



## Legislation Text

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### Fiscal Note

The proposed resolution approves three addendums to existing surface paving contracts with developer East South Point, LLC. The three contracts are for Acacia Ridge Phase 6 (Contract No. 9041), Acacia Ridge Phase 7 (Contract No. 9071), and Acacia Ridge Phase 9 (Contract No. 9261). The City and East South Point, LLC agreed to offset the City share of the Acacia Ridge Phase 10 Valley View Road improvements by having the City surface asphalt pave the streets in Acacia Ridge 6, 7, and 9. The costs for the paving work will be included in future surface paving contracts. No appropriation is required at this time for the addendums.

### Title

Approving Addendums to the surface paving contracts for Acacia Ridge Phases 6 (Contract No. 9041), 7 (Contract No. 9071), and 9 (Contract 9261). (District 1)

### Body

WHEREAS, on October 25, 2021, the developer, East South Point, 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, on May 19, 2022, the developer, East South Point, 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, on August 8, 2023, the developer, East South Point, 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 pending Acacia Ridge Phase 10 construction includes improvements to Valley View Road, and;

WHEREAS, the Developer and City have since mutually agreed to offset the City share of the Acacia Ridge Phase 10 Valley View Road improvements by having the City surface asphalt pave the streets in Acacia Ridge Phases 6, 7, and 9.

NOW, THEREFORE, BE IT RESOLVE:

1. That the Mayor and City Clerk are hereby authorized and directed to execute Addendum No. 1 to Acacia Ridge Phase 6 - Surface Paving, Contract No. 9041, with East South Point, LLC.
2. That the Mayor and City Clerk are hereby authorized and directed to execute Addendum No. 1 to Acacia Ridge Phase 7 - Surface Paving, Contract No. 9071, with East South Point, LLC.
3. That the Mayor and City Clerk are hereby authorized and directed to execute Addendum No. 1 to Acacia Ridge Phase 9 - Surface Paving, Contract No. 9261, with East South Point, LLC.
4. That the revised plans and specifications for the public improvements necessary to serve this projects are hereby approved.

5. 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.
  
6. 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.
  
7. 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.