



Legislation Text

File #: 42337, **Version:** 1

Fiscal Note

The proposed resolution authorizes a revised agreement with WisDOT for the construction of Central Park (project no. 10525). The purpose of the revised agreement is to increase the City's previously agreed upon contribution by \$50,000 for the purchase of real estate. This resolution approves increasing the agreement by \$50,000, which is included in the Parks Division 2015 Adopted Capital Budget.

Title

Authorizing the Mayor and City Clerk to enter into a revised agreement with the Wisconsin Department of Transportation for the construction of Central Park. (6th AD)

Body

WHEREAS, The City of Madison and Wisconsin Department of Transportation entered into a revised agreement authorized by Resolution File ID 28444, RES-12-00945 for the construction of Central Park.

WHEREAS, The City is in the process of constructing the Central Park project, an urban park located in the East Isthmus Corridor on the near east side. The project has been approved for approximately \$3.1 million of federal funding; the federal funds require a 20% local match. Design will be funded with 100% local funds. Design and construction of Phase 1 improvements are nearing completion.

WHEREAS, The City will need to enter into a revised project agreement with The Wisconsin Department of Transportation that updates the estimated costs for the total project based on actual dollar amounts that were spent to date. The revised agreement also provides for inclusion of Federal funds to be used for the purchase of real estate, which was not included in the original project agreement. The Federal funds that remain available will be utilized for land acquisition to expand Central Park in accordance with the approved master plan (all Federally eligible transportation-related park improvements have been completed). The last Council approval of the agreement occurred on May 14, 2013 (Resolution File ID 28444, RES-12-00945). Approval for the acquisition of the property will be brought to the Council at a later date once the terms are negotiated.

WHEREAS, The agreement with the State of Wisconsin Department of Transportation for cost sharing defines the terms under which the City is awarded Federal funds and the agreement requires that the City indemnify the State of Wisconsin Department of Transportation. City APM 1-1 requires Common Council approval whenever the City indemnifies another party.

WHEREAS, The proposed indemnification language in the Project Agreement has been reviewed by the Risk Manager. While the City's risk exposure is increased by this agreement, the exposure is covered by the City's insurance policy subject to its terms and conditions. Any impact on costs would not be immediately known.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk are hereby authorized to execute amendments to the original agreement with the Wisconsin Department of Transportation for the ongoing expansion and build-out of Central Park.

BE IT FURTHER RESOLVED that the Common Council approves the indemnification of the State of Wisconsin Department of Transportation as set forth in the agreement in order to use Federal funds for Central Park.