

**WHEREAS**, the citizens of Dallas approved funding for building repairs and improvements at the Majestic Theater, located at 1925 Elm Street, in the 2006 Bond program; and,

**WHEREAS**, on June 24, 2009, Resolution 09-1691 authorized a contract for Architectural and Engineering Services with Quimby McCoy Preservation Architects, not to exceed \$150,000.00; and,

**WHEREAS**, on August 11, 2010, Resolution 10-1951 authorized a contract with Ever Construction Corporation for construction at the Majestic Theater for building repairs and improvement, in the amount of \$1,215,652.00; and,

**WHEREAS**, on February 14, 2011, Administrative Change Order No. 11-0487 authorized Change Order No. 1 to the construction contract in the amount of \$5,912.65, from \$1,215,652.00 to \$1,221,564.65; and,

**WHEREAS**, on April 12, 2011, Administrative Change Order No. 11-1065 authorized Change Order No. 2 to the construction contract in the amount of \$21,906.35, from \$1,221,564.65 to \$1,243,471.00; and,

**WHEREAS**, on May 3, 2011, Administrative Change Order No. 11-1220 authorized Change Order No. 3 to the construction contract in the amount of \$17,466.43, from \$1,243,471.00 to \$1,260,937.43; and,

**WHEREAS**, It is now desirable to authorize Change Order No. 4 to the construction contract with Ever Construction Corporation for building repairs and improvements at the Majestic Theater in an amount not to exceed \$95,802.31, from \$1,260,937.43 to \$1,356,739.74, and to extend the contract term one hundred and forty-four (144) calendar days.

**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 Ever Construction Corporation in an amount not to exceed \$95,802.31, from \$1,260,937.43 to \$1,356,739.74, and extend the contract term one hundred and forty-four (144) calendar days, after it has been approved as to form by the City Attorney.

**Section 2.** That the City Controller is authorized to disburse funds in accordance with the terms and conditions of the contract as follows:

Cultural Arts Facilities Fund

Fund 7T49, Department PBW, Unit T714, Obj. 4310, Activity MMCF

Program No. PB06T708, CT PBW06T708K1

Vendor No. VS0000008606 in an amount not to exceed \$95,802.31

**Section 3.** 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.

APPROVED BY  
CITY COUNCIL

JUN 22 2011

  
City Secretary