



## Legislation Text

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**File #:** 031192, **Version:** 0

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ORIGINAL

### THE CHAIR

Resolution authorizing the proper City officers to enter into an Out-of-Program Agreement between the City of Milwaukee and the Endeavour Company regarding the design, construction, and funding of water main relocation work required in conjunction with a proposed development project. (DPW)

This resolution approves an Out-of-Program Agreement between the City and the Endeavour Company regarding water main relocation work. The company proposes to construct a mixed-use complex in the two blocks bound by East Seeboth Street, South Barclay Street, East Pittsburgh Avenue, and South 1<sup>st</sup> Street. South Ferry Street bisects the two-block development site and would be vacated to make way for the project. An existing water main in South Ferry Street must be relocated to allow for the street vacation and subsequent development. The agreement provides that the City will design the relocated water main, let the contract for its construction, and inspect the work. The City will also pay one half of the overall cost. The developer will pay the other half.

Whereas, The Endeavour Company proposes to develop a mixed-use complex in the two blocks bound by East Seeboth Street, South Barclay Street, East Pittsburgh Avenue, and South 1<sup>st</sup> Street; and

Whereas, South Ferry Street runs north/south through the middle of the site and must be vacated to allow the proposed development; and

Whereas, An existing 36-inch diameter water main is located in South Ferry Street; and

Whereas, This water main must be relocated to permit the development to proceed as planned; and

Whereas, The existing water main is over 100 years old and will have to be relayed at some point in the near future; and

Whereas, In the absence of this development project, the City would have to fund 100% of the water main relay cost; and

Whereas, It would be in the interest of the City to accommodate the proposed project by sharing the cost of the required water main relocation work equally with the developer; and

Whereas, The estimated overall cost of the water main relocation work is \$225,000 of which \$112,500 would be the City's responsibility with the remainder being funded by the developer; and

Whereas, The City will design the relocated water main, will let the contract for its construction, and will inspect the construction work; and

Whereas, An Out-of-Program Agreement has been drafted which incorporates the provisions as outlined herein, said Agreement being attached to the file; now, therefore, be it

Resolved, That the Common Council of the City of Milwaukee hereby authorizes the proper City officers to execute the attached Out-of-Program Agreement between the City of Milwaukee and the Endeavour Company; and, be it

Further Resolved, That the Commissioner of Public Works is hereby authorized to make minor, non-substantive changes to the agreement prior to its execution.

The Department of Public Works

MAS:THM:ph

12/16/03

DOC: endeavour.res

