

070653  
February 28, 2007

**WHEREAS**, on August 25, 2004, Resolution No. 04-2417 authorized a Project Specific Agreement with Dallas County for the design, right-of-way acquisition, and construction of paving and storm drainage improvements for this project; and,

**WHEREAS**, on August 25, 2004, Resolution No. 04-2418 authorized a Development Participation Agreement with the Capella Park Realty Company for the design, right-of-way acquisition, and construction of paving and storm drainage improvements for this project; and,

**WHEREAS**, on June 22, 2005, Resolution No. 05-1979 authorized a contract with Tiseo Paving Company for the construction of paving, storm drainage, landscaping and irrigation improvements on Merrifield Road from Grady Niblo Road to Kiest Boulevard in an amount not to exceed \$2,437,365.00; and,

**WHEREAS**, on November 9, 2005, Resolution No. 05-3229 authorized Change Order No. 1 to the contract in an amount not to exceed \$154,147.50, increasing the contract from \$2,437,365.00 to \$2,591,512.50; and,

**WHEREAS**, on June 14, 2006, Resolution No. 06-1558 authorized Change Order No. 2 to the contract in an amount not to exceed \$81,267.90, increasing the contract from \$2,591,512.50 to \$2,672,780.40; and,

**WHEREAS**, it is now necessary to authorize Change Order No. 3 to the contract in an amount not to exceed \$78,630.00, increasing the contract from \$2,672,780.40 to \$2,751,410.40.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**Section 1.** That the City Manager is hereby authorized to increase the contract with Tiseo Paving Company for the construction of paving, storm drainage, landscaping and irrigation improvements to provide for additional fencing, concrete base and edge restraint for landscaping pavers and grade adjustments on Merrifield Road from Grady Niblo Road to Kiest Boulevard in an amount not to exceed \$78,630.00, from \$2,672,780.40 to \$2,751,410.40, after it has been approved as to form by the City Attorney.

**Section 2.** That the City Controller is hereby authorized to deposit funds from Dallas County in an amount not to exceed \$39,315 in Fund 0556, Department PBW, Unit R359, Revenue Source 8492.

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**Section 3.** That the City Manager is hereby authorized to increase appropriations in the Capital Projects Reimbursement Fund 0556, Department PBW, Unit R359, Obj. 4510 in the amount of \$39,315.

**Section 4.** That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

|  |                    |
|--|--------------------|
| Street and Transportation Improvements Fund<br>Fund 3R22, Dept. PBW, Unit R359, Act. INGV<br>Obj. 4510, Program #PB03R359, CT PBW03R359B1-01<br>Vendor #011466, in an amount not to exceed | \$39,315.00        |
| Capital Projects Reimbursement Fund<br>Fund 0556, Dept. PBW, Unit. R359, Act. INGV<br>Obj. 4510, Program #PB03R359, CT PBW03R359B1-02<br>Vendor #011466, in an amount not to exceed        | <u>\$39,315.00</u> |
| Total in an amount not to exceed   | \$78,630.00        |

**Section 5.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas and it is accordingly so resolved.

Distribution: Public Works and Transportation, Cheryl Nichols, OCMC, Room 101  
Public Works and Transportation, Tami Wilson, 1500 Marilla, L1BS  
City Attorney

APPROVED BY  
CITY COUNCIL

FEB 28 2007

*Deborah Wittman*  
City Secretary

APPROVED *[Signature]* HEAD OF DEPARTMENT      APPROVED *[Signature]* CITY CONTROLLER      APPROVED *[Signature]* CITY MANAGER