



## Legislation Text

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**File #:** 81832, **Version:** 1

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### **Fiscal Note**

No City Funds required. Private Contract.

### **Title**

Approving Addendum No. 1 to 630 E Washington Ave - Salvation Army Dane County, Contract No. 9137 (District 6)

### **Body**

WHEREAS, on March 23, 2023, the developer, The Salvation Army Services, Inc., hereinafter the “Developer” had entered into a *Contract For the Construction of Public Improvements that will be Accepted by the City of Madison* hereinafter the “Contract” with the City of Madison, and;

WHEREAS, the Developer and the City have since mutually agreed to update the scope of work for this project. The Developer was to construct a three-story apartment building fronting E Mifflin Street on Lot 1 of Certified Survey Map 16122 as well as necessary public infrastructure improvements to serve the apartment building, and;

WHEREAS, upon completion, the Developer intended to build a four to five story shelter and transitional housing building fronting E Washington Avenue on Lot 2 of Certified Survey Map 16122 as part of Contract No 9137, 630 E Washington Ave - Salvation Army Dane County, and;

WHEREAS, the Developer, The Salvation Army Services, Inc., has requested Contract No 9137, 630 E Washington Ave - Salvation Army Dane County be finalized upon completion and acceptance of public right of way improvement to serve the three-story apartment building fronting E Mifflin Street on Lot 1 of Certified Survey Map 16122, and;

WHEREAS, the Developer shall enter into a new Developer Agreement with the City of Madison for public infrastructure improvements required to serve the proposed building on Lot 2 of Certified Survey Map 16122 upon meeting fund raising goals for the construction of the four to five story shelter and transitional housing building facing E Washington Avenue, and;

WHEREAS, the Developer shall complete all public improvements to serve the apartment building on Lot 1 and as required by City Engineering, including warranty work, and the restoration of right of way infrastructure damaged by the construction of this contract per City of Madison Standard Specifications. All other requirements of Contract No 9137 shall remain in effect.

NOW, THEREFORE, BE IT RESOLVE:

1. That the Mayor and City Clerk are hereby authorized and directed to execute Addendum No. 1 to 630 E Washington Ave - Salvation Army Dane County, Contract No. 9137, with The Salvation Army Services, Inc.
2. That the revised plans and specifications for the public improvements necessary to serve this project are hereby approved.
3. That the developer is authorized to construct the public improvements in accordance with the terms of the Contract For the Construction of Public Improvements That Will be Accepted by the City of Madison at the sole cost of the developer.
4. That the Mayor and City Clerk are hereby authorized to sign and grant easements or right-of-way release or procurement documents, maintenance agreements or encroachment agreements, as necessary and grant or accept dedication of lands and/or easements from/to the Developer/Owner for public improvements located outside of existing public fee title or easement right-of-ways.
5. The Common Council is approved to accept ownership of the improvements in the Maintenance Area if a maintenance agreement is executed and recorded as a condition of this contract.