

June 26, 2019

**WHEREAS**, the City of Dallas has determined as part of the Cedar Springs Road from Douglas Avenue to Oak Lawn Avenue project (the "Project") to introduce and enter into a pilot transaction to facilitate Third party organization sponsored enhancements as part of City streetscape improvements to the public right-of-ways; and

**WHEREAS**, the GLBT Chamber of Commerce Foundation desires to and will be the pilot transaction participant to (i) sponsor and provide advance funding to the City for the construction costs of the multi-colored crosswalks in the Project area; and (ii) be responsible for the post-installation improvements, repairs and maintenance of the multi-colored crosswalks in the Project area; and

**WHEREAS**, in order to implement the pilot project, the City of Dallas will administer the construction; and

**WHEREAS**, the GLBT Chamber of Commerce Foundation, to be the pilot participant, will enter into a Participation and Maintenance Agreement with the City to (i) provide advance funding to the City of an amount not to exceed \$128,250.00 for the construction costs of the multi-colored crosswalks in the Project area; and (ii) to obligate the GLBT to undertake the post-installation repairs and maintenance of the multi-colored crosswalks. If advance funding is not received by January 31, 2020 from the GLBT Chamber of Commerce Foundation for the construction of the multi-colored crosswalk improvements, the City will process a change order to remove the cost of the proposed multi-colored crosswalk improvements from the contract, in an amount not to exceed \$128,250.00; and

**WHEREAS**, the GLBT Chamber of Commerce Foundation shall be responsible for the cost of the improvements, repairs and maintenance of the multi-colored crosswalks in accordance with the Participation and Maintenance Agreement.

**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 Participation and Maintenance Agreement with the GLBT Chamber of Commerce Foundation, approved as to form by the City Attorney, for a pilot transaction to facilitate Third party organization sponsored enhancements as part of City streetscape improvements to the public right-of-ways, wherein the GLBT Chamber of Commerce Foundation shall be the pilot participant and (i) provide advance funding to the City for the construction costs in an amount not to exceed \$128,250.00 for the multi-colored crosswalks on Cedar Springs Road from Douglas Avenue to Oak Lawn Avenue (the "Project") ; and (ii) be responsible for the post-installation repairs and maintenance of the multi-colored crosswalks. If advance funding is not received by January 31, 2020 from the GLBT Chamber of Commerce Foundation for the construction of the multi-colored crosswalk improvements, the City will process a

June 26, 2019**SECTION 1.** (continued)

change order to remove the cost of the proposed multi-colored crosswalk improvements from the Project contract, in an amount not to exceed \$128,250.00.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to receive and deposit funds in an amount not to exceed \$128,250.00 from the GLBT Chamber of Commerce Foundation in the Capital Reimbursement Fund, Fund 0556, Department PBW, Unit S391, Revenue Code 6526 in accordance with the terms and conditions of the Participation and Maintenance Agreement.

**SECTION 3.** That the City Manager is hereby authorized to increase appropriations in an amount not to exceed \$128,250.00 in the Capital Projects Reimbursement Fund, Fund 0556, Department PBW, Unit S391, Object 4510.

**SECTION 4.** That in accordance with the provisions of the Participation and Maintenance Agreement with the GLBT Chamber of Commerce Foundation, should additional funding be necessary to complete the multi-colored crosswalks improvements, the Chief Financial Officer is hereby authorized to obtain and deposit such additional funding received from GLBT Chamber of Commerce Foundation for this purpose and should the final construction cost be less than the total amount received, to return same to the GLBT Chamber of Commerce Foundation.

**SECTION 5.** That this contract is designated as Contract No. PBW-2019-00010565.

**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.

