

Legislation Text

File #: 060395, **Version:** 0

Authorizing the United States Department of the Treasury, United States Mint, 151 North Independence Mall East, Philadelphia, PA 19106, its successors and assigns, to construct, own and maintain anti-terrorist bollards and planters at the visitors entrance on the east public sidewalk on North Independence Mall East north of Arch Street, and the construction of anti-terrorist bollards at two garage door entrances on the south public sidewalk of Race Street, under certain terms and conditions.

WHEREAS, the United States of America acting by and through its Department of the Treasury, United States Mint, is the owner of property located at 151 North Independence Mall East, Philadelphia, PA, 19106; and

WHEREAS, the United States Mint has requested permission to construct, own and maintain anti-terrorist bollards and planters at the visitors entrance on the east public sidewalk on North Independence Mall East (formerly N. 5th Street) north of Arch Street, and the construction of anti-terrorist bollards at two (2) garage door entrances on the south public sidewalk of Race Street; now, therefore

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. The United States Mint, its successors and assigns, is hereby authorized to construct, own and maintain anti-terrorist bollards and planters at the visitors entrance on the east public sidewalk on North Independence Mall East (formerly N. 5th Street) north of Arch Street, and the construction of anti-terrorist bollards at two (2) garage door entrances on the south public sidewalk of Race Street:

Visitors Entrance - East Sidewalk of N. Independence Mall East

Planters

Two (2) precast concrete planters, approximately four feet (4') long by two feet (2') wide by three feet one inches (3'-1") high, are located approximately sixteen feet six inches (16'-6") east of the east curbline of N. Independence Mall East (former N. 5th Street), from the face of curb to the west face of the planter. The centerline of each planter is located approximately one hundred and one feet nine inches (101'-9") north of the north curbline of Arch Street and one hundred and fifty-four feet one inch (154'-1") north of the north curbline of Arch Street respectively.

Anti-Terrorist Bollards

Sixteen (16) hydraulically retractable stainless steel bollards, approximately two feet six inches (2'-6") high by six inch (6") diameter, are located approximately fourteen feet six inches (14'-6") east of the east curbline of N. Independence Mall East (former N. 5th Street), from the centerline of the bollard to the face of curb. The bollards are spaced approximately three feet four inches (3'-4") on center. The centerline of the southernmost and northernmost bollards are located approximately one hundred and two feet nine inches (102'-9") north of the north curbline of Arch Street and one hundred and fifty-three feet one inch (153'-1") north of the north curbline of Arch Street, respectively.

The bollards are mounted upon and retract into a reinforced concrete footing. The footing is approximately four feet (4') wide by four feet six inches (4'-6") thick by fifty-four feet four inches (54'-4") long. The south edge of

the footing is located approximately one hundred feet nine inches (100'-9") north of the north curbline of Arch Street; the west edge of the footing is located approximately twelve feet six inches (12'-6") east of the east curbline of N. Independence Mall East (former N. 5th Street).

Garage Entrances - South Sidewalk of Race Street

Anti-Terrorist Bollards

A total of twelve (12) hydraulically retractable stainless steel bollards (six (6) per garage location), approximately two feet six inches (2'-6") high by six inch (6") diameter, are located approximately ten feet (10') south of the south curbline of Race Street, from the centerline of the bollard to the face of curb. The bollards are spaced approximately three feet six inches (3'-6") on center. The centerlines of the westernmost and easternmost bollards, respectively, at the west garage location, are located as follows: approximately ninety-two feet six inches (92'-6") east of the east curbline of N. Independence Mall East (former N. 5th Street) and one hundred and nine feet ten inches (109'-10") east of the east curbline of N. Independence Mall East (former N. 5th Street). The centerline of the easternmost and westernmost bollard, at the east garage location, are located as follows: approximately one hundred and forty feet three inches (140'-3") west of the west curbline of N. 4th Street and approximately one hundred and fifty-seven feet seven inches (157'-7") west of the west curbline of N. 4th Street.

The bollards are mounted upon and retract into a reinforced concrete footing at each location. The footing is approximately four feet (4') wide by four feet six inches (4'-6") thick by twenty-one feet four inches (21'-4") long. The north edge of both footings is located approximately eight feet (8') south of the south curbline of Race Street. The outside edges of the footings are as follows: approximately ninety feet six inches (90'-6") east of the east curbline of N. Independence Mall East (former N. 5th Street) and one hundred and eleven feet ten inches (111'-10") east of the east curbline of N. Independence Mall East (former N. 5th Street); approximately one hundred and thirty-eight feet three inches (138'-3") west of the west curbline of N. 4th Street and approximately one hundred and fifty-nine feet seven inches (159'-7") west of the west curbline of N. 4th Street.

SECTION 2. The construction, use and maintenance of anti-terrorist bollards and planters 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, the Department of Streets and the Art Commission.

SECTION 3. Before exercising any rights or privileges under this Ordinance, the United States Mint 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, the United States Mint shall enter into an agreement ("Agreement") with the appropriate City department or departments, in a form satisfactory to the Law Department, to provide that the United States Mint shall, *inter alia*:

- (a) agree that upon one hundred and eighty (180) days notice from the City, it shall remove the anti-terrorist bollards and planters without cost or expense to the City and shall restore the cartway and footways of North Independence Mall East north of Arch Street and south public sidewalk of Race 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;
- (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 Law Department 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 anti-terrorist bollards and planters or their removal, or in lieu thereof, submit documentation in a form and content acceptable to the City that the United States Mint 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 anti-terrorist bollards and planters;
- (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 Law Department, or in lieu thereof, submit documentation in form and content acceptable to the City that the United States Mint 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 anti-terrorist bollards and planters 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 Law Department; and
- (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 North Independence Mall East north of Arch Street and the south public sidewalk of Race Street.

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

SECTION 5. The permission granted to the United States Mint to construct, own and maintain the anti-terrorist bollards and planters described in Section 1 shall expire without any further action by the City of Philadelphia if the United States Mint 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.