



Legislation Text

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Fiscal Note

The 2009 Library Capital Budget includes funding of \$3,500,000 for this project (Project No. 1, CB18-58310-810530). This funding is intended to cover all of the costs related to the project, including the purchase of the condominium unit (“grey box”) as authorized in this resolution and estimated to cost about \$2,155,400. The final cost will be determined after the developer enters into a construction contract which is required to include a guaranteed maximum price per square foot for construction of the building with cost-savings sharing mechanisms and open bidding parameters. Budgeted funds will also be used to design and build out the interior of the condo unit, purchase parking, and furnish the building. Contracts related to those items will need to be approved by the Council in future resolutions.

Title

Authorizing the execution of a Purchase and Sale Agreement with the Urban League of Greater Madison (“ULGM”) for the purchase of a condominium unit for the expansion of the South Madison Branch Library within a proposed new building to be constructed by the ULGM at The Villager located at 2200 South Park Street.

Body

The City has negotiated with the Urban League of Greater Madison (the “ULGM”) terms and conditions of a Sale and Purchase Agreement for an approximately 12,000 square foot condominium unit (the “Library Condo Unit”) within a proposed new building (the “Building”) to be constructed by the ULGM at The Villager located at 220 South Park Street for the expansion of the South Madison Branch Library. The Library Condo Unit will be located on the first floor of the Building and will be completed to “grey box” specifications agreed to by the parties. The City will be responsible for the design and build out of the interior of the Library Condo Unit.

NOW, THEREFORE BE IT RESOLVED that the Common Council of the City of Madison (the “City”) hereby authorizes the execution of a Sale and Purchase Agreement between the City and the Urban League of Greater Madison (the “Developer”), or an entity to be formed by the Developer, for a condominium unit (the “Library Condo Unit”) within a proposed new building (the “Building”) to be constructed at The Villager located at 2200 South Park Street, as shown on the attached map, on the following terms and conditions:

1. The City shall purchase and the Developer shall sell and convey by Condominium Deed fee simple ownership of the Library Condo Unit consisting of approximately 12,000 square feet on the first floor of the Building together with an undivided interest in the common elements to be located within the Building. Common elements shall include structural components of the Building, the land, public exit corridors, entrance vestibules, public and service elevators, loading docks, and similar items. The final configuration of the Building shall be a two-story structure. However, the Developer intends to design the Building to accommodate the possible future construction of a third floor which third floor, if constructed, will be a separate and distinct condominium unit owned initially by the Developer.
2. The Developer shall be responsible for completing the construction of the Library Condo Unit to “grey box” specifications as determined and approved by the parties prior to the execution of a Sale and Purchase Agreement. The City, at its sole cost and expense, shall be responsible for completing the interior space improvements within the Library Condo Unit.
3. The purchase price of the “grey box” Library Condo Unit shall be calculated by multiplying the number of square feet in the Library Condo Unit by \$179.62 per square foot. The per square foot price is subject to the Developer entering into a guaranteed maximum price contract for construction of the Building with

cost-savings sharing mechanisms and open bidding parameters acceptable to the City and the Developer. This scenario contemplates that the Library Condo Unit shall contain approximately 12,000 usable square feet of area.

The square footage of the Library Condo Unit shall be determined by a condominium plat prepared by the Developer, at its sole cost and expense, and provided to the City prior to closing.

4. The Developer, at its sole cost and expense, shall be responsible for the preparation and recording of the necessary condominium documents including, but not limited to, the condominium plat, declaration, bylaws and rules and regulations adopted pursuant to the declaration or bylaws, and all amendments to any of the foregoing. Such condominium documents shall be subject to the City's review and approval prior to closing.
5. The sale of the Library Condo Unit is subject to the City obtaining an appraisal indicating a value supporting the price paid for the Library Condo Unit.
6. Closing shall occur within ten (10) days after the City's Architect certifies that the Library Condo Unit is constructed according to the "grey box" specifications agreed to by the parties.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to execute any and all documents to complete the transaction contemplated in this resolution.