DocuSign Envelope ID: AFA02920-4985-4C18-B85A-471EF5B000CD

PROFESSIONAL SERVICE CONTRACT TRANSMITTAL RECORD

CHANGE ORDER # | STANDARD PO NUMBER | CONTRACT PO NUMBER 2873053

Ref# 30011

Insurance Requirement
ACCOUNTS PAYABLE WILL HOLD UP ALL CONTRACT PAYMENTS UNTIL ALL INSURANCE CERTIFICATES/POLICIES REQUIRED UNDER THE CONTRACT HAVE BEEN RECEIVED. CONTRACTORS SHOULD BE MADE AWARE OF THIS REQUIREMENT.

TYPE OF CONTRACT: (Check One)
☐ CONSTRUCTION/DEMOLITION ☐ LEASE ☐ DEED
☐ PROFESSIONAL SERVICES **REVENUE CONTRACT**

DEPARTMENT HEAD'S SIGNATURE: Ron Brundidge

DEPARTMENT: DPW

FUNDING SOURCE (Percent)
FEDERAL % STATE 100% CITY % OTHER

DEPARTMENT CONTACT PERSON: JOSE ABRAHAM

PHONE NO.: 224-3932

REVISION | REVISION 1

CONTRACTOR'S NAME: **MICHIGAN DEPARTMENT OF TRANSPORTATION**

DATE PREPARED: 07/27/2015

CONTRACTOR'S ADDRESS:
P O BOX 30050
LANSING, MI 48909

ENGINEER'S ESTIMATE ☐ CONTRACT ☒ CHANGE ☒
TOTAL CONTRACT AMOUNT $ 0 REVENUE CONTRACT
TOTAL CPO AMOUNT
CHANGE AMOUNT

PHONE NO. **(517) 373-2090** **FAX**

☒ CORPORATION ☐ PARTNERSHIP ☐ INDIVIDUAL

FEDERAL EMPLOYER/SOCIAL SECURITY NUMBER: **38-3000134**

MINORITY FIRM ☐ YES ☒ NO

PURPOSE OF CONTRACT: **AMENDATORY CONTRACT TO RECEIVE FUNDING FROM MDOT FOR RECONSTRUCTION WORK ALONG CIVIC CENTER DRIVE FROM JEFFERSON AVENUE SERVICE DRIVE TO ATWATER STREET. CONTRACT 15-5302, JOB 117976**

CHARGE ACCOUNT: - 3301 – 193329 – 000000 – 432130 – 13598 – 000000 - 00000

TIME & DATE IN	APPROVER MUST ALSO MAKE APPROPRIATE NOTES IN ORACLE PURCHASE ORDER	TIME & DATE IN
	REQUESTING DEPARTMENT — AUTHORIZED DEPARTMENT REPRESENTATIVE	7/27/15
JUL 28 2015	**BUDGET** ☐ RECOMMEND APPROVAL ☐ RECOMMEND DENIAL — BUDGET DIRECTOR OR DEPUTY	
	GRANT MANAGEMENT SECTION ☐ RECOMMEND APPROVAL ☐ RECOMMEND DENIAL — GRANT ACCOUNTANT	
	FINANCE DEPARTMENT ☐ RECOMMEND APPROVAL ☐ RECOMMEND DENIAL — FINANCE DIRECTOR OR DEPUTY	
	LAW DEPARTMENT ☐ RECOMMEND APPROVAL ☐ RECOMMEND DENIAL — CORPORATION COUNSEL	
	PURCHASING DIVISION — PURCHASING DIRECTOR	
	CITY COUNCIL APPROVAL JCC REFERENCE: PAGE _____ DATE _____	

