



**CITY OF ALLENTOWN**

No. \_\_\_\_\_

**RESOLUTION**

**R132 - 2023**

***Introduced by the Administration on August 2, 2023***

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**Authorization for Contract with Norfolk Southern Railway to provide preliminary engineering services.**

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***Resolved by the Council of the City of Allentown, That***

**WHEREAS**, Article 130.16 of the City's Administrative Code requires City Council approval by Resolution for the award of contracts or engagement of professional services.

**WHEREAS**, it is the desire of the City of Allentown to enter into an agreement of the following contractor more fully described herein:

1. Name of Contractor/Consultant: Norfolk Southern Railway Company.
2. Project or Contract Reference: Norfolk Southern Reimbursement.
3. Description of Services to be provided: - This is an agreement to reimburse Norfolk Southern for their preliminary engineering services. The City holds an escrow from a developer to pay for these costs. Developer (WIP Allentown Development, LLC) has obtained a conditional approval from the City of Allentown Planning Commission to redevelop the property on and around 1901 S. 12<sup>th</sup> Street. The project is also investigating a possible pedestrian crossing that crosses over the existing Norfolk Southern right-of-way.

**NOW THEREFORE, BE IT RESOLVED** that the Council of the City of Allentown hereby authorizes the Mayor and/or such other City official as deemed appropriate by the City Solicitor, to sign and execute a Contract or Amendment and such other agreements and documents as are deemed by the City Solicitor to be necessary and/or related thereto, with the above-named contractor/consultant, for the project identified.

## Legislative Template

- What department or bureau is this bill originating from? Where did the initiative for the bill originate?

Public Works - Engineering

- Summary and facts of the bill.

The purpose of this bill is to authorize the Mayor to enter into a preliminary engineering services agreement with Norfolk Southern Railway Company. The Developer (WIP Allentown Development, LLC) has obtained a conditional approval from the City of Allentown Planning Commission to redevelop the property at 1901 S. 12<sup>th</sup> Street. The proposed project is to investigate a possible pedestrian crossing that crosses over the existing Norfolk Southern right-of-way.

On 6/9/23, the City executed an escrow agreement (Ordinance No. 15901, Bill No. 30-23) through which the developer agreed to reimburse the City for all costs and fees that Norfolk Southern charges to the City relative to all work in the right-of-way.

- Purpose – Please include the following in your explanation:
  - a. What does the bill do? What are the specific goals or tasks the bill seeks to accomplish?

This bill authorizes the Mayor to enter into a preliminary engineering services agreement with Norfolk Southern Railway Company.

- b. What are the benefits of doing this? What are the drawbacks?

This bill is necessary to authorize the City to enter into this agreement for preliminary engineering services pursuant to Resolution.

- c. How does this bill relate to the City's vision/mission/priorities?

- Financial Impact – Please include the following in your explanation:
  - a. Cost (initial and ongoing)

There is no cost to this agreement. A previous escrow account was set up with Bill No. 30-2023 to reimburse the City for all costs and fees Norfolk Southern charges to the City relative to all work in the right-of-way.

- Funding Sources – Please include the following in your explanation:
  - a. If transferring funds, please make sure to give specific account names and numbers. If appropriating funds from a grant, please list the agency awarding the grant.

n/a

- Priority status – Are there any deadlines to be aware of?

n/a

- Why should Council unanimously support this bill?

This bill would authorize the Mayor to enter into a preliminary engineering services agreement with Norfolk Southern Railway Company.