



CITY COUNCIL
ATLANTA, GEORGIA

A RESOLUTION

BY: CITY UTILITIES COMMITTEE

02- R -0731

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LOCAL ASSISTANCE ROAD PROGRAM AGREEMENT FOR PROJECT NO. PR 8531-86 (089), FOR THE PURPOSE OF RESURFACING CITY STREETS, AND FOR OTHER PURPOSES:

WHEREAS, the Georgia Department of Transportation has agreed to resurface one streets, 1.290 miles of roadway in the City of Atlanta in connection with the Local Assistance Road Program and has presented two agreements for execution by the City of Atlanta, and it is deemed beneficial to the City of Atlanta to participate in this program; and

WHEREAS, Project PR 8531-86 (089) will benefit citizens in certain City Council Districts within the City of Atlanta, County of Fulton.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA that the Mayor be and is hereby authorized to execute a Local Assistance Road Program Agreement for Project PR 8531-86 (089), in substantially the form attached hereto, Exhibit "A", for the purpose of resurfacing the following street, and for other purposes:

1. **Oakdale Road**, NE from Dekalb Av to City Limits

BE IT FURTHER RESOLVED that a description of Project PR 8531-86 (089) is attached hereto as Exhibit "B".

BE IT FINALLY RESOLVED that the City of Atlanta shall incur no liability under these agreements until same has been executed by the Georgia Department of Transportation.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, OMC

ADOPTED by the Council
APPROVED by the Mayor

MAY 20, 2002
MAY 28, 2002

**DEPARTMENT OF TRANSPORTATION
CITY RIGHT OF WAY AGREEMENT**

STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF ATLANTA

The DEPARTMENT will assist the CITY in constructing a project for the improvement of 1.29 Miles of resurfacing on one street in Atlanta as per attached sketch and designated as Project Number PR 8531-86 (089), hereinafter referred to as the "Project", a complete plan of said project is on file at the appropriate District Office of the Department of Transportation, on which reference is hereby made for all purposes;

Therefore, in consideration of the mutual benefit to the parties derived from the construction, installation and operation of said improvements, the CITY agrees as follows:

The CITY agrees to furnish, at no expense to the Department of Transportation, good and sufficient title, to provide Right of Way, necessary for the proper construction and maintenance of the above named project in accordance with pertinent agreements and regulations, according to the plans prepared by the DEPARTMENT, including any drainage deemed necessary by the Department or it's engineers, within the limits of said CITY.

The CITY agrees to provide for it's proper maintenance after completion of said improvements, and will make ample provisions each year for such maintenance.

The CITY agrees that when the above numbered project is advertised for letting, the CITY will arrange with various utility owners to place underground facilities that are approved to remain under the pavement in a satisfactory state of repair except where this phase of work is covered by separate agreements.

The CITY further agrees to assume responsibility for and cooperate with the Utility Owners in the moving, setting back, replacing or lowering of all customer's service connections, including gas lines, telephone lines, electric power lines, water mains and sanitary sewer connections to clear construction by one foot whether such facilities are publicly or privately owned except where this phase is covered by separate agreement. Additionally, the CITY will require stubs and headers to be installed to avoid future cutting of the pavement.

It is further agreed that after construction is completed on off-system projects, no new or additional utilities facilities will be allowed to encroach on the rights of way for this project except under permit issued by the CITY in accordance with the policies of the Department of Transportation, with special emphasis on the Department's prohibition on pavement cuts in new and widened roadways.

The CITY agrees to remove any existing structures or obstructions as provided in pertinent agreements, prior to advertisement for letting and to prevent any future encroachments upon the right of way limits of said roadway not covered by permits duly issued by the Department or the CITY; and furthermore agrees, obligates and binds itself in accordance with Title 40 of the Georgia Code that it will not pass any laws, rules, regulations or ordinances which penalize, hinder or otherwise obstruct the free movement of vehicular traffic on said roadway, including angle parking, nor erect any traffic signals, towers or lights on the said right of way without written consent of the DEPARTMENT.

The CITY agrees that prior to, during and after completion of the construction of the above named Project, the CITY shall defend and hold harmless the Department of Transportation for any liability for direct or consequential damages resulting from personal injury, property damages, or inverse condemnation, except for that which is the result of the sole negligence of the Department of Transportation. After completion and final acceptance by the Department, of the Project, the CITY assumes complete ownership, control, and responsibility, including any liability for the above named Project.

This Agreement is made and entered into in Dekalb County, Georgia, and shall be governed and construed under the Laws of the State of Georgia.

This the ____ day of _____, 2002.

Shirley Franklin Mayor

STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF ATLANTA

I, _____, as Clerk of said City, do hereby certify that I am custodian of the books and records of the same, and that the above and foregoing copy of the original is now on file in my office, and that the Mayor of the City was authorized and directed to execute the same for and in behalf of said City.

Witness my hand and official signature, this ____ day of _____, 2002.

City Clerk

STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF ATLANTA

This is to certify, that in my opinion, the dedication of the streets named and described above is complete.

