SUMMARY STATEMENT

ITEM NO.: PATCO-13-001

SUBJECT: Right of Access and Related Agreements for Berlin Road (CR 702) Streetscape Improvements

COMMITTEE: Operations & Maintenance

COMMITTEE MEETING DATE: December 12, 2012

BOARD ACTION DATE: January 16, 2013

PROPOSAL: That the Board authorizes staff to negotiate and enter into appropriate real estate agreements permitting Borough of Lindenwold and its contractors, consultants, agents, employees and other representatives to access and utilize DRPA property in carrying out work for which the Borough of Lindenwold has received Federal Grant Assistance under the SAFETEA-LU Program, which agreements will confirm that the Borough of Lindenwold is fully responsible for all construction activities, including proper construction/installation of the Berlin Road (CR 702) Streetscape Improvement Project (hereinafter referred to as “Berlin Road Project”); that Borough of Lindenwold will be responsible for all obligations attendant to the control of the Berlin Road Project, including but not limited to, all sidewalk repairs and maintenance for new sidewalk, installed under the Berlin Road Project, all of the above as conditions to permitting access to and utilization of DRPA property. DRPA would not incur any cost and would not be exposed to additional liability under these agreements.

PURPOSE: To adopt a resolution authorizing staff to negotiate and enter into an agreement or agreements with Borough of Lindenwold and Camden County, under which the Borough of Lindenwold could contract for and carry out a construction improvement project that will require access to and use of DRPA property and authorizing staff to negotiate and enter into an agreement or agreements, which agreements will confirm that Borough of Lindenwold is fully responsible for all construction activities, including proper construction/installation of the handicap ramps and crosswalks at the intersection of New Road and Berlin Road (CR 702) owned by DRPA, that the Borough of Lindenwold will be responsible for all obligations attendant to the control of the improvements to the Berlin Road Project within the lands owned by DRPA, and that the Borough of Lindenwold will continue all maintenance of sidewalk and landscape improvements constructed under the Berlin Road project along the DRPA frontage.
BACKGROUND: The Borough of Lindenwold is a recipient of a SAFETEA-LU grant program for which funds were allocated to provide streetscape enhancements along Berlin Road (CR 702) between Gibbsboro Road and White Horse Road. The project is located entirely within the Camden County right-of-way with the exception of the proposed sidewalk improvements at New Road. Since New Road is privately owned by the DRPA, a right of entry agreement is required. The proposed improvements include updating the existing handicap ramps at the New Road and Berlin Road intersection to meet current ADA accessibility standards.

The plans propose a detectable warning surface at the northeast corner of the intersection since the existing ramp satisfies ADA slope requirements but not the detectable warning surface requirement. Detectable warning surfaces are also proposed at the southwest corner ramps since the existing utilities do not allow the construction of proper ADA ramps. The ramps at the northwest and southeast corners, which are partially located on DRPA property, are proposed to be removed and replaced to meet ADA requirements. As necessary, any depressed curb would be replaced to provide a flush transition from the pavement to the sidewalk. The crosswalk striping is also proposed to be removed and replaced.

Also, sidewalk is proposed to be installed along the PATCO frontage. It is not anticipated that any encroachment onto DRPA property will occur during construction. However, in the event that the contractor may need to utilize DRPA property, it is requested that a right of entry be granted for those activities as well. The Borough of Lindenwold shall continue maintenance of all Project streetscape improvements upon completion of the construction.

SUMMARY:

Amount: N/A
Source of Funds: N/A
Operating Budget: N/A
Capital Project #: N/A
Master Plan Status: N/A
Other Fund Sources: N/A
Duration of Contract: NTX Two Years from Date of Entry
Other Parties Involved: Borough of Lindenwold and Camden County
RESOLVED: That the Board of Commissioners of the Delaware River Port Authority authorizes staff to negotiate and enter into appropriate real estate agreements permitting Borough of Lindenwold and its contractors, consultants, agents, employees and other representatives to access and utilize DRPA property in carrying out work for which the Borough of Lindenwold has received Federal Grant Assistance under the SAFETEA-LU Program, which agreements will confirm that the Borough of Lindenwold is fully responsible for all construction activities, including proper construction/installation of the Berlin Road (CR 702) Streetscape Improvement Project (hereinafter referred to as “Berlin Road Project”); that Borough of Lindenwold will be responsible for all obligations attendant to the control of the Berlin Road Project, including but not limited to, all sidewalk repairs and maintenance for new sidewalk, installed under the Berlin Road Project, all of the above as conditions to permitting access to and utilization of DRPA property. DRPA would not incur any cost and would not be exposed to additional liability under these agreements; 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 DRPA. 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 DRPA 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 DRPA.

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