

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS APPROVING THE AGREEMENT BETWEEN THE TOWN AND J.B. & CO. LLC FOR CONSTRUCTION OF BELT LINE 1.5 ENHANCEMENTS BETWEEN MARSH LANE AND MIDWAY ROAD IN AN AMOUNT NOT TO EXCEED \$1,798,287.95, SETTING A TOTAL PROJECT BUDGET AMOUNT NOT TO EXCEED \$2,378,000, AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT, AND PROVIDING AN EFFECTIVE DATE.**

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:**

**SECTION 1.** The Agreement between the Town of Addison and J.B. & CO LLC, for Belt Line 1.5 Enhancements in an amount not to exceed \$1,798,287.95 (the “Contract Amount”), a copy of which is attached to this Resolution as **Exhibit A**, incorporating the Town of Addison’s General and Specific Conditions for construction contracts, the Advertisement for Bids, Instructions to Bidders, General Provisions, Special Provisions, Plans and other bid documents is hereby approved. The City Manager is hereby authorized to execute the Agreement.

**SECTION 2.** This resolution also establishes a total project budget of \$2,378,000 which includes professional services, construction, ROW acquisition and project set aside.

**SECTION 3.** This resolution also establishes a project set aside, equal to 10% of the Contract Amount, as contingency funds available to be applied to the project if deemed necessary. Including the 10% set aside, the total construction budget shall not exceed \$1,978,116.74

**SECTION 4.** This Resolution shall take effect from and after its date of adoption.

**DULY RESOLVED AND ADOPTED** by the City Council of the Town of Addison, Texas, on this the 25<sup>th</sup> day of **FEBRUARY 2020**.

**TOWN OF ADDISON, TEXAS**

\_\_\_\_\_  
Joe Chow, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Irma Parker, City Secretary

\_\_\_\_\_  
Brenda N. McDonald, City Attorney

**Exhibit A**  
**CONTRACT AGREEMENT**

STATE OF TEXAS

COUNTY OF DALLAS

THIS AGREEMENT is made and entered into this **25<sup>th</sup>** day of **February**, 2020, by and between the Town of Addison, of the County of Dallas and State of Texas, acting through its City Manager, thereunto duly authorized so to do, Party of the First Part, hereinafter termed the OWNER, and **J.B. & Co. LLC**, of the City of **Dallas**, County of **Dallas**, State of **Texas**, Party of the Second Part, hereinafter termed CONTRACTOR.

WITNESSETH: That for and in consideration of the payment and agreement hereinafter mentioned, to be made and performed by the OWNER, the said CONTRACTOR hereby agrees with the said OWNER to commence and complete construction of certain improvements as follows:

**BELT LINE 1.5 LANDSCAPE  
ENHANCEMENTS BID NUMBER 20-52**

and all extra work in connection therewith, under the terms as stated in the General and Specific Conditions of the AGREEMENT; and at his own proper cost and expense to furnish all the materials, supplies, machinery, equipment, tools, superintendence, labor, insurance and other accessories and services necessary to complete the said construction, in accordance with the conditions and prices stated in the Proposal attached hereto and in accordance with the Advertisement for Bids, Instructions to Bidders, General Provisions, Special Provisions, Plans, and other drawings and printed or written explanatory matter thereof, and the Technical Specifications and Addenda thereto, as prepared by the OWNER, each of which has been identified by the endorsement of the CONTRACTOR and the OWNER thereon, together with the CONTRACTOR's written Proposal and the General Provisions, all of which are made a part hereof and collectively evidence and constitute the entire AGREEMENT.

The CONTRACTOR hereby agrees to commence work within ten (10) calendar days after the date of written notice to do so shall have been given to him, to **substantially complete the work by July 1, 2020**, subject to such extensions of time as are provided by the General Provisions. The contractor agrees to fulfill the intent of the plans and specifications associated with Bid # 20- 52

The OWNER agrees to pay the CONTRACTOR **One Million, Six Hundred Two Thousand, Nine Hundred Sixty-Three Dollars and Fifty Five Cents (\$1,602,963.55)** for base bid items and at its sole discretion, OWNER may also request CONTRACTOR to complete the alternate bid item identified in the Bid in the amount of **One Hundred Ninety-Five Thousand, Three Hundred Twenty-Four Dollars and Forty Cents (\$195,324.40)** all payable from current funds for the performance of the Contract in accordance with the Proposal submitted thereof, subject to additions and deductions, as provided in the General Provisions, and to make payments of account thereof as provided therein.

IN WITNESS WHEREOF, the parties of these presents have executed this AGREEMENT in the year and day first above written.

**TOWN OF ADDISON, TEXAS (OWNER)**

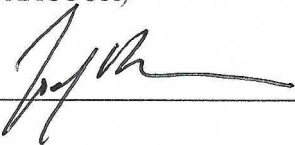
**ATTEST:**

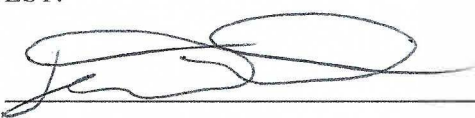
By: \_\_\_\_\_  
Wes Pierson, City Manager

By: \_\_\_\_\_  
Irma Parker, City Secretary

**(CONTRACTOR)**

**ATTEST:**

By: \_\_\_\_\_  


By: \_\_\_\_\_  


The following to be executed if the CONTRACTOR is a corporation:

I, \_\_\_\_\_ certify that I am the secretary of the corporation named as CONTRACTOR herein; that \_\_\_\_\_, who signed this Contract on behalf of the CONTRACTOR is the (official title) of said corporation; that said Contract was duly signed for and in behalf of said corporation by authority of its governing body, and is within the scope of its corporate powers.

Signed: \_\_\_\_\_

Corporate Seal