DocuSign Envelope ID: AFA02920-4985-4C18-B85A-471EF5B000CD

CONTRACT NO: 2873053

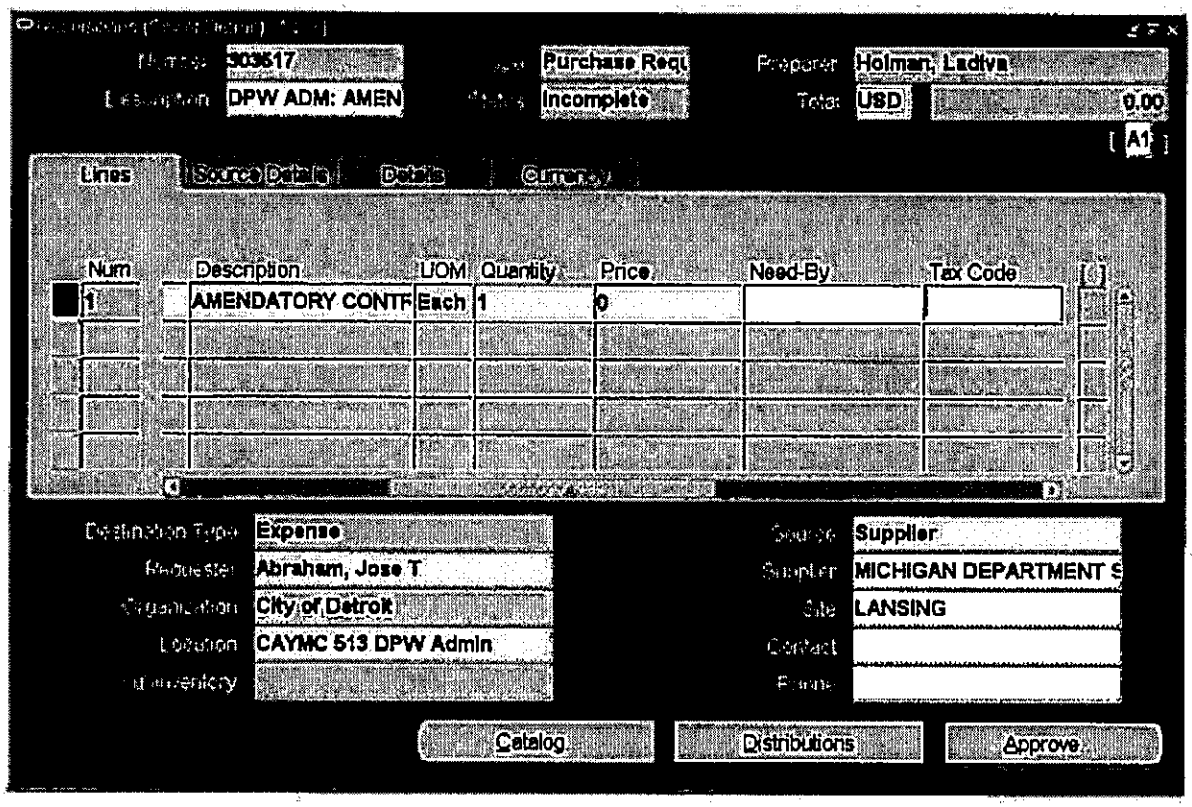
DEPARTMENT: DPW-STREET FUND [ ] WAIVER

AGENDA DATE: _____

CONTRACT SYNOPSIS

CONTRACTOR'S NAME:	MICHIGAN DEPARTMENT OF TRANSPORTATION
CONTRACTOR'S ADDRESS:	PO BOX 30050 LANSING MI 48909
WHAT FORM OF COMPETITION DID THE DEPARTMENT ENGAGE IN TO OBTAIN THIS PROFESSIONAL SERVICE CONTRACT:	Request For Proposal (RFP) # N/A Request For Quotes (RFQ) # N/A Request For Qualifications (RFQQ) # N/A **If there was no competition obtained, explain why:** REVENUE CONTRACT
PROJECT:	TO PROVIDE FUNDING FOR RECONSTRUCTION WORK ALONG CIVIC CENTER DRIVE
TYPE OF FUNDING AND %:	STATE FUNDS, 100%
CONTRACT AMOUNT:	$0
CONTRACT PERIOD:	NOVEMBER 1, 2012 – JUNE 30, 2017
ADVANCE PAYMENT:	NONE
BRIEF DESCRIPTION:	AMENDATORY CONTRACT TO CONTRACT 12-5537 TO PROVIDE FOR AN INCREASE IN THE ESTIMATED PROJECT COST, AND AN INCREASE IN THE MAXIMUM STATE FUNDING TO BE APPLIED TO THE ELIGIBLE ITEMS OF THE PROJECT COST RELATIVE TO RECONSTRUCTION WORK ALONG CIVIC CENTER DRIVE FROM THE JEFFERSON AVE SERVICE DRIVE TO ATWATER STREET INCLUDIING TRAFFIC CIRCLE WORK; RECONSTRUCTION WORK ALONG THE JEFFERSON AVE SERVICE DRIVE FROM WASHINGTON BLVD EASTERLY APPROX 400 FEET; DROP OFF CIRCLE CONSTRUCTION WORK AT THE INTERSECTION OF WASHINGTON BLVD AND THE JEFFERSON AVENUE SERVICE DRIVE.
REASON FOR DELAY:	N/A

DocuSign Envelope ID: AFA02920-4985-4C18-B85A-471EF5B000CD



DocuSign Envelope ID: AFA02920-4985-4C18-B85A-471EF5B000CD

	COM	
AMENDMENT TO CONTRACT 12-5537 AS AMENDED BY 14-5365	Control Section	EDA 82522
	Job Number	117976A
	Contract No.	15-5302

THIS AMENDATORY CONTRACT is made and entered into this date of _____, by and between the MICHIGAN DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT"; and the CITY OF DETROIT, a Michigan municipal corporation, hereinafter referred to as the "REQUESTING PARTY"; for the purpose of fixing the rights and obligations of the parties in agreeing to this Amendment to CONTRACT #12-5537 as amended by 14-5365.

