

**CONSTRUCTION & MAINTENANCE AGREEMENT/MUNICIPALITY**

**FEDERAL FUNDS**

by and between the

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

and the

CITY of CENTRAL FALLS

for

IMPROVEMENTS TO DEXTER STREET

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AGREEMENT entered into by and between the State of Rhode Island and Providence Plantations (the "STATE"), through its Department of Transportation and the City of Central Falls (the "MUNICIPALITY").

WHEREAS the STATE, in cooperation with the MUNICIPALITY, has selected the above-referenced Project in the City of Central Falls, specifically 1R Improvements to Dexter Street (further described in the attached Project Description and referred to as the "PROJECT"), for improvements under the provisions established by the Federal Transportation Acts and policy of the United States Department of Transportation, Federal Highway Administration, and

WHEREAS the STATE will accomplish said improvements with funds apportioned to the STATE under the Federal-Aid Highway Act, as amended and supplemented, and from other sources available for the purpose, subject, however, to various conditions including that the MUNICIPALITY shall provide for the proper maintenance after completion of the improvements.

NOW THEREFORE, the STATE and the MUNICIPALITY (the PARTIES) hereby agree as follows:

1. The STATE will advertise and award the PROJECT in conformance with 23 CFR Part 635 and the provisions of Title 37, Chapter 2 of the Rhode Island General Laws. Thereafter, the STATE shall issue a Notice to Proceed to its contractor (the "Contractor"), who will construct the improvements in accordance with the Plans and Specifications for the PROJECT.

2. After issuance of the Notice to Proceed to the Contractor, the MUNICIPALITY will allow the Contractor to enter onto its property, where applicable, for purposes of constructing the PROJECT.

3. Upon completion of the PROJECT, the MUNICIPALITY will:

(a) maintain and operate all signal equipment installed during construction of the PROJECT for the following locations:

- Location 1. Dexter Street & Hunt Street/West Hunt Street
- Location 2. Dexter Street & Cowden Street/Moore Street
- Location 3. Dexter Street & Summer Street/Mowry Street
- Location 4. Dexter Street & Cross Street

(b) conform to the latest edition of the Manual on Uniform Traffic Control Devices and Standards relative to all traffic control signals, flashing beacons, traffic islands, regulatory or warning signs, pavement markings, or other traffic control devices;

(c) maintain the trees and tree wells installed during construction of the PROJECT as requested by the MUNICIPALITY within the State Right-of-Way; and

4. All work performed under this PROJECT is subject to the approval and inspection of the STATE and Federal authorities in accordance with the provisions of the Federal-Aid Highway Acts and the regulations, as aforementioned, which are hereby made a part of this AGREEMENT by reference.


5. The MUNICIPALITY will use or allow the use of for transportation purposes only the space below a plane sixteen feet, four inches (16' - 4") above the existing grade of the highway or the minimum clearance plus four inches as approved by the STATE, except the space necessary for foundations, vertical support facilities and utility and mechanical systems. Any other space above and below the highway may be used for other than transportation purposes only with the approval of the State and Federal authorities and in accordance with the provisions of the Federal-Aid Highway Acts and the regulations adopted thereunder.

6. The STATE reserves the right to require the execution of an Agreement between the STATE and the MUNICIPALITY or a third party responsible for developing and operating the air space for any use of the space above and below the highway for other than transportation purposes and said Agreement shall be submitted to the FHWA for approval.

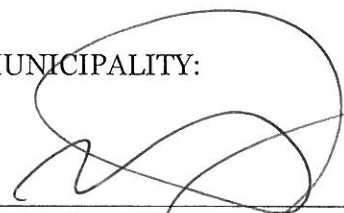
7. The Mayor will take all necessary steps to receive authority from the City Council to enter into and execute this AGREEMENT including, but not limited to, submission of this AGREEMENT to the City Council for ratification and submission of proof of such authority to the STATE prior to project advertisement.

IN WITNESS WHEREOF, the PARTIES have caused this AGREEMENT to be executed by their duly authorized officials as of the date last written below.

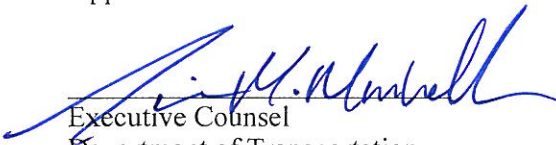
Recommended for Approval:  
DEPARTMENT OF TRANSPORTATION:

  
Chief Engineer Kazem Farhoumand, P.E.  
Department of Transportation  
Date: 6/4/14

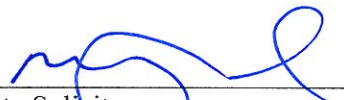
MUNICIPALITY:

  
Mayor James Diosa  
City of Central Falls  
Date: 6/30/2014

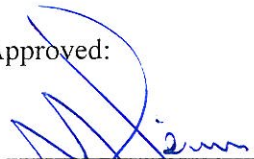
Approved as to form:

  
Executive Counsel  
Department of Transportation  
Date: 6/4/2014

Approved as to form:

  
City Solicitor  
City of Central Falls  
Date: 7-1-14

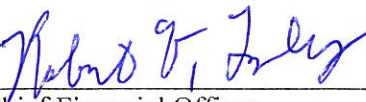
Approved:

  
Director Michael P. Lewis  
Department of Transportation  
Date: 6/12/14


Examined and Approval:

N/A  
Division Administrator  
U.S. Department of Transportation  
Federal Highway Administration  
Date: \_\_\_\_\_

Approved:

  
Chief Financial Officer  
Department of Transportation  
Date: 6-6-14

Reviewed per the F.S.A.

  
Leonard Morgan, AFO  
Administration & Finance Officer  
City of Central Falls  
7/1/14

## PROJECT DESCRIPTION

The project, located in the City of Central Falls, Providence County, Rhode Island is for the Improvements to Dexter Street. The work under the contract includes, but is not limited to micro milling asphalt pavement and placing new bituminous surface course, replacement of the existing sidewalk and curb, ADA improvements, upgrades to the existing signal equipment, minor improvements to the existing drainage system, and the installation of new roadway signs and pavement markings. Also included in this project are repairs to Bridge #935, which will include the replacement of existing pavement and waterproofing membrane, repairs to the concrete backwalls, installation of new asphaltic-plug joints, replacement of the sidewalk joint sealant, and repairs to the concrete bridge sidewalks.