City Attorney Date

Roads/Streets in: DEKALB
1 Road Name...: OAKDALE RD
Co. Rd. No...: CS
Beginning At: DEKALB AVE
Ending At...: CITY LIMIT

/ ATLANTA

Length: 1.290MI 32
Width(FT): 30 26

Required Striping: Center, Lane (S)

Project Number: PR 8531-86 (089)

Proposed Construction: Superpave Design Lev B
SP# 9.5MM@125#
ASP LEVS

NOTE: Pavement markings as noted in the LARP PROJECT REPORT sheet(s) or typical section sheet(s) of this contract will be required. Center line, edge line and lane lines, unless listed as REQUIRED STRIPING in the LARP PROJECT REPORT sheet(s) of this contract will not be required. All other existing pavement markings (school zone, railroad, stopbar, symbol, words, etc.) shall be replaced as per section 150.

NOTE: On projects with low or soft shoulders, the Contractor shall erect immediately ahead of construction operations LOW/SOFT SHOULDER warning signs at the project termini and at intervals not to exceed one mile.

Where the Contractor is not responsible for shoulder construction, the Local Government or other will furnish LOW/SOFT SHOULDER warning signs to the Contractor to pick up, transport, erect and maintain until the resurfacing of the project is completed. At such time, the Local Government shall maintain the signs until the shoulder is brought to proper grade. The Local Government will remove the signs.

NOTE: The cost of complying with these requirements will not be paid for separately, but shall be included in the overall bid submitted under the item, LUMP SUM TRAFFIC CONTROL.

Channelization devices for use on shoulders will not be required except at the areas designated by log mile. Steady burn lights will not be required on channelization devices used on the shoulders for this project.

NOTE: Superpave Mix Design Level shall be as noted in the LARP PROJECT REPORT Sheet(s) or typical section sheet(s) of this contract.

NOTE: Temporary striping is required in accordance with Section 150.04 of the Georgia Specifications. Placement of permanent pavement markings (those for which a pay item is included in the contract, Item 652) shall be delayed for a period of 30 days minimum after placement of the final surface course on each roadway.

Local Assistance Road Program (LARP)

The following is a list of street resurfacing projects approved by the Georgia Department of Transportation for inclusion into the 2002 LARP Program.

Street Name	Quad	Beginning At	Ending At	Council Districts Impacted
PR 8532-86 (089)				
OAKDALE ROAD	NE	DEKALB AV	CITY LIMITS	6

RCS# 3731
5/20/02
2:33 PM

Atlanta City Council

Regular Session

CONSENT I PGS. 1-15: Except 02-O-0852; 02-R-0729

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
NV Young	Y Shook	Y Maddox	B Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

CONSENT AGENDA MAY 20, 2002

ITEMS ADOPTED ON THE
CONSENT AGENDA

02-R-0813 02-R-0753
02-R-0812 02-R-0754
02-R-0807 02-R-0755
02-R-0805 02-R-0756
02-R-0721 02-R-0757
02-R-0504 02-R-0758
02-R-0808 02-R-0759
02-R-0708 02-R-0760
02-R-0707 02-R-0761
02-R-0882
02-R-0881
02-R-0809
02-R-0798
02-R-0797
02-R-0732
02-R-0706
02-R-0724
02-R-0802
02-R-0888
02-R-0887
02-R-0733
02-R-0731
02-R-0728
02-R-0727
02-O-0846
02-O-0830
02-O-0703
02-O-0699
02-O-0671
02-O-0606
02-O-0605
02-O-0833
02-O-0601
02-O-0488
02-O-0836
02-O-0845
02-O-0844
02-O-0843
02-O-0835
02-O-0834
02-O-0603
02-R-0735
02-R-0752

ITEMS ADVERSED ON THE
CONSENT AGENDA

02-R-0762
02-R-0763
02-R-0764
02-R-0765
02-R-0766
02-R-0767
02-R-0768
02-R-0769
02-R-0770
02-R-0771
02-R-0772
02-R-0773
02-R-0774
02-R-0775
02-R-0776
02-R-0777
02-R-0778
02-R-0779
02-R-0780
02-R-0781
02-R-0782
02-R-0783
02-R-0784
02-R-0785
02-R-0786
02-R-0787
02-R-0788
02-R-0789
02-R-0790
02-R-0792
02-R-0793
02-R-0794
02-R-0795
02-R-0796

02-R-0731

(Do Not Write Above This Line)

A RESOLUTION

BY: CITY UTILITIES COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LOCAL ASSISTANCE ROAD PROGRAM AGREEMENT FOR PROJECT NO. PR 8531-86 (089), FOR THE PURPOSE OF RESURFACING CITY STREETS, AND FOR OTHER PURPOSES:

- 1. Oakdale Road, NE from Dekalb Av to City limits.

ADOPTED BY MAY 20 2002 COUNCIL

- CONSENT REFER
REGULAR REPORT REFER
ADVERTISE & REFER
1st ADOPT 2nd READ & REFER
PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee
Date
Chair
Referred to

Committee: City Utilities
Date: May 15, 2002
Chair: Blair Muller
Action: Fav, Adv, Hold (see rev. side)
Members: [Signatures]

Committee
Date
Chair
Action: Fav, Adv, Hold (see rev. side)
Members
Refer To

FINAL COUNCIL ACTION
2nd
1st & 2nd
3rd
Consent
V Vote
RC Vote

CERTIFIED

CERTIFIED MAY 20 2002
ATLANTA CITY COUNCIL PRESIDENT
Catherine W. Woodard

CERTIFIED MAY 20 2002
MUNICIPAL CLERK

APPROVED MAY 28 2002
MAYOR'S ACTION
Mayor's Signature