Interstate 95, and State Route 291 interchanges. On or about 2001, the Authority, by resolution numbers DRPA-01-069 and DRPA-01-099, authorized a study by McCormick & Taylor Associates to evaluate roadway access to the City of Chester waterfront from Interstate 95 and examine possible alternative solutions. The study was completed on or about 2003 and submitted to PennDOT for consideration. PennDOT has evaluated the study and is prepared to proceed with a intended to improve the access to the City of Chester, subject to Authority approval.

The new interchange ramps are intended to improve traffic conditions in and around the Commodore Barry Bridge, Interstate 95, and State Route 291. The Project is being funded and administered by PennDOT and the Federal Highway Administration (FHWA). Preliminary project costs are estimated at this time to be $52 million. The Project will be performed and funded by PennDOT and FHWA and will be at no cost to the Authority.

PennDOT is requesting the Authority grant PennDOT a right of entry to perform the design and construction of the ramps connecting the Commodore Barry Bridge and to acquire permanent property interests
or easements to allow for the construction and subsequent control of the new roadways. PennDOT and the Authority also intend to delineate the maintenance responsibilities and jurisdiction of the parties following completion of the improvements and opening of the roadways.

Staff has reviewed PennDOT's construction plans for the widened roadway, which adequately address the Authority’s safety, security and access concerns, and negotiated a form of Construction, Jurisdiction & Maintenance Agreement. Staff has also determined that the exchange of certain property interests with PennDOT would not be detrimental to the interests of the Authority and would not adversely impact upon the operations of the Authority. The property to be exchanged between PennDOT and the Authority is identified in the schematic plan attached hereto as an Exhibit.

It is recommended that the Construction, Jurisdiction & Maintenance Agreement, the legal instruments necessary to exchange property interests between the agencies, and any other agreements necessary to undertake the Project, be negotiated with PennDOT to allow for the design and construction of the elevated ramps connecting State Route 291 to the Commodore Barry Bridge.

**SUMMARY:**
- **Amount:** All costs paid by PennDOT and FHWA (Estimated at $52 million)
  - DRPA to be reimbursed $100,000 for construction inspection services
- **Source of Funds:** PennDOT, FHWA
- **Capital Project #:** N/A
- **Operating Budget:** N/A
- **Master Plan Status:** N/A
- **Other Fund Sources:** PennDOT, FHWA
- **Duration of Contract:** So long as Roadways Are Open
- **Other Parties Involved:** PennDOT, FHWA, City of Chester
RESOLUTION

RESOLVED: That the Board authorizes the Chief Executive Officer of the Authority to execute the agreement entitled “Construction, Jurisdiction & Maintenance Agreement by and between the Delaware River Port Authority and the Commonwealth of Pennsylvania Department of Transportation (Commodore Barry Bridge Approach Ramps) (I-95 & S.R. 291)”; and be it further

RESOLVED: That the Board authorizes the Authority to negotiate an exchange of highway or aerial easements or similar property interests with PennDOT for property located in the City of Chester, Pennsylvania at or near the Commodore Barry Bridge and generally identified in the schematic plan attached hereto as an Exhibit and the Board finds that such property interests being conveyed by the Authority to PennDOT are no longer needed for its public purposes; and be it further

RESOLVED: The Chair, Vice Chair and the Chief Executive Officer must approve and are hereby authorized to approve and execute all necessary agreements, contracts, or other documents on behalf of the Authority consistent with the intent and purpose of this Summary Statement and Resolution. If such agreements, contracts, or other documents have been approved by the Chair, Vice Chair and Chief Executive Officer and if thereafter either the Chair or Vice Chair is absent or unavailable, the remaining Officer may execute the said document(s) on behalf of the Authority along with the Chief Executive Officer. If both the Chair and Vice Chair are absent or unavailable, and if it is necessary to execute the said document(s) while they are absent or unavailable, then the Chief Executive Officer shall execute such documents on behalf of Authority.

SUMMARY: Amount: $100,000 reimbursed to DRPA
Source of Funds: $52 million; PennDOT, FWHA
Capital Project #: N/A
Operating Budget: N/A
Master Plan Status: N/A
Other Fund Sources: PennDOT, FWHA
Duration of Contract: So long as roadways are operational
Other Parties Involved: PennDOT, FHWA, City of Chester