WITNESSETH:

WHEREAS, the parties to the Amendment have heretofore, by a Contract dated March 11, 2013, hereinafter referred to as "CONTRACT #12-5537 as amended by 14-5365" provided for the construction and financing of that which is hereinafter referred to as the "PROJECT" and is described as follows:

> Reconstruction work along Civic Center Drive from the Jefferson Avenue Service Drive to Atwater Street, including traffic circle work; reconstruction work along the Jefferson Avenue Service Drive from Washington Boulevard easterly approximately 400 feet; drop-off circle construction work at the intersection of Washington Boulevard and the Jefferson Avenue Service Drive; and all together with necessary related work.

WHEREAS, the DEPARTMENT and the REQUESTING PARTY having appropriate authority desire to amend CONTRACT #12-5537 as amended by 14-5365 to provide for a decrease in the state participation ratio from 91 percent to 79 percent and an increase in the maximum state funding from $2,539,200 to $2,625,231 to be applied to the eligible items of the PROJECT COST.

NOW, THEREFORE, it is hereby agreed by and between the parties hereto that:

1. Section 5 of CONTRACT #12-5537 as amended by 14-5365 is revised to read as follows:

> 5. The PROJECT COST shall be met in part by contributions by TED FUNDS. TED FUNDS Category A shall be applied to the eligible items of the PROJECT COST up to an amount not to exceed the lesser of: (1) 79 percent of the approved and responsible low bid amount, or (2) $2,625,231. The balance, if any, of the PROJECT COST, after deduction of TED FUNDS, is the sole responsibility of the REQUESTING PARTY.

DocuSign Envelope ID: AFA02920-4985-4C18-B85A-471EF5B000CD

The REQUESTING PARTY shall be responsible for the payment of all costs and expenses incurred in the performance of PROJECT work.

Based upon the final cost of the PROJECT, the final costs included in the grant, and/or a request by the REQUESTING PARTY, a payment adjustment may be initiated and/or authorized by the DEPARTMENT for eligible items of the PROJECT COST such that the total amount of TED FUNDS does not exceed $2,625,231. The grant includes those activities of preliminary engineering, right-of-way acquisition, construction, and construction engineering related to the grant. The REQUESTING PARTY shall certify all actual costs incurred for work performed under this contract that are eligible for payment with TED FUNDS and will be required to repay any TED FUNDS it received in excess of 79 percent of the total of such costs.

2. EXHIBIT I of CONTRACT 14-5365 is superseded by EXHIBIT I REVISED, dated April 27, 2015 attached hereto and made a part hereof. Any references to EXHIBIT I in CONTRACT #12-5537 as amended by 14-5365 shall be construed to mean EXHIBIT I REVISED.

3. Except as amended by the provisions herein, all of the provisions, covenants, and obligations of the parties contained in CONTRACT #12-5537 as amended by 14-5365 shall remain in full force and effect.

4. The REQUESTING PARTY waives any and all claims it has or may have against the DEPARTMENT which arise out of the need to amend CONTRACT #12-5537 as amended by 14-5365.

DocuSign Envelope ID: AFA02920-4985-4C18-B85A-471EF5B000CD

5. This Amendatory contract shall become binding on the parties hereto and of full force and effect upon the signing thereof by the duly authorized officials for the parties hereto; upon the adoption of the necessary resolution approving said contract and authorizing the signatures thereto of the respective officials of the REQUESTING PARTY, a certified copy of which resolution shall be attached to this contract.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed the day and year first above written.

