

COUNCIL ACTION FORM

SUBJECT: 2016/17 US 69 IMPROVEMENTS PROGRAM (S. DUFF AVENUE SAFETY AND ACCESS PROJECT)

BACKGROUND:

On November 22, 2016, the City Council accepted the report of bids for the 2016/17 US 69 Improvements Program (S. Duff Avenue Safety and Access Project), approved the final plans and specifications for this project, and delayed the award of the project until December 13, 2016. Because the City received a high bid, the project was determined to be \$162,899 over budget (not including a needed contingency amount nor contract administration costs). The delay of award was to provide the extra time needed to negotiate a funding agreement for the construction phase of the project with Walmart and Hunziker to cover these increased costs.

Since that time, staff in the Public Works and Legal Departments has been working to complete the funding agreement, as well as a cross-access easement on Walmart's property. It appears that more time will be needed to finalize these items to get approval from Walmart's corporate offices in Arkansas. Staff is also still evaluating if design alternatives may exist for the project. **Therefore, staff is recommending that City Council keep the hearing open until the following meeting on December 20, 2016.**

ALTERNATIVES:

1. Extend the hearing for the 2016/17 US 69 Improvements Program (S. Duff Avenue Safety and Access Project) until December 20, 2016.
2. Direct staff to reject or make modifications to the project.

MANAGER'S RECOMMENDED ACTION:

Keeping the public hearing open will provide the additional time for staff to complete the evaluation of plans along with the agreements for cost sharing and cross-access to determine if all three parties can fund the higher costs. Staff will bring this project back to the City Council at its December 20th meeting.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as described above.