File #: 94180, **Version:** 1

Fiscal Note

The proposed resolution authorizes a first addendum to Private Contract #9629 for 320 S Brearly Street CSM. Under the proposed addendum, the developer, Brearly Street Property Group LLC, will restore the green area between the path and the property line to the south from S Paterson Street to S Brearly Street. The City will reimburse the developer at an estimated cost not to exceed $12,400. The original contract was approved via RES-25-00115 (Legistar #87065) on February 25, 2025 as a private contract with no City funds required. Funding for the proposed addendum is available in the 2026 Adopted Engineering - Bicycle and Pedestrian Capital Budget in the Bikeways program (Munis #10138). No additional appropriation is required.

Title

Approving Addendum No. 1 to 320 S Brearly Street CSM, Contract No. 9629 (District 6)

Body

WHEREAS, on March 31, 2025, the developer, BREARLY STREET PROPERTY GROUP 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 REIMBURSE THE Developer for half of the calculated cost to restore the green area between the path and the property line to the south from S Paterson Street to S Brearly Street.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Mayor and City Clerk are hereby authorized and directed to execute Addendum No. 1 to 320 S Brearly Street CSM, Contract No. 9629 with BREARLY STREET PROPERTY GROUP 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.