CITY OF DETROIT

By _____
Title: Street Administrator

By _____
Title: Chief Procurement Officer

DocuSigned by:
Boysie Jackson
E7BD9E26E53A4D0...
12/10/2015

MICHIGAN DEPARTMENT
OF TRANSPORTATION

By _____
Department Director MDOT

RDS
5/6

FORM APPROVED
5-13-2015
ASSISTANT
ATTORNEY
GENERAL

DocuSign Envelope ID: AFA02920-4985-4C18-B85A-471EF5B000CD

April 27, 2015

EXHIBIT I REVISED

CONTROL SECTION	EDA 82522
JOB NUMBER	117976A

ESTIMATED COST

Estimated PROJECT COST

Contracted Work	$3,441,200

ESTIMATED COST PARTICIPATION

GRAND TOTAL ESTIMATED COST	$3,441,200
Less TED FUNDS*	$2,625,231
BALANCE (REQUESTING PARTY'S SHARE)	$ 815,969

NO DEPOSIT

*TED FUNDS for the PROJECT are limited to an amount as described in Section 5.

PROFESSIONAL SERVICE CONTRACT TRANSMITTAL RECORD

CHANGE ORDER # | STANDARD PO NUMBER | CONTRACT PO NUMBER 2873053

Insurance Requirement
ACCOUNTS PAYABLE WILL HOLD UP ALL CONTRACT PAYMENTS UNTIL ALL INSURANCE CERTIFICATES/POLICIES REQUIRED UNDER THE CONTRACT HAVE BEEN RECEIVED. CONTRACTORS SHOULD BE MADE AWARE OF THIS REQUIREMENT.

TYPE OF CONTRACT: (Check One)
☐ CONSTRUCTION/DEMOLITION ☐ LEASE ☐ DEED
☐ PROFESSIONAL SERVICES **REVENUE CONTRACT**

DEPARTMENT HEAD'S SIGNATURE

DEPARTMENT: DPW

FUNDING SOURCE (Percent)
FEDERAL % STATE 100% CITY % OTHER

DEPARTMENT CONTACT PERSON: JOSE ABRAHAM

PHONE NO.: 224-3932

REVISION 1 | REVISION

CONTRACTOR'S NAME: **MICHIGAN DEPARTMENT OF TRANSPORTATION**

DATE PREPARED: 06/17/2014

CONTRACTOR'S ADDRESS:
P O BOX 30050
LANSING, MI 48909

ENGINEER'S ESTIMATE ☐ CONTRACT ☒ CHANGE ☒
TOTAL CONTRACT AMOUNT $ 0 REVENUE CONTRACT
TOTAL CPO AMOUNT
CHANGE AMOUNT

PHONE NO. **(517) 373-2090** **FAX**

☒ CORPORATION ☐ PARTNERSHIP ☐ INDIVIDUAL

FEDERAL EMPLOYER/SOCIAL SECURITY NUMBER: **38-3000134**

MINORITY FIRM ☐ YES ☒ NO

PURPOSE OF CONTRACT: **TO RECEIVE FUNDING FROM MDOT FOR RECONSTRUCTION WORK ALONG CIVIC CENTER DRIVE FROM JEFFERSON AVENUE SERVICE DRIVE TO ATWATER STREET**

CHARGE ACCOUNT: - 3301 – 193329 – 000000 – 432130 – 13598 – 000000 - 00000

TIME & DATE IN	APPROVER MUST ALSO MAKE APPROPRIATE NOTES IN ORACLE PURCHASE ORDER	TIME & DATE IN
	REQUESTING DEPARTMENT AUTHORIZED DEPARTMENT REPRESENTATIVE	6/19/14
JUN 19 2014	**BUDGET** ☒ RECOMMEND APPROVAL ☐ RECOMMEND DENIAL — BUDGET DIRECTOR OR DEPUTY	JUN 23 2014
	GRANT MANAGEMENT SECTION ☐ RECOMMEND APPROVAL ☐ RECOMMEND DENIAL — GRANT ACCOUNTANT	
JUN 23 2014	**FINANCE DEPARTMENT** ☒ RECOMMEND APPROVAL ☐ RECOMMEND DENIAL — FINANCE DIRECTOR OR DEPUTY	6/24/14
	LAW DEPARTMENT ☒ RECOMMEND APPROVAL ☐ RECOMMEND DENIAL — CORPORATION COUNSEL	
	PURCHASING DIVISION — PURCHASING DIRECTOR	

CITY OF DETROIT FINANCE DEPARTMENT PURCHASING DIVISION
14 JUN 27 PM 3:10

RECEIVED
JUN 25 2014
CITY OF DETROIT
CONTRACTS SECTION
LAW DEPARTMENT

CITY COUNCIL APPROVAL JCC REFERENCE: PAGE _____ DATE _____

COD-PO-15-0799

Use Only One Set For Each Contract Package

JUL 28 2014 EM AUG 06 2014

CITY OF DETROIT
OFFICE OF THE EMERGENCY MANAGER

COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVE., SUITE 1126
DETROIT, MICHIGAN 48226
PHONE 313•224•3703
FAX 313•224•4433
WWW.DETROITMI.GOV

