



## Legislation Text

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**File #:** 69570, **Version:** 1

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### Fiscal Note

Private contract. No appropriation required.

### Title

Approving Addendum No. 1 to 5133 University Avenue, Contract No. 9021. (19th AD)

### Body

WHEREAS, on July 14, 2021, the developer, Degen & Associates, LLC, 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 expand the scope of work to allow partial deconstruction and repair of the existing public storm sewer box culvert to facilitate the installation of the private sanitary sewer service lateral necessary to serve Buildings A/B of the 5133 University Avenue project, and;

WHEREAS, the Developer shall provide additional surety to cover the expanded scope of work.

NOW, THEREFORE, BE IT RESOLVE:

1. That the Mayor and City Clerk are hereby authorized and directed to execute Addendum No. 1 to 5133 University Avenue, Contract No. 9021, with Degen & Associates, LLC.
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.