

June 26, 2019

**WHEREAS**, on July 22, 2014, Administrative Action No. 14-6743 authorized a professional services contract with VERDUNITY, INC. for the development of schematic drawings and cost estimates for the purpose of selecting the desired elements for inclusion in the project preliminary design phase on Cedar Springs Road from Douglas Avenue to Oak Lawn Avenue, in an amount not to exceed \$24,900.00; and

**WHEREAS**, on January 10, 2018, City Council authorized a Supplemental Agreement No. 1 to the professional services contract with VERDUNITY, INC. to provide additional engineering services of streetscape improvements for Cedar Springs Road from Douglas Avenue to Oak Lawn Avenue (the "Project"), in an amount not to exceed \$130,293.85, from \$24,900.00 to \$155,193.85 by, Resolution No. 18-0067; and

**WHEREAS**, the City of Dallas has determined as part of 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 in 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; and

June 26, 2019

**WHEREAS**, on April 19, 2019, four bids were received for the construction of complete street improvements on Cedar Springs Road from Douglas Avenue to Oak Lawn Avenue, as follows:

<u>Bidders</u>	<u>Amount</u>
Gibson & Associates, Inc.	\$1,375,735.16
Joe Funk Construction	\$1,970,836.55
FNH Construction, LLC	\$1,983,701.50
Rebcon, Inc.	\$2,070,572.40

**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 construction contract with Gibson & Associates, Inc., approved as to form by the City Attorney, for the construction of complete street improvements on Cedar Springs Road from Douglas Avenue to Oak Lawn Avenue, in an amount not to exceed \$1,375,735.16.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$1,375,735.16 to Gibson & Associates, Inc., in accordance with the terms and conditions of the contract, as follows:

Street and Transportation Improvements Fund Fund 3U22, Department PBW, Unit S391, Activity CPST Object 4510, Program PB12S391 Encumbrance/Contract No. CX-PBW-2019-00010295 Vendor VS0000022657	\$ 219,141.36
Street and Transportation Improvements Fund Fund 4U22, Department PBW, Unit S391, Activity CPST Object 4510, Program PB12S391 Encumbrance/Contract No. CX-PBW-2019-00010295 Vendor VS0000022657	\$1,028,343.80
Capital Projects Reimbursement Fund Fund 0556, Department PBW, Unit S391, Activity CPST Object 4510, Program PB12S391 Encumbrance/Contract No. CX-PBW-2019-00010295 Vendor VS0000022657	<u>\$ 128,250.00</u>
Total amount not to exceed	\$1,375,735.16

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**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

JUN 26 2019

  
CITY SECRETARY