



Legislation Text

File #: 45393, **Version:** 1

Fiscal Note

Private Contract, No Funds Required.

Title

Approving Addendum No. 1 to Paragon Place - Phase 1, Contract No. 2439. (9th AD)

Body

WHEREAS, on March 24, 2016, the developer, MCS Investments, 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 additional sidewalk construction along Wilrich Street adjacent to Paragon Place - Phase 1. Approximately 265 lineal feet of sidewalk was removed from City of Madison Public Works Project 53W1683 at the request of the Developer to allow construction access to 9603 Paragon Street. The sidewalk shall be constructed by the Developer and at their sole cost.

WHEREAS, the Developer shall also be required to finish grade and restore areas adjacent to the retention pond constructed by City of Madison Public Works Project 53W1683 that were used for construction access to 9603 Paragon Street.

NOW, THEREFORE, BE IT RESOLVE:

1. That the Mayor and City Clerk are hereby authorized and directed to execute Addendum No. 1 to Paragon Place - Phase 1, Contract No. 2439, with MCS Investments, 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.