

City of Philadelphia



(Bill No. 010661)

AN ORDINANCE

Authorizing National Railroad Passenger Corporation, 60 Massachusetts Avenue, Washington D.C. 2002, owner of the property on the north side and the south side of the 2900 block of Arch Street, Philadelphia, PA 19104, its successors and assigns to construct, own and maintain a pedestrian bridge and vertical transportation structure on, over and below the Arch street public right-of-way adjacent to 30th Street Station, under certain terms and conditions.

WHEREAS, National Railroad Passenger Corporation, also known as AMTRAK, is the owner of property on the north side and the south side of the 2900 block of Arch street and is constructing a multi-level parking facility on the north of Arch street; and

WHEREAS, AMTRAK has requested permission to construct, own and maintain a pedestrian bridge and a vertical transportation structure on, over and below the Arch street public right-of-way to connect its proposed multi-level parking facility on the north side of the 2900 block of Arch street with 30th Street Station on the south side of the 2900 block of Arch street; now, therefore,

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. AMTRAK, its successors and assigns, is hereby authorized to construct, own and maintain the following structures:

(a) a three (3) span, glass enclosed steel pedestrian bridge on proposed piers for pedestrian ingress and egress between the north side of the 2900 block of Arch street and a multi-level parking garage and the 30th Street Station on the south side of the same block. The pedestrian bridge with piers will be constructed over, on and below the one hundred-foot (100') wide public right-of-way of the 2900 block of Arch street. The pedestrian bridge is approximately twenty-nine feet (29') wide and the centerline is located approximately one hundred and nine feet (109') east of the east right-of-way line of Thirtieth street.

The center span is approximately eighty-five feet (85') long with the centerline of the south pier located in the Arch street right-of-way at a point approximately seventeen feet, six inches (17'-6") north of the south right-of-way line of Arch street and the centerline of the north pier located approximately two feet, six inches (2'-6") north of the north right-of-way line of Arch street within property owned by AMTRAK.

City of Philadelphia

BILL NO. 010661 continued

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The south approach span extends from the north fascia wall of the AMTRAK Thirtieth street building across AMTRAK property and the south right-of-way line of Arch street to the south pier.

The north approach span extends on AMTRAK property from the north pier to a revolving stairwell structure in the Arch street right-of-way.

The minimum vertical clearance above the Arch street cartway and the underside of the pedestrian bridge is sixteen feet, six inches (16'-6").

The minimum vertical clearance above the Arch street curb and staircase structure near the south end of the center span is thirteen feet, six inches (13'-6").

(b) one (1) vertical transportation structure, consisting of an elevator and revolving staircase connected to the west fascia of the pedestrian bridge. The structure encroaches into the Arch street right-of-way a maximum distance of approximately twenty feet (20'). The structure is approximately seventeen feet, six inches (17'-6") wide with the east face of the structure located approximately seventy-seven feet (77') east of the east right-of-way line of Thirtieth street.

SECTION 2. The construction use and maintenance of the pedestrian bridge and the vertical transportation structure listed in Section 1 shall be in accordance with the laws, rules and regulations of the City of Philadelphia, and specifically those of the Department of Licenses and Inspections and the Department of Streets.

SECTION 3. Before exercising any rights or privileges under this Ordinance, AMTRAK must first obtain or have their contractor(s) obtain all required permits, licenses and approvals from all appropriate departments, boards, agencies or commissions. No such department, board, agency or commission shall be required to issue any such permit, license or approval solely because this Ordinance has been enacted, it being the express intent of this Ordinance not to supersede any other provision of law governing the issuance of such permits, licenses or approvals. In addition, before exercising any rights and privileges under this Ordinance, AMTRAK shall enter into an agreement ("Agreement") with the appropriate City department or departments, in a form satisfactory to the City Solicitor, to provide that AMTRAK shall, *inter alia*:

- (a) agree that upon one hundred and eighty (180) days notice from the City, it shall remove the pedestrian bridge and the vertical transportation structure without cost or expense to the City and shall restore the cartway and footways of Arch street at no cost and expense to the City of Philadelphia when given written notice to do so by the City of Philadelphia to accommodate a municipal or municipal sponsored construction project;

City of Philadelphia

BILL NO. 010661 continued

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- (b) furnish the City with either a bond with corporate surety in an amount required by the Department of Streets and in a form satisfactory to the City Solicitor to insure the compliance with all the terms and conditions of this Ordinance and the Agreement, and to protect and indemnify the City from and against all damages or claims for damages which may arise directly or indirectly as a result of the construction, maintenance or use of the pedestrian bridge and vertical transportation structure or its removal, or in lieu thereof, submit documentation in a form and content acceptable to the City that AMTRAK self-assumes liabilities and obligations normally covered by Surety Bond;
- (c) secure all necessary permits, licenses and approvals from all appropriate departments, agencies, boards or commissions of the City as may be required by regulation or law. No such department, board, agency or commission shall be required to issue any such permit, license or approval solely because this Ordinance has been enacted;
- (d) assume the costs of all changes and adjustments to, and relocation or abandonment of City utilities and City structures wherever located as may be necessary by the reason of the construction of the pedestrian bridge and vertical transportation structure;
- (e) carry public liability and property damage insurance, co-naming the City of Philadelphia as an insured party, in such amounts as shall be satisfactory to the City Solicitor, or in lieu thereof, submit documentation in form and content acceptable to the City that AMTRAK is self insured and is providing the City of Philadelphia the same coverage and benefits had the insurance requirements been satisfied by an insurance carrier authorized to do business in the Commonwealth of Pennsylvania;
- (f) insure that all construction contractors for the pedestrian bridge and vertical transportation structure carry public liability and property damage insurance, naming the City of Philadelphia as an insured party in such amounts as shall be reasonably satisfactory to the City Solicitor;
- (g) give the City and all public utility companies the right of access, ingress and egress for the purpose of inspection, maintenance, alteration, relocation or reconstruction of any of their respective facilities which may lie within the public right-of-way of the 2900 block of Arch street; and

SECTION 4. The City Solicitor shall include in the Agreement such other terms and conditions as shall be deemed necessary to protect the interests of the City.

City of Philadelphia

BILL NO. 010661 continued

Certified Copy

SECTION 5. The permission granted to AMTRAK to construct, own and maintain the pedestrian bridge and vertical transportation structure described in Section 1 shall expire without any further action by the City of Philadelphia if National Railroad Passenger Corporation has not entered into an Agreement and satisfied all requirements of the Agreement that are listed in Section 3 of this Ordinance within one (1) year after this Ordinance becomes law.

SECTION 6. This Ordinance shall not become effective unless the sum of two hundred dollars (\$200.00), toward the costs thereof, is paid into the City Treasury within sixty (60) days after this Ordinance becomes law.

City of Philadelphia

BILL NO. 010661 continued

Certified Copy

City of Philadelphia

BILL NO. 010661 continued

Certified Copy

CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on December 20, 2001. The Bill was Signed by the Mayor on December 28, 2001.



Marie B. Hauser
Chief Clerk of the City Council