Legislation Details (With Text)

File #:	63736	**Version:**	1	**Name:**	Approving plans and specifications for public asphalt surface pavement improvements required to serve Phase 2 of the Subdivision known as Western Addition to 1000 Oaks and authorizing construction to be undertaken by the Developer, Contract No. 8965
Type:	Resolution			**Status:**	Passed
File created:	1/13/2021			**In control:**	Engineering Division
On agenda:	2/2/2021			**Final action:**	2/2/2021
Enactment date:	2/4/2021			**Enactment #:**	RES-21-00099

Title: Approving plans and specifications for public asphalt surface pavement improvements required to serve Phase 2 of the Subdivision known as Western Addition to 1000 Oaks and authorizing construction to be undertaken by the Developer, Contract No. 8965 (9th AD)

Sponsors: BOARD OF PUBLIC WORKS

Indexes:

Code sections:

Attachments: 1. TOW Ph2 Exhibits 8965.pdf

Date	Ver.	Action By	Action	Result
2/2/2021	1	COMMON COUNCIL	Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25	Pass
1/20/2021	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - REPORT OF OFFICER	Pass
1/13/2021	1	Engineering Division	Refer	

Fiscal Note

The proposed resolution approves plans and specifications for public asphalt surface pavement improvements required to serve Phase 2 of the Western Addition to 1000 Oaks and authorizes the developer to undertake construction. The total estimated cost of the project is $25,000. Funding is available in Munis account 12873-402-170: 54410 (96339).

Title

Approving plans and specifications for public asphalt surface pavement improvements required to serve Phase 2 of the Subdivision known as Western Addition to 1000 Oaks and authorizing construction to be undertaken by the Developer, Contract No. 8965 (9th AD)

Body

WHEREAS, the developer, VH 1000 Oaks West LLC, has received the City of Madison's conditional approval to create the subdivision known as Western Addition to 1000 Oaks; and,

WHEREAS, Section 16.23(9) of the Madison General Ordinances requires the developer to install the public asphalt surface pavement improvements necessary to serve the subdivision; and,

WHEREAS, Section 16.23(9) of the Madison General Ordinances allows the developer to install the asphalt surface pavement improvements in construction phases provided that a Declaration of Conditions, Covenants, and Restrictions is executed for those lots included in future construction phases until such time as surety is provided to the City to guarantee the installation of the public improvements to serve said lots; and,

WHEREAS, the developer proposes to provide public asphalt surface pavement improvements to serve Lots 377-388, 397-400, 406-409, and Outlots 18-20 in Western Addition to 1000 Oaks and Lot 420 in Southern Addition to Birchwood Point as Phase 2.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Mayor and City Clerk are hereby authorized and directed to execute a Contract For the Construction of Public Improvements That Will be Accepted by the City of Madison For Western Addition to 1000 Oaks Phase 2 Surface Paving, with VH 1000 Oaks West LLC.

2. That the plans and specifications for the public asphalt surface pavement improvements necessary to serve this phase of the subdivision are hereby approved.

3. That the developer is authorized to construct the public asphalt surface pavement 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, except as follows: Reimbursement not to exceed the statutory limit for the cost of street improvements that benefit the City and abut lands owned by the City, in accordance with Section 16.23(9)(d)(6)(d).

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 asphalt surface pavement improvements in the Maintenance Area if a maintenance agreement is executed and recorded as a condition of this contract.

6. The developer shall be permitted to assign this contract for the purposes of obtaining financing in a form to be approved by the City Attorney.

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