



## Legislation Text

---

**File #:** 67923, **Version:** 1

---

### **Fiscal Note**

Private contract. No City funds required.

### **Title**

Approving Addendum No. 1 to 501-517 Commerce Drive - All Saints, Contract No. 2393. (9th AD)

### **Body**

WHEREAS, on May 27, 2015, the developer, All Saints Assisted Living Center, 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 City plans for the public bike path associated with this development have changed, and;

WHEREAS, the Developer and the City have since mutually agreed to remove the bike path scope of work from contract 2393. The City has evaluated options for the West Towne Path and has pursued another route for the regional path for a number of reasons:

1. The previous path alignment involved purchasing lands from other parcels that the city is no longer able to condemn.
2. The previous path alignment required an underpass structure for Watts Road that is no longer needed on the proposed route.
3. The revised path alignment efficiently utilizes existing path infrastructure
4. The revised path alignment has been awarded Federal funds in the Transportation Alternatives Program.

WHEREAS, the Developer was required to deposit an amount of \$70,000 for future construction of the path and the City is proposing to create an addendum to the contract to refund the deposit.

NOW, THEREFORE, BE IT RESOLVE:

1. That the Mayor and City Clerk are hereby authorized and directed to execute Addendum No. 1 to 501-517 Commerce Drive - All Saints, Contract No. 2392, with All Saints Assisted Living Center, Inc.
2. That the revised plans and specifications for the public improvements necessary to serve this project are hereby approved.