



Legislation Text

File #: 21-0340R, **Version:** 1

RESOLUTION AUTHORIZING AN AGREEMENT WITH DULUTH LINCOLN PARK 1, LLC FOR REIMBURSEMENT TO THE CITY FOR ADDITIONAL DESIGN AND CONSTRUCTION COSTS FOR CHANGE ORDER NUMBER 1 TO THE CROSS CITY TRAIL RELOCATION PROJECT

CITY PROPOSAL:

RESOLVED, that the proper city officials are hereby authorized to enter into an agreement, a copy of which is attached hereto as Exhibit A, with Duluth Lincoln Park 1, LLC pursuant to which said entities agree to reimburse the city for a portion of consultant engineering costs and 100 percent of the construction costs for Change Order 1 to the Cross City Trail Relocation project in the amount of \$26,121.37, to be deposited in Permanent Improvement Fund 411, Department 035 (Capital), Object 4654-02 (Other Reimbursements & Refunds); and

FURTHER RESOLVED, that Lincoln Park 1, LLC provide a Letter of Credit to the City in the amount of \$94,000.

STATEMENT OF PURPOSE: This resolution will authorize an agreement between the city and Duluth Lincoln Park 1, LLC. for reimbursement by Duluth Lincoln Park1, LLC for engineering expenses (\$862) for the design of the detour, and to pay the city for 100% of the construction cost to install the shared use path on the opposite side of W. Superior Street. Given that the construction of the new apartment building requires the use of the same area that the shared use path was proposed to be installed, they have agreed to relocate the route temporarily. They expect to have the majority of the foundation and walls installed such that the path can be installed by the city along their new building by June 15, 2022. Meetings with both the Lincoln Park Business District and Friends of Western Duluth Parks and Trails were held, and there were no objections to the temporary detour. Duluth Lincoln Park 1, LLC will pay for their half of the engineering and construction cost for Change Order 1 upfront, in the amount of \$26,121.37 and the city will have the work performed as part of city project 1596.

In the event that the developer is unable to restore the sidewalk and street adjacent to their property by June 1, 2022, the city will have the option to draw against the line of credit in order to cause the road and sidewalk restoration work to be done by the city so that the Cross City Trail Relocation Project can be installed.