MEMORANDUM

To: Janice Winfrey, City Clerk

From: Kevyn D. Orr, Emergency Manager
City of Detroit

Date: August 6, 2014

Re: VOTING ACTION ITEMS APPROVED BY THE DETROIT CITY COUNCIL AT THE FORMAL SESSION OF JULY 29, 2014 (ITEMS PASSED WITH WAIVERS)

I am authorizing approval of the following:

INFORMATION TECHNOLOGY SERVICES

Reso. Autho. Contract No. 2895715 - 100% City Funding – To Furnish Maintenance and Repairs on UniSys Tape Drives – Contractor: Rohr Systems d/b/a CPU LLC, Location: 5033 Industrial Road, Suite #3, Farmingdale, NJ 07727 – Contract Period: August 1, 2014 through July 31, 2017 – Contract Amount Not to Exceed: $36,000.00/3 yrs. ITS (WITH A WAIVER)

MISCELLANEOUS

Reso. Autho. Petition of Soul Circus, Inc. (#334), request to hold the "Universoul Circus" at Chene Park on September 4-15, 2014 with various times each day; Set-up begins 9/1/14 with tear down 9/16/14. (WITH A WAIVER)

Submitting report relative to Petition of Beulah First Missionary Baptist Church (#357), request to hold the "Beulah First MBC Back to School Rally" on August 23, 2014 from 11:00 a.m. to 3.00 p.m. with temporary street closure Moran between Forrest and Garfield. (WITH A WAIVER)

PLANNING AND DEVELOPMENT

Reso. Autho. Surplus Property Sale – Development: Parcel 617; generally bounded by Marquette, Hecla, Grand Trunk Railroad & Avery, to Henry Ford Health System, for the amount of $6,770.00. (The purchase of Parcel 617 by Henry Ford Health System, together with adjacent properties that they own, will allow for Phase 2 of the development, providing open space for screening, buffering from adjacent uses and allowing for vehicular staging/circulation, directly north of the yet to be built facility.) (WITH A WAIVER)

Reso. Autho. Surplus Property Sale Adjacent Lot Sale to Existing Institutional Business Development: Parcel 618; generally bounded by Ferry Park, Sterling, Marquette & Trumbull, to Henry Ford Health System, in the amount of $14,600.00. (Henry Ford Health System proposes to purchase Parcel 618, to remove illegal dumping/debris, clean up and maintain it.) (WITH A WAIVER)

POLICE

Reso. Autho. Petition of Omega Psi Phi Fraternity Inc. (#298), request to hold the "Omega Festival" at 235 E. Ferry between John R. and Brush on August 1, 2014 from 9:00 p.m. to 12:00 a.m. with temporary street closure. (WITH A WAIVER)

Re: VOTING ACTION ITEMS APPROVED BY THE DETROIT CITY COUNCIL AT THE FORMAL SESSION OF JULY 29, 2014 (ITEMS PASSED WITH WAIVERS)

Submitting report relative to Petition of Crane Street Block Club (#311), request permission to hold Neighborhood's Day Celebration and E. Forest between Fischer, Crane and Rohns Streets, August 2, 2014 from 12:00 p.m. to 8:00 p.m; with temporary street closure on Crane between E. Forest and W. Warren; Set-up 7/31/14 at 9:00 a.m., tear down 8/2/14 at 8:00 p.m. (WITH A WAIVER)

Submitting report relative to Petition of Southwest Detroit Business Association (#326), request to hold "Shop Your Block" on August 8-10, 2014 with various times each day and temporary street closure. (The Police Department RECOMMENDS APPROVAL of this petition.) (WITH A WAIVER)

Submitting report relative to Petition of Zen of Neato LLC (#306), request to hold "Oily Souls Detroit" at 2445 Michigan Ave., on August 23, 2014 from 2:00 p.m. to 11:59 p.m. (The Police Department RECOMMENDS APPROVAL of this petition.) (WITH A WAIVER)

PUBLIC WORKS

Reso. Autho. Contract No. 2873053 - 100% State Funding – To Provide Funding for Reconstruction Work Along Civic Center Drive from Jefferson Avenue to Atwater Street – Contractor: Michigan Department of Transportation, Location: P.O. Box 30050, Lansing, MI 48909 – Contract Period: November 1, 2012 through June 30, 2017 – Contract Amount: $0.00. PUBLIC WORKS (WITH A WAIVER)

