

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, on December 12, 2012, Resolution No. 12-3054, Council authorized 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; and

WHEREAS, November 12, 2013, Resolution No. 13-1997, Council authorized Supplemental Agreement No. 2 to the design-build services contract with Heery International, Inc. for grease traps on the east and west sides, fire pump generator and connecting work, new pipe bollards to protect the new generator from vehicular traffic at the Cotton Bowl in Fair Park, in an amount not to exceed \$743,984, increasing the design-build contract from \$24,550,570 to \$25,294,554; and

WHEREAS, it is now desired to enter into Supplemental Agreement No. 3 to the design-build services contract with Heery International, Inc. for design and construction services to install a new Point of Sale system for eleven (11) food concession stands on the main level of the west concourse of the Cotton Bowl in Fair Park, in an amount not to exceed \$88,000, increasing the design-build contract from \$25,294,554 to \$25,382,554.

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. 3 to the design-build services contract with Heery International, Inc. for design and construction services to install a new Point of Sale system for eleven (11) food concession stands on the main level of the west concourse of the Cotton Bowl in Fair Park, in an amount not to exceed \$88,000, increasing the design-build contract from \$25,294,554 to \$25,382,554.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute Supplemental Agreement No. 3 to the design-build 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 \$88,000 to Heery International, Inc., as follows:

Fair Park Maintenance Improvement Fund Fund 0329, Department PKR, Unit 6220, Object 4310 Activity SUAR, Program PKCOCTN, CT-PKR12019323 Commodity 91200, Vendor VS0000013092	\$85,763.00
Fair Park Maintenance Improvement Fund Fund 0329, Department PKR, Unit 6220, Object 4112 Activity SUAR, Program PKCOCTN, CT-PKR12019323 Commodity 92500, Vendor VS0000013092	<u>\$2,237.00</u>
Total amount not to exceed	\$88,000.00

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.

