



## **AGENDA ITEM ANALYSIS**

Project/Issue Name: 23-48 An Ordinance of The City Council Approving Execution of a First Amendment to the Developer Agreement with Republic R-III School District for the Construction of a Queuing Road for the Republic Schools Located at North Main Street and West State Highway 174.

Submitted By: Garrett Brickner, Assistant BUILDS Administrator

Date: October 3, 2023

### **Issue Statement**

amend the Developer Agreement approved in March 2023 to share the total project cost of \$589,986.87 equally between the City and the Republic R-III School District, with other terms remaining unchanged.

### **Discussion and/or Analysis**

In March 2023, the City Council approved a Developer Agreement, through Ordinance 23-09, outlining the cooperation and coordination between the City and the School District for the construction of the school queuing lane. That agreement outlined that the School would pay for the asphalt pavement only, at the time this was estimated to be approximately 50% of the project cost, and the only work the City could not complete utilizing their own crews. The initial estimate for paving at the time was approximately \$292,000. Once the city received Sealed bids for the project, the lowest bidder was APAC Construction at Approximately \$238,000. During City preparation for the roadway, more unsuitable soil was discovered than was originally estimated. This required additional excavation and replacement with material that could support the roadway. The proposed First Amendment to the Developer Agreement seeks to amend this agreement, with the School District now sharing equally with the City in the total project cost.

The proposed amendment to the Developer Agreement equitably divides the total project costs evenly between the City and the Republic R-III School District. The final costs of the project totaled \$589,986.87 of which each party will be responsible for \$294,993.43. All other terms and conditions of the original Developer Agreement remain unchanged, ensuring the continued alignment of interests between the City and the School District.

### **Recommended Action**

Staff recommends approval.