

WHEREAS, the Regional Transportation Council approved \$40.61 million for a Sustainable Development Program Call for Projects on April 14, 2005 and the North Central Texas Council of Governments (NCTCOG) established Sustainable Development Program Call for Projects Rules; and,

WHEREAS, the City of Dallas submitted a Sustainable Development Program application for the Mockingbird Plaza and Midtown/Central/University Transit Oriented Development Project to the North Central Texas Council of Governments prior to the January 20, 2006, deadline; and,

WHEREAS, the Regional Transportation Council approved \$1,600,000.00 in Regional Transportation Council Local Funds under the Sustainable Development Program for the Mockingbird Plaza and Midtown/Central/University Transit Oriented Development Project on April 13, 2006; and,

WHEREAS, the Sustainable Development Program requires a minimum local match of 20 percent of the total project cost of \$2,000,000.00, or \$400,000.00, to be provided by Prescott Realty Group and Southern Methodist University; and,

WHEREAS, on June 28, 2006, Resolution No. 06-1796 supported the land use development concepts of the Mockingbird Plaza and Midtown/Central/University Transit Oriented Development Project; and,

WHEREAS, on December 13, 2006, Resolution No. 06-3366 authorized an Interlocal Agreement with the North Central Texas Council of Governments for design and construction of the Mockingbird Plaza and Midtown/Central/University Transit Oriented Development; and,

WHEREAS, on December 13, 2006, Resolution No. 06-3367 authorized a development participation agreement with Prescott Realty Group and Southern Methodist University for design and construction of the Mockingbird Plaza and Midtown/Central/University Transit Oriented Development; and,

WHEREAS, on October 24, 2007, Resolution No. 07-3200 authorized an amendment to Resolution No. 06-3366 and payment to the North Central Texas Council of Governments for the project in the amount of \$400,000.00; and,

WHEREAS, on October 24, 2007, Resolution No. 07-3201 authorized an amendment to Resolution No. 06-3367 and receipt of payment from Southern Methodist University for the project in the amount of \$400,000.00; and,

WHEREAS, on June 22, 2011, Resolution No. 11-1708 authorized an amendment to the development agreement with Prescott Realty Group and Southern Methodist University to add implementation of three 2006 Bond Program projects with Mockingbird Plaza Sustainable Development Project and payment to Prescott Realty Group for engineering design cost in the amount of \$300,000.00; and,

WHEREAS, bids were received on April 24, 2014, for the Mockingbird Plaza Sustainable Development Project, as follows:

<u>BIDDERS</u>	<u>BID AMOUNT</u>
RBR Infrastructure and Road, LLC	\$2,039,928.00
Phillips May Corporation	\$2,164,333.00
Fain Group Inc.	\$2,319,215.00
Gibson and Associates, Inc.	\$2,522,201.21

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a contract with RBR Infrastructure and Road, LLC for the construction of pedestrian and streetscape improvements including sidewalks and a concrete trail for the Mockingbird Plaza Sustainable Development Project in an amount not to exceed \$2,039,928.00, this being the lowest responsive bid received as indicated by the tabulation of bids, 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 the North Central Texas Council of Governments in accordance with the terms and conditions into Capital Projects Reimbursement Fund 0556, Department PBW, Unit P356, Revenue Source 6526, in an amount not to exceed \$2,000,000.00.

Section 3. That the City Manager is hereby authorized to increase appropriations in the Capital Projects Reimbursement Fund 0556, Department PBW, Unit P356, Obj. 4510 in the amount of \$2,000,000.00.

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

Capital Projects Reimbursement Fund Fund 0556, Dept. PBW, Unit P356, Act. INGV Obj. 4510, Program #PBPRP356, CT PBWPRP356I1 Vendor #VS0000085267, in amount not to exceed	\$1,828,137.00
Street and Transportation Improvements Fund Fund 2T22, Dept. PBW, Unit U758, Act. SSUD Obj. 4510, Program #PB06U758, CT PBWPRP356I1 Vendor #VS0000085267, in an amount not to exceed	\$ 127,074.60
Street and Transportation Improvements Fund Fund 2T22, Dept. PBW, Unit U754, Act. SSUD Obj. 4510, Program #PB06U754, CT PBWPRP356I1 Vendor #VS0000085267, in an amount not to exceed	\$ 46,594.02
Street and Transportation Improvements Fund Fund 2T22, Dept. PBW, Unit U759, Act. SSUD Obj. 4510, Program #PB06U759, CT PBWPRP356I1 Vendor #VS0000085267, in an amount not to exceed	\$ <u>38,122.38</u>
Total in an amount not to exceed	\$2,039,928.00

Section 5. That in accordance with the development agreement, as currently amended with, Prescott Realty Group and Southern Methodist University on June 22, 2011, by Resolution No. 11-1708, the construction contract is hereby assigned to Prescott Realty Group and Southern Methodist University for construction administration, inspection, and material testing.

Section 6. 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 25 2014

Lisa C. Rice
City Secretary