

COMMUNITY DEVELOPMENT AUTHORITY OF THE CITY OF MADISON, WISCONSIN

Resolution No. 2965

Authorizing the extension of and amendments to the Property Management Agreement executed between the CDA and Siegel-Gallagher Management Company for the provision of property management services for The Villager

Presented August 12, 2010
Referred _____
Reported Back _____
Adopted August 12, 2010
Placed on File _____
Moved By Gregg Shimanski
Seconded By Alice Fike
Yeas 4 Nays 0 Absent 3
Rules Suspended _____

PREAMBLE

The Community Development Authority of the City of Madison (the "CDA") has authorized (Resolution No.2636) and executed a Property Management Agreement (the "Agreement") with Siegel-Gallagher Property Management Company ("S-G") for the provision of property management services for The Villager. The Agreement provides an initial term of four (4) years commencing on March 17, 2005 and expiring on March 18, 2009 with five (5) subsequent one (1) year renewal terms upon written agreement of the parties. This resolution will authorize a Seventh Amendment to the Agreement that will extend the term of the Agreement for a three (3)-year period, provide for a three (3)-year renewal term upon written agreement of the parties, increase the management fee, add a preconstruction management fee for projects that do not proceed to completion, and increase the reimbursement rates for the Technical Services and Maintenance Services fees.

NOW THEREFORE BE IT RESOLVED that the Community Development Authority of the City of Madison (the "CDA") hereby authorizes amendments to the Property Management Agreement (the "Agreement") executed between the CDA and Siegel-Gallagher Property Management Company, dated March 17, 2005 and as later amended, as follows:

1. The term of the Agreement shall be extended for a three-year period, commencing as of March 19, 2010, and expiring on March 18, 2013.
2. The term of the Agreement may be renewed upon the same terms for one (1) subsequent three (3)-year term upon the written agreement of the parties.
3. The management fee shall increase from the current rate (the greater of a fixed fee of \$3,200 or 3.5% of gross receipts per month) to the greater of a fixed fee of \$3,200 or 4% of gross receipts per month.
4. The Manager shall receive compensation of \$95.00 per hour for time incurred by the Manager for preconstruction management services performed after May 31, 2010 related to capital or tenant improvement projects that do not proceed to completion.
5. Effective March 19, 2010, the reimbursement rate for "Technical Services" shall increase from \$65 per hour to \$75 per hour. The reimbursement rate for "Technical Services" may be further increased in the future upon written approval by the CDA.
6. Effective March 19, 2010, the reimbursement rate for "Maintenance Services" shall increase from \$47 per hour to \$52 per hour. The reimbursement rate for "Maintenance Services" may be further increased in the future upon written approval by the CDA.

BE IT STILL FURTHER RESOLVED that all other provisions of the Agreement shall remain unchanged and in full force and effect.

BE IT STILL FURTHER RESOLVED that the Chair and Executive Director and Secretary of the CDA are hereby authorized to execute, deliver and record such documents and to take such other actions as shall be necessary or desirable to accomplish the purposes of this resolution.