

WHEREAS, on May 16, 2012, by Resolution No. 12-1357, Heery International, Inc. was awarded a contract for the design phase of a design-build services contract for the Cotton Bowl – 2013 Improvements, which includes the addition of club seating; renovation of the press box, concourses and concessions; addition of a facade at the north and south end zones; renovation of the existing facade; public art fees; and other improvements at the Cotton Bowl in Fair Park located at 3750 Midway Plaza, in an amount not to exceed \$2,150,570; and

WHEREAS, it is now desired to enter into Supplemental Agreement No. 1 to the design-build services contract with Heery International, Inc. to establish the Guaranteed Maximum Price for the construction phase of the Cotton Bowl - 2013 Improvements which includes the addition of club seating and club hospitality areas; addition of an elevator at the press box; renovation of the press box and concourses; addition of a new facade at the north and south end zones; public art fees; and other improvements at the Cotton Bowl in Fair Park, in an amount not to exceed \$22,400,000, increasing the design-build contract from \$2,150,570 to \$24,550,570.

Now, Therefore,

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to enter into Supplemental Agreement No. 1 to the design-build services contract with Heery International, Inc. to establish the Guaranteed Maximum Price for the construction phase of the Cotton Bowl - 2013 Improvements which includes the addition of club seating and club hospitality areas; addition of an elevator at the press box; renovation of the press box and concourses; addition of a new facade at the north and south end zones; public art fees; and other improvements at the Cotton Bowl in Fair Park, in an amount not to exceed \$22,400,000, increasing the design-build contract from \$2,150,570 to \$24,550,570.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute Supplemental Agreement No. 1 to the contract with Heery International, Inc., after approval as to form by the City Attorney's Office.

SECTION 3. That the City Controller is hereby authorized to pay the amount of \$22,400,000 to Heery International, Inc., as follows:

GMP - Public Art

(2006) Park and Recreation Facilities Improvement Fund
Fund 1T00, Department PKR, Unit N810, Object 4425
Activity PUBA, Program PKPAP350, CT-PKR12019323
Commodity 91200, Vendor VS0000013092 \$147,000

2012 Certificates of Obligation
Fund 0668, Department PKR, Unit P728, Object 4425
Activity FPRK, Program PKPAP350, CT-PKR12019323
Commodity 91200, Vendor VS0000013092 \$300,000

GMP

2012 Certificates of Obligation
Fund 0668, Department PKR, Unit P728, Object 4310
Activity FPRK, Program PKCOCTN, CT-PKR12019323
Commodity 91200, Vendor VS0000013092 \$21,953,000

Total amount not to exceed \$22,400,000

SECTION 4. 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.

