

**WHEREAS**, on June 13, 2012, Resolution No. 12-1566 authorized a Development Agreement with US Real Estate, Limited Partnership to provide funding for the construction of public infrastructure improvements to support the development of a multi-building commercial/industrial space at the northwest quadrant of Danieldale Road and Old Hickory Trail; and,

**WHEREAS**, on June 26, 2013, Resolution No. 13-1146 authorized a contract with Ed Bell Construction Company for the construction of thoroughfare and water main improvements for Danieldale Road from Hampton Road to Old Hickory Trail and Old Hickory Trail from Danieldale Road to 500 feet south of Stoneview Drive in an amount not to exceed \$1,787,275.40, this being the lowest responsive bid received as indicated by the tabulation of bids; and assignment of the contract to US Real Estate, Limited Partnership or Seefried Development Management, Inc., as its third party designee for construction administration; and,

**WHEREAS**, on January 22, 2014, Resolution No. 14-0179 authorized an increase in the contract with Ed Bell Construction Company to expedite the construction of thoroughfare and water main improvements for Danieldale Road from Hampton Road to Old Hickory Trail and Old Hickory Trail from Danieldale Road to 500 feet south of Stoneview Drive in an amount not to exceed \$135,000, increasing the contract from \$1,787,275.40 to \$1,922,275.40; and,

**WHEREAS**, it is now necessary to authorize an increase in the contract with Ed Bell Construction Company for additional sidewalk improvements, construction quantities and cost reconciliations for Danieldale Road from Hampton Road to Old Hickory Trail and Old Hickory Trail from Danieldale Road to 500 feet south of Stoneview Drive in an amount not to exceed \$215,642.08, increasing the contract from \$1,922,275.40 to \$2,137,917.48.

**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 Change Order No. 2 to the contract with Ed Bell Construction Company for additional sidewalk improvements, construction quantities and cost reconciliations for Danieldale Road from Hampton Road to Old Hickory Trail and Old Hickory Trail from Danieldale Road to 500 feet south of Stoneview Drive in an amount not to exceed \$215,642.08, increasing the contract from \$1,922,275.40 to \$2,137,917.48, after it has been approved as to form by the City Attorney.

**Section 2.** That the City Controller is hereby authorized to receive and deposit funds from US Real Estate, Limited Partnership, in the amount of \$58,535.08 in the Capital Projects Reimbursement Fund 0556, Department PBW, Unit P757, Revenue Source 8492.

**Section 3.** That the City Manager is hereby authorized to increase appropriations in the Capital Projects Reimbursement Fund 0556, Department PBW, Unit P757, Object 4510, in the amount of \$58,535.08.

**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  
 Fund 2T22, Department PBW, Unit P757, Act. THRF  
 Obj. 4510, Program #PB06P757, CT PBW06P75711  
 Vendor #083863, in an amount not to exceed \$ 130,740.95

Capital Projects Reimbursement Fund  
 Fund 0556, Department PBW, Unit P757, Act. THRF  
 Obj. 4510, Program #PB06P757, CT PBW06P75711  
 Vendor #083862, in an amount not to exceed \$ 58,535.08

Water Capital Improvement Fund  
 Fund 0115, Department DWU, Unit PW42  
 Obj. 4550, Program #713051, CT PBW713051CP  
 Vendor #083862, in an amount not to exceed \$ 8,362.80

Wastewater Construction Fund  
 Fund 0103, Department DWU, Unit CS42  
 Obj. 3222, Program #713052X, CT PBW713052EN  
 Vendor #083862, in an amount not to exceed \$ 18,003.25

Total in an amount not to exceed \$215,642.08

**Section 5.** That the City Controller is hereby authorized to refund any unused advanced funds from US Real Estate, Limited Partnership, from Fund 0556, Unit P757, Department PBW, Object Code 4510.

**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.

<p>APPROVED BY                  CITY COUNCIL</p> <p>JUN 25 2014</p> <p><i>Lucas G. Davis</i>                  City Secretary</p>
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