



Legislation Text

File #: 60197, **Version:** 1

Private Contract, No Funds Required for Addendum 1.

Approving Addendum No. 1 to Eagle Trace - Phase 2, Contract No. 8338 (9th AD)

WHEREAS, on May 14, 2019, the developer, VHET, 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 remove the bike path construction requirement from the the scope of work for the project as the bike path has been reclassified by the City from a regional path to a recreation path. The recreational path will be constructed as part of the Eagle Trace Park improvements under a separate contract.

NOW, THEREFORE, BE IT RESOLVE:

1. That the Mayor and City Clerk are hereby authorized and directed to execute Addendum No. 1 to Eagle Trace - Phase 2, Contract No. 8338, with VHET, 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.