

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: May 9, 2023

## Item Details

Presenter(s): Russell H. Dalton, PE, Traffic Engineering Manager

Department(s): Transportation & Infrastructure Development

### Requested Motion

Motion to approve an Agreement with NCDOT for review and inspection of traffic signal modifications proposed by the Town of Apex at the intersection of Salem Street and Chatham Street in the Salem Streetscape project, and to authorize the Town Manager to execute the agreement on behalf of the Town.

### Approval Recommended?

Yes

### Item Details

This agreement is required by NCDOT for their review and inspection of traffic signal modifications at the intersection of Salem Street and Chatham Street as planned in the Salem Streetscape project currently in final design. These modifications include adjustments to the existing wood pole traffic signal to accommodate expanded sidewalk and ramps which will affect intersection geometry and location of pedestrian signal equipment. Once the project is complete and the traffic signal work is accepted by NCDOT, the signal will continue to be maintained by NCDOT.

The agreement requires a \$5000.00 deposit payable to NCDOT. NCDOT staff time will be billed against the deposit. In the event the entire deposit is not used NCDOT will reimburse the unused amount. In the event their internal billing exceeds \$5,000.00, NCDOT will invoice Apex for the additional amount. Based on the experience of the Town's design consultant, NCDOT actual billing rarely exceeds \$2,500.00 for this type of agreement.

This agreement includes a requirement for the Town to indemnify NCDOT for damages to property arising out of the project. The Town is also indemnifying NCDOT for damages arising out of right-of-way and easement acquisition, neither of which are expected to be necessary to complete this project. NCDOT is unlikely to remove the indemnity and the Town Attorney is happy to answer any questions council may have concerning the indemnity.

Attachments

- CN1-A1: NCDOT Review and Inspection Agreement

