



AGENDA MEMORANDUM

Future Item for the City Council Meeting of November 1, 2016
Action Item for the City Council Meeting of November 15, 2016

DATE: October 20, 2016

TO: Margie C. Rose, City Manager

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<p style="text-align: center;"><u>Developer's Agreement</u> Downtown Streets – Chaparral project BOND 2008, Proposition 1</p>

CAPTION:

Motion authorizing the City Manager, or designee, to execute a developer's agreement with Cosmopolitan Corpus, LLC. of Corpus Christi, Texas in the amount of \$142,235.89 for work associated with the Downtown Streets – Chaparral project. (BOND 2008 Proposition 1).

PURPOSE:

The purpose of this Agenda Item is to obtain authority to execute an agreement for sidewalk and landscape construction associated with the Downtown Streets - Chaparral project. (BOND 2008 Proposition 1).

BACKGROUND AND FINDINGS:

This agreement is necessary to complete the final construction associated with the Downtown Streets – Chaparral (Bond 2008) project. The Chaparral Phase 1 project included the reconstruction of the street and sidewalks from Schatzel to Williams. This completes the one block of sidewalk, landscaping and miscellaneous improvements adjacent to the Cosmopolitan building frontage along Chaparral from Lawrence to Mesquite.

The Cosmopolitan building located along Chaparral (from Schatzel to Lawrence Street) began major renovation project at the same time as the City's Chaparral Phase 1 Street Reconstruction project. The Cosmopolitan project is a major building overhaul that required closure of Lawrence Street for public safety and closure of sidewalks adjacent to the building. This prevented completion of the City Chaparral street project work for the sidewalk, landscaping, and miscellaneous improvements.

With the extended construction timeline of the Cosmopolitan project, the City removed the sidewalk,

landscaping and miscellaneous improvements adjacent to the Cosmopolitan from the Bond project to avoid increased cost and delays. The work was deferred to a future potential agreement with the developer, or another construction contract.

The Cosmopolitan project is finally nearing completion and an agreement was reached for a fair and reasonable price to complete the final sidewalk, landscaping, etc. This agreement provides for reimbursement to the developer upon successful completion of the work in accordance with the City's plans and specifications.

ALTERNATIVES:

1. Authorize execution of agreement.
2. Do not authorize execution of agreement. (Not Recommended)

OTHER CONSIDERATIONS:

Not applicable

CONFORMITY TO CITY POLICY:

Complies with statutory requirements for architectural and engineering contracts. Conforms to FY 2016-2017 Street Capital Improvement Planning (CIP) Budget.

EMERGENCY / NON-EMERGENCY:

Not applicable

DEPARTMENTAL CLEARANCES:

Street Department

FINANCIAL IMPACT:

☐ Operating ☐ Revenue ☒ Capital ☐ Not applicable

Fiscal Year 2016-2017	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Budget	\$0	\$142,235.89		\$142,235.89
Encumbered / Expended Amount	0	0		49,895
This item	0	142,235.89		142,235.89
Future Anticipated Expenditures This Project	0	0		0
BALANCE	\$0	\$0		\$0

Fund(s):

Comments: N/A

RECOMMENDATION:

City staff recommends this agreement with Cosmopolitan LLC. in the amount of \$142,235.89 for the Downtown Streets - Chaparral BOND 2008 project.

LIST OF SUPPORTING DOCUMENTS:

Agreement
Form 1295
Location Map