Reso. Autho. Contract No. 2896011 – 100% Other Funding – To Provide Madison Avenue Streetcar Improvements – Contractor: Downtown Development Authority, Location: 500 Griswold, Suite 2200, Detroit, MI 48226 – Contract Period: June 1, 2014 through June 30, 2017 – Contract Amount: $0.00. PUBLIC WORKS (Revenue Contract) (WITH A WAIVER)

PUBLIC LIGHTING

Reso. Autho. Petition of Bethany Baptist Church (#302), request permission to hang 11 banners on W. Chicago-north side of street, between Greenfield and Hubbell in Commemoration of their 75th Church Anniversary from July 1, 2014 to September 30, 2014. (WITH A WAIVER)

RECREATION

Reso. Autho. Petition of Midwest Drift Union LLC, (#282), request to hold "Import Image Racing Presents: Midwest Union Drift Rd.3" at Roosevelt Park on August 16-17, 2014 from 9:00 a.m. to 7:00 p.m. with temporary street closure. Set-up begins on 8/15/14 with tear down ending on 8/18/14. (The Recreation Department RECOMMENDS APPROVAL of this petition provided that conditions are met.) (WITH A WAIVER)

Reso. Autho. Petition of Michigan State Police/Emergency Mgmt. and Homeland Security Division (#308), request to host the "2014 Prepare Fair" at Campus Martius and Cadillac Park on September 4, 2014 from 11:00 a.m. to 2:00 p.m. (The Police Department RECOMMENDS APPROVAL of this petition.) (WITH A WAIVER)

RESOLUTIONS

Reso. Autho. To reconvene the Vehicle for Hire Commission. (The Detroit City Council requests that the Auditor General, under the authority of City Code Section 58-2-6, reconvene the Vehicle for Hire Commission.) (WITH A WAIVER)

Reso. Autho. In support of Wayne County Education Enhancement Millage. (Detroit voters are being asked on the August 5, 2014 Primary Election Ballot to approve a countywide two-mill, six year education enhancement millage.) (WITH A WAIVER)

Re: VOTING ACTION ITEMS APPROVED BY THE DETROIT CITY COUNCIL AT THE FORMAL SESSION OF JULY 29, 2014 (ITEMS PASSED WITH WAIVERS)

Reso. Autho. Affirming Detroit as a Welcoming City. (The Welcoming Detroit initiative aims to build cooperation, respect, and compassion among all in our city, including immigrants and non-immigrants alike; endeavors to create an atmosphere in which immigrants and refuges have increased opportunities to integrate into the social fabric of their adopted hometowns; and seeks to embrace diversity while supporting and retaining unique cultural identities.) (WITH A WAIVER)

Reso. Autho. Appointment of Mr. LaRonn Harris to the Detroit Entertainment Commission for the remainder of the three-year term beginning July 1, 2013 and ending February 14, 2016. (Nominee of City Council Member Mary Sheffield) (WITH A WAIVER)

Reso. Autho. Appointment of Aaron Dworkin to the Detroit Entertainment Commission for the remainder of the three-year term beginning July 1, 2013 and ending February 14, 2016. (Nominee of City Council Member Raquel Castaneda-Lopez) (WITH A WAIVER)

Reso. Autho. Appointment of Mr. Norman Thrasher to the Detroit Entertainment Commission for the remainder of the three-year term beginning July 1, 2014 and ending February 14, 2017. (Nominee of City Council President Pro-Tem George Cushingberry, Jr.) (WITH A WAIVER)

Reso. Autho. Appointment of Mr. Herman Jenkins to the Detroit Entertainment Commission for the remainder of the three-year term beginning July 1, 2013 and ending February 14, 2016. (Nominee of City Council Member Andre Spivey) (WITH A WAIVER)

Reso. Autho. Appointment of Mr. John Collins to the Detroit Entertainment Commission for the remainder of the three-year term beginning July 1, 2013 and ending February 14, 2016. (Nominee of Council Member Scott Benson) (WITH A WAIVER)

Reso. Autho. Appointment of Gregory J. Reed, Esq. to the Detroit Entertainment Commission for the remainder of the three-year term beginning July 1, 2013 and ending February 14, 2015. (Gregory J. Reed, Esq. was the nominee of City Council Member Kwame Kenyatta and the appointment was assigned to City Council President Brenda Jones) (WITH A WAIVER)

TRANSPORTATION

Reso. Autho. Contract No. 2895814 - 20% State, 80% Federal Funding – To Provide Parts and Service for GFI Farebox System – Contractor: GFI Genfare, Location: 751 Pratt Boulevard, Elk Grove Village, IL 60007 – Contract Period: August 1, 2014 through July 31, 2017 – Contract Amount Not to Exceed: $1,074,948.68/3 yrs. TRANSPORTATION (WITH A WAIVER)

