

RESOLUTION NO. 65-23

Approving a Limited Notice to Proceed Agreement between This is Iowa Ballpark, Inc. and City of Dyersville, and Construction Manager Miron Construction Co., Inc.

WHEREAS, City of Dyersville, This is Iowa Ballpark, Inc., and Miron Construction Co.. Inc. have executed an agreement in the form AIA Documents A133-2019 Agreement, along with supplementals; and,

WHEREAS, the Limited Notice to Proceed Agreement between This is Iowa Ballpark, Inc. and City of Dyersville, and Construction Manager Miron Construction Co., Inc. have been carefully reviewed and considered; and,

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Dyersville, Iowa, as follows:

Section 1. The Limited Notice to Proceed Agreement is hereby approved subject to the approval of This is Iowa Ballpark, Inc. The City Administrator and City Clerk are hereby authorized and directed to execute and deliver the Agreement on behalf of the City, in substantially the form and content in which the Agreement has been presented to this City Council, and such officers are also authorized to make such changes, modifications, additions or deletions as they, with the advice of legal counsel, may believe to be necessary, and to take such actions as may be necessary to carry out the provisions of the Agreement.

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Passed and approved October 2, 2023.

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Jeff Jacque, Mayor

Attest:

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Tricia L. Maiers, City Clerk