



Legislation Details (With Text)

File #: 20-2194 **Version:** 1 **Name:**

Type: CONSENT AGENDA **Status:** Approved

File created: 10/30/2020 **In control:** Park & Recreation Department

On agenda: 12/9/2020 **Final action:** 12/9/2020

Title: Authorize (1) a construction and maintenance agreement with Vickery Meadow Management Corporation dba Vickery Midtown Management Corporation for the construction and maintenance of lighting improvements, lighting utility costs, and enhanced maintenance on the SoPac Trail for purposes of installing trail lighting, enhance maintenance, annual utility costs, and a portion of trail lighting construction located from East Northwest Highway in the south to approximately 600 feet north of Greenville Avenue in the north; (2) acceptance of \$122,254.00 for the SoPac Trail Lighting Project; and (3) an increase in appropriations in the amount of \$122,254.00 in the Capital, Gifts, Donation, and Development Fund - Revenue: Capital Gifts, Donation and Development Fund \$122,254.00

Sponsors:

Indexes: 13, 9

Code sections:

Attachments: 1. Map, 2. Resolution, 3. Exhibit B

Date	Ver.	Action By	Action	Result
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STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: December 9, 2020

COUNCIL DISTRICT(S): 9, 13

DEPARTMENT: Park & Recreation Department

EXECUTIVE: John D. Jenkins

SUBJECT

Authorize (1) a construction and maintenance agreement with Vickery Meadow Management Corporation dba Vickery Midtown Management Corporation for the construction and maintenance of lighting improvements, lighting utility costs, and enhanced maintenance on the SoPac Trail for purposes of installing trail lighting, enhance maintenance, annual utility costs, and a portion of trail lighting construction located from East Northwest Highway in the south to approximately 600 feet north of Greenville Avenue in the north; (2) acceptance of \$122,254.00 for the SoPac Trail Lighting Project; and (3) an increase in appropriations in the amount of \$122,254.00 in the Capital, Gifts, Donation, and Development Fund - Revenue: Capital Gifts, Donation and Development Fund \$122,254.00

BACKGROUND

This action will authorize (1) a construction and maintenance agreement with Vickery Meadow Management Corporation dba Vickery Midtown Management Corporation (VMMC) for the construction and maintenance of the SoPac Trail Lighting Project; and (2) acceptance of \$122,254.00, which is approximately 25 percent of the anticipated cost of the trail lighting project. The Vickery Meadows Public Improvement District (District) designated VMMC as the manager of the District. The general area of the agreement is the SoPac Trail corridor from East Northwest Highway in the south to approximately 600 feet north of Greenville Avenue in the north.

The SoPac Trail was constructed by Dallas County in collaboration with the City and completed in July 2018. At the time of construction funding was not available for lighting the trail; however, in anticipation of future lighting, light pedestals and conduit had been constructed. The following year VMMC contracted with Halff Associates, Inc. to develop construction drawings for the installation of trail lighting on a portion of the SoPac Trail. The City subsequently submitted VMMC's construction plans to METCO Engineering, Inc. (METCO) for pricing under an existing Job Order Contract. METCO provided a total lighting project cost of \$489,017.00 which included the installation of 170 sixteen-foot light poles, light luminaires, flood lighting, and related materials, labor, permits, etc.

Approximately 25 percent of the total project cost, \$122,254.00 will be provided by VMMC and approximately \$370,000.00 in Equity Revitalization Funds from Council District 13. VMMC will also provide funding for annual lighting utility costs as well as provide other maintenance and future improvements on the trail.

The agreement will be subject to the following terms:

1. The term shall commence upon execution of the agreement and terminate on December 31, 2022. The District's City Council approved Service Plan is scheduled for renewal at the end of 2022 upon which time it may enter into new agreements. After renewal of the PID VMMC intends to execute a subsequent agreement for the same or similar terms, that is, maintenance and improvement of the SoPac Trail.
2. VMMC will provide enhanced maintenance which may include mowing, trimming, litter removal, enhanced horticulture, graffiti abatement, and general repair and upkeep.
3. VMMC shall be financially responsible for the utility costs for the trail lighting and enhanced services or improvements as VMMC provides.
4. VMMC may provide capital improvements to the trail corridor subject to written approval from the Director of Park and Recreation (Director).
5. VMMC shall be responsible for scheduling its own events on the trail corridor and shall develop and provide an event policy for the Director's approval. In scheduling special events VMMC shall be responsible for securing reservations, permits, and payment of any fees for such events.
6. Either party may terminate the agreement without cause with 90 days notice. The Director may suspend or terminate the agreement with 10 days notice should it find that the public interest, safety, health, comfort and/or welfare require such action.
7. The trail corridor is owned by Dallas Area Rapid Transit over which the City has a trail easement. The agreement is subject to the terms of the City's easement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 5, 2020, the Park and Recreation Board authorized a construction and maintenance agreement with Vickery Midtown Management Corporation.

FISCAL INFORMATION

Revenue: Capital Gifts, Donation and Development Fund \$122,254.00

<u>Council District</u>	<u>Amount</u>
9	\$ 18,350.00
13	<u>\$103,904.00</u>
Total	\$122,254.00

MAP

Attached