UNFINISHED BUSINESS

An ordinance to amend Map No. 39 of Chapter 61, Article XVII of the 1984 Detroit City Code, Zoning to show a B2 (Local Business and Residential District) zoning classification where R1 (Single Family Residential District) and B1 (Restricted Business District) zoning classifications are presently shown on property located at 4290 Marseilles (the site of the Hanstein School and school administration building) as well as the request of the City Planning Commission to show a B4 (General Commercial District) zoning classification where a R1 classification is presently shown at 17801 Mack Avenue, both of which are north of Mack Avenue and east of Marseilles. (SIX (6) VOTES REQUIRED FOR IMMEDIATE EFFECT ON THE EIGHTH (8th) DAY AFTER PUBLICTION) ROLL CALL (WITH A WAIVER)

Re: VOTING ACTION ITEMS APPROVED BY THE DETROIT CITY COUNCIL AT THE FORMAL SESSION OF JULY 29, 2014 (ITEMS PASSED WITH WAIVERS)

WATER AND SEWERAGE

Reso. Autho. Contract No. 2895687 – 100% DWSD Funding – Water System Improvements: Joy Road from Trinity to Southfield Freeway-Major Cement Company, 15347 Dale, Detroit, Michigan 48223 – Contract Period: August 11, 2014 thru August 11, 2016 – Contract Amount Not to Exceed: $14,879,042.75. WATER AND SEWERAGE DEPARTMENT (WITH A WAIVER)

cc: Stacy Fox, Deputy Emergency Manager
Boysie Jackson, Chief Procurement Officer
Gary Brown, Chief Operating Officer
John Hill, Chief Financial Officer
Sonya Mays, Senior Advisor to the Emergency Manager
Shani Penn, Special Advisor to the Emergency Manager

CONTRACT NO: 2873053

DEPARTMENT: DPW-STREET FUND [ ] WAIVER

AGENDA DATE: _____

CONTRACT SYNOPSIS

CONTRACTOR'S NAME:	MICHIGAN DEPARTMENT OF TRANSPORTATION
CONTRACTOR'S ADDRESS:	PO BOX 30050 LANSING MI 48909
WHAT FORM OF COMPETITION DID THE DEPARTMENT ENGAGE IN TO OBTAIN THIS PROFESSIONAL SERVICE CONTRACT:	Request For Proposal (RFP) # N/A Request For Quotes (RFQ) # N/A Request For Qualifications (RFQQ) # N/A If there was no competition obtained, explain why: REVENUE CONTRACT
PROJECT:	TO PROVIDE FUNDING FOR RECONSTRUCTION WORK ALONG CIVIC CENTER DRIVE
TYPE OF FUNDING AND %:	STATE FUNDS, 100%
CONTRACT AMOUNT:	$0
CONTRACT PERIOD:	NOVEMBER 2012 – JUNE 30, 2017
ADVANCE PAYMENT:	NONE
BRIEF DESCRIPTION:	AMENDMENT TO PROVIDE FOR THE INCLUSION OF RECONSTRUCTION WORK ALONG THE JEFFERSON AVENUE SERVICE DRIVE AND THE CONSTRUCTION OF A DROP-OFF CIRCLE AT THE INTERSECTION OF WASHINGTON BLVD AND THE JEFFERSON AVE SERVICE DRIVE, THE ASSOCIATED INCREASE IN THE ESTIMATED PROJECT COST, AND A DECREASE IN THE STATE PARTICIPATION RATIO FROM 95% TO 91% AND AN INCREASE IN THE MAXIMUM STATE FUNDING FROM $1,570,000 TO $2,539,200 TO BE APPLIED TO THE ELIIBLE ITEMS OF THE PROJECT COST.
REASON FOR DELAY:	N/A

AMENDMENT TO CONTRACT 12-5537

	COM
Control Section	EDA 82522
Job Number	117976
Contract No.	14-5365

THIS AMENDATORY CONTRACT is made and entered into this date of _____, by and between the MICHIGAN DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT"; and the CITY OF DETROIT, a Michigan municipal corporation, hereinafter referred to as the "REQUESTING PARTY"; for the purpose of fixing the rights and obligations of the parties in agreeing to this Amendment to CONTRACT #14-5365.

WITNESSETH:

WHEREAS, the parties to the Amendment have heretofore, by a Contract dated March 11, 2013, hereinafter referred to as "CONTRACT 12-5537" provided for the construction and financing of that which is hereinafter referred to as the "PROJECT" and is described as follows:

Reconstruction work along Civic Center Drive from Jefferson Avenue to Atwater Street; and all together with necessary related work.

WHEREAS, the DEPARTMENT and the REQUESTING PARTY having appropriate authority desire to amend CONTRACT 12-5537 to provide for the inclusion of reconstruction work along the Jefferson Avenue Service Drive and the construction of a drop-off circle at the intersection of Washington Boulevard and the Jefferson Avenue Service Drive, the associated increase in the estimated PROJECT COST, and a decrease in the state participation ratio from 95 percent to 91 percent and an increase in the maximum state funding from $1,570,900 to $2,539,200 to be applied to the eligible items of the PROJECT COST.

NOW, THEREFORE, it is hereby agreed by and between the parties hereto that:

1. The project description of CONTRACT 12-5537 is revised to read as follows:

   Reconstruction work along Civic Center Drive from the Jefferson Avenue Service Drive to Atwater Street, including traffic circle work; reconstruction work along the Jefferson Avenue Service Drive from Washington Boulevard easterly approximately 400 feet; drop-off circle construction work at the intersection of Washington Boulevard and the Jefferson Avenue Service Drive; and all together with necessary related work.

2. Section 5 of CONTRACT 12-5537 is revised to read as follows:

5. The PROJECT COST shall be met in part by contributions by TED FUNDS. TED FUNDS Category A shall be applied to the eligible items of the PROJECT COST up to an amount not to exceed the lesser of: (1) 91 percent of the approved and responsible low bid amount, or (2) $2,539,200. The balance, if any, of the PROJECT COST, after deduction of TED FUNDS, is the sole responsibility of the REQUESTING PARTY.

The REQUESTING PARTY shall be responsible for the payment of all costs and expenses incurred in the performance of PROJECT work.

Based upon the final cost of the PROJECT, the final costs included in the grant, and/or a request by the REQUESTING PARTY, a payment adjustment may be initiated and/or authorized by the DEPARTMENT for eligible items of the PROJECT COST such that the total amount of TED FUNDS does not exceed $2,539,200. The grant includes those activities of preliminary engineering, right-of-way acquisition, construction, and construction engineering related to the grant. The REQUESTING PARTY shall certify all actual costs incurred for work performed under this contract that are eligible for payment with TED FUNDS and will be required to repay any TED FUNDS it received in excess of 91 percent of the total of such costs.

3. EXHIBIT I of CONTRACT 12-5537 is superseded by EXHIBIT I REVISED, dated May 27, 2014, attached hereto and made a part hereof. Any references to EXHIBIT I in CONTRACT 12-5537 shall be construed to mean EXHIBIT I REVISED.

4. Except as amended by the provisions herein, all of the provisions, covenants, and obligations of the parties contained in CONTRACT 12-5537 shall remain in full force and effect.

5. The REQUESTING PARTY waives any and all claims it has or may have against the DEPARTMENT which arise out of the need to amend CONTRACT 12-5537.

6. This Amendatory contract shall be executed by the duly authorized officials of the REQUESTING PARTY and the DEPARTMENT.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed the day and year first above written.

CITY OF DETROIT

By_____
Title: Street Administrator

By_____
Title:

MICHIGAN DEPARTMENT
OF TRANSPORTATION

By_____
Department Director MDOT

AC JUL 2 8 2014 approval

EM AUG 0 6 2014 approval

Purchasing Director 8/8/14

RECEIVED 6/5

FORM APPROVED
6/6/2014
ASSISTANT
ATTORNEY
GENERAL

May 27, 2014

EXHIBIT I REVISED

CONTROL SECTION EDA 82522
JOB NUMBER 117976

ESTIMATED COST

Estimated PROJECT COST

Contracted Work	$3,200,000

ESTIMATED COST PARTICIPATION

GRAND TOTAL ESTIMATED COST	$3,200,000
Less TED FUNDS*	$2,539,200
BALANCE (REQUESTING PARTY'S SHARE)	$ 660,800

NO DEPOSIT

*TED FUNDS for the PROJECT are limited to an amount as described in Section 5.

PROFESSIONAL SERVICE CONTRACT TRANSMITTAL RECORD

CHANGE ORDER # | STANDARD PO NUMBER | CONTRACT PO NUMBER 2873053

Ref # 30011

Insurance Requirement
ACCOUNTS PAYABLE WILL HOLD UP ALL CONTRACT PAYMENTS UNTIL ALL INSURANCE CERTIFICATES/POLICIES REQUIