

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE ADMINISTRATOR FOR THE DEPARTMENT OF TRANSPORTATION TO ACCEPT A CONTRIBUTION OF FIFTY-ONE THOUSAND SEVEN HUNDRED SEVENTY-ONE AND 46/100 DOLLARS (\$51,771.46) FROM PUBLIX TENNESSEE, LLC TOWARDS THE COST OF ELEVEN (11) PEDESTRIAN LIGHT POLES, LIGHT FIXTURES, AND FOR HALF OF THE STAMPED CONCRETE CROSSWALK AT WEST MANNING STREET PER COST ESTABLISHED BY CONTRACT NO. E-13-003-201.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, it is hereby authorizing the Administrator for the Department of Transportation to accept a contribution of \$51,771.46 from Publix Tennessee, LLC towards the cost of eleven (11) pedestrian light poles, light fixtures, and for half of the stamped concrete crosswalk at West Manning Street per cost established by Contract No. E-13-003-201.

ADOPTED: _____, 2014

/mem

City of Chattanooga



Resolution Request Form

(This form is only required for resolutions requiring expenditure of City funds)

Date: May 13, 2014

Preparer: Bert Kuyrkendall

Department: Transportation

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council): _____

District 2

A resolution authorizing the Administrator of the Transportation Department to accept a contribution of \$51,771.46 from Publix Tennessee LLC, towards the cost of (11) pedestrian light poles, light fixtures, and for half of the stamped concrete crosswalk at the W. Manning Street per cost established by Contract No. E-13-003-201 and itemized per sheet 00301-(2) attached.

Name of Vendor/Contractor/Grant, etc.	<u>N/A</u>	New Contract/Project? (Yes or No)	<u>yes</u>
Total project cost \$	<u>87,297.96</u>	Funds Budgeted? (YES or NO)	<u>yes</u>
Total City of Chattanooga Portion \$	<u>35,526.80</u>	Provide Fund	<u>4016</u>
City Amount Funded \$	<u>35,526.80</u>	Provide Cost Center	<u>K16105</u>
New City Funding Required \$	<u>0</u>	Proposed Funding Source if not budgeted	<u>N/A</u>
City's Match Percentage %	<u>41%</u>	Grant Period (if applicable)	<u>N/A</u>

List all other funding sources and amount for each contributor.

<u>Amount(s)</u>	<u>Grantor(s)</u>
<u>\$51,771.46</u>	<u>ARS Ventures, LLC - North Market</u>
<u>\$</u>	<u></u>

Agency Grant Number _____

CFDA Number if known _____

Other comments: (Include contingency amount, contractor, and other information useful in preparing resolution)

Approved by: _____

Reviewed by: FINANCE OFFICE

DESIGNATED OFFICIAL/ADMINISTRATOR

Please submit completed form to @budget, City Attorney and City Finance Officer

DEVELOPMENT AGREEMENT

E-13-003-801

The City of Chattanooga and Publix Tennessee LLC hereby enter into this Development Agreement for the property located at 400 North Market Street in conjunction with the North Market Street Streetscape Project, this agreement shall be known as Project No. E-13-003-801. The City and Publix Tennessee LLC agree that each party has certain responsibilities to make this project succeed. The following responsibilities of each party are as follows:

Publix Tennessee LLC Responsibilities:

1. Publix Tennessee LLC shall construct the streetscape along North Market Street adjacent to their property at 400 North Market Street as shown on plans submitted to Land Development Office #13-40058 (Publix on North Market Street) sheet No. NMS-1 Rev. 3, attached. The work shall include the demo and removal of the existing sidewalk, curb and gutter, and roadway as required, with the installation of foundations for the Pedestrian Light Poles (PLP), conduits and handhold boxes, street tree wells and trees, and new sidewalks, curb, and stamped concrete crosswalk as required.
2. Publix Tennessee LLC shall provide a contribution of \$51,771.46 towards the cost of (11) PLP's, light fixtures, and for half of the stamped concrete crosswalk at the W. Manning Street per cost established by Contract No. E-13-003-201 and itemized per sheet 00301-(2) attached.

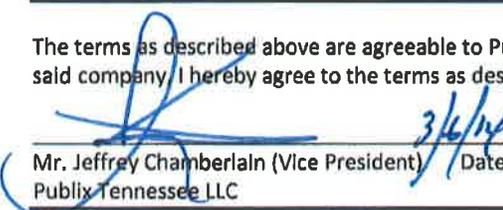
City Responsibilities:

1. The City is the sole owner of the Pedestrian Light Poles and thus is the only entity approved to order the poles fabricated by Sun Valley, by a competitive bid process. Once payment has been received from Publix Tennessee LLC the poles shall be ordered by the City.
2. The City shall be responsible for the installation of the electrical wiring, the PLP's, and light fixtures at a cost of \$1,476.76 each.
3. The City will coordinate with Publix and their contractor in the installation of stamped concrete crosswalks at the intersection of West Manning Street and North Market Street.

The City and Publix Tennessee LLC are in agreement to the above terms as they pertain to the 400 North Market Street Streetscape Project and by the execution of signatures below enter into this Development Agreement.

DEVELOPMENT AGREEMENT

The terms as described above are agreeable to Publix Tennessee LLC, and as an officer of the owner of the said company, I hereby agree to the terms as described.


Mr. Jeffrey Chamberlain (Vice President) Date
Publix Tennessee LLC

The terms as described above are agreeable to the City of Chattanooga, and as the Administrator of Public Works, I hereby agree to the terms as described.


Blythe Bailey, Administrator Transportation Date

TRANSPORTATION DEPARTMENT
(423) 643.5950
(423) 643.5951



CITY OF CHATTANOOGA

DATE 5/5/14

RECEIPT NO. 223613

Received from ARS-Ventures LLC - North Market

Amount of Fifty one thousand seven hundred and seventy one dollar and 46/100 Dollars and 46/100 Cents

For Development Agreement E-13-003-801
streetscape contribution

Cash \$ _____
 Check \$ 51,771.46 #118

TRANS
Department/Division
Rebecca LeVah
Signature

ARS VENTURES LLC - NORTH MARKET		118
PO BOX 550549		64-240/611
ATLANTA GA 30355		<u>3-18-14</u> DATE
PAY TO THE ORDER OF	<u>City of Chattanooga</u>	\$ <u>51,771.46</u>
<u>Fifty one thousand seven hundred and seventy one - 46/100</u>		DOLLARS
	FIDELITY BANK Atlanta, GA www.fidelitybank.com	
FOR	<u>Dev. Agree. E-13-003-801</u>	<u>John W. Wilcox</u> <small>MP</small>
⑆06⑆1⑆02400⑆05 06025 7⑆ 0118 223613		

Hartford Clarke