

CITY OF BETHLEHEM

DEPARTMENT OF PUBLIC WORKS INTEROFFICE MEMORANDUM

TO: Robert J. Donchez, President of Council
FROM: Michael Alkhal, P.E., Director of Public Works/City Engineer
RE: Utility Relocation Reimbursement Request
S.R. 378 Section RMP
DATE: November 18, 2009

Enclosed please find the Utility Relocation Reimbursement Request for the referenced project. This is a request for reimbursement of the costs to relocate the City's water facilities in connection with the S.R. 378 Section RMP project (part of the overall Route 412 Improvement project). If the request is approved, the City will be required to reimburse Penn DOT 50% of the total estimated cost of \$102,410.00.

The Pennsylvania Department of Transportation (Penn DOT) requires a resolution authorizing the Mayor and the City to make the request for reimbursement and subsequently enter into an agreement. Hence, we are requesting the appropriate resolution be considered by Council.

For your reference, a copy of a suggested resolution and Request for Reimbursement are attached. By copy of this memorandum, I am advising the Law Bureau of this Request for Reimbursement and requesting its review as may be appropriate.

If you have any further questions, please let me know.

MA/mob

Enclosures

cc: D. Brong
M. Dorner
L. Mika
C. Newswanger
J. Kelly, Law Bureau
File

By: 
Title: Public Works Director/City Engineer



CITY OF BETHLEHEM

10 East Church Street, Bethlehem, Pennsylvania 18018-6025

Date

Mr. Michael Rebert, District Executive
PA Department of Transportation
Engineering District 5
Allentown, PA

Northampton County
RE: S.R. 378
Section RMP
Cost Sharing Request

ATTN: Utility Relocation

Dear Sir or Madam:

This correspondence is submitted in accordance with Chapter 3.2 of Design Manual Part 5, Utility Relocation, for referral to the Secretary of Transportation.

The proposed Highway Improvement Project of State Route 378, Section RMP, located in the City of Bethlehem in Northampton County requires the relocation and/or adjustment of certain water facilities owned by the City of Bethlehem, which are presently located in public right-of-way.

It is understood that the cost of relocating and/or adjusting our facilities in public right-of-way are normally at our cost and expense, but that under the provisions of Section 412.1 of the Act of June 1, 1945, P.L. 1242, as amended (36 P.S. 670-412.1), the Secretary of Transportation may determine that the Department will share in such cost.

Accordingly, it is hereby requested that the Department of Transportation share in the costs of the relocation and/or adjustment of our water facilities, the total cost of which is estimated to be \$102,410.

The City of Bethlehem hereby offers to pay \$51,205 (50 %) per centum of the actual cost to relocate and/or adjust our water facilities presently located in public right-of-way, which is estimated to be \$51,205, provided the Department of Transportation will share in the balance of the actual cost thereof, less any betterments.

The City of Bethlehem hereby certifies that the forgoing offer is based on the City of Bethlehem's ability to pay with available uncommitted funds and that this request is substantiated by our attached summary justification.

If the Secretary of Transportation accepts our offer and determines that the Department will share in the said costs as above stated, the City of Bethlehem hereby agrees to enter into and execute an Agreement prepared by the Department of Transportation with such terms and conditions as the Secretary may deem necessary and advisable.

Attached hereto and made a part hereof is an executed resolution authorizing the Mayor to make the within offer.

(SEAL)

The City of Bethlehem

ATTEST: _____
Controller

BY: _____
Mayor

RESOLUTION NO.

BE IT RESOLVED by the Council of the City of Bethlehem that in accordance with the requirements of the Pennsylvania Department of Transportation Design Manual - Part 5, Chapter 3.2, the Council of the City of Bethlehem does hereby authorize the submission of the attached request for the Pennsylvania Department of Transportation to provide a fixed per centum reimbursement to the City of Bethlehem for all costs incurred in relocating our water facilities located in public right of way and affected by S.R. 378 Section RMP necessitated by the Pennsylvania Department of Transportation Highway Improvement in Northampton County.

Also the mayor of said Municipality be authorized and directed to sign a Utility Reimbursement Agreement on its behalf and that the Controller be authorized and directed to attest the Mayor's signature on the Utility Reimbursement Agreement for this highway project.

Sponsored by /s/ _____

/s/ _____

ADOPTED by Council this day of , 2009.

/s/ Robert J. Donchez

President of Council

ATTEST:

/s/ Cynthia H. Biedenkopf
City Clerk