

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 the 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,

May 27, 2015

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 the Mockingbird Plaza Sustainable Development Project and payment to Prescott Realty Group for engineering design cost in the amount of \$300,000.00; and,

WHEREAS, on June 25, 2014, Resolution No. 14-1016 authorized 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; and,

WHEREAS, on February 10, 2015, Administrative Action No. 15-0227 authorized Change Order No. 1 to the contract with RBR Infrastructure and Road, LLC for the Mockingbird Plaza Sustainable Development Project in an amount not to exceed \$12,914.05, increasing the contract from \$2,039,928.00 to \$2,052,842.05; and,

WHEREAS, it is now necessary to authorize Change Order No. 2 to the contract with RBR Infrastructure and Road, LLC to add new items requested by Oncor for burial of existing utilities for the Mockingbird Plaza Sustainable Development Project along SMU Boulevard from Central Expressway to Greenville Avenue, in an amount not to exceed \$86,527.93, increasing the contract from \$2,052,842.05 to \$2,139,369.98.

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 RBR Infrastructure and Road, LLC to add new items requested by Oncor for burial of existing utilities for the Mockingbird Plaza Sustainable Development Project along SMU Boulevard from Central Expressway to Greenville Avenue in an amount of \$86,527.93, increasing the contract from \$2,052,842.05 to \$2,139,369.98, after it has been approved as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

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 \$ 84,874.58

Street and Transportation Improvements Fund
Fund 6T22, Dept. PBW, Unit U758, Act. SSUD
Obj. 4510, Program #PB06U758, CT PBWPRP35611
Vendor #VS0000085267, in an amount not to exceed \$ 1,653.35

Total in an amount not to exceed \$ 86,527.93

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

MAY 27 2015

[Signature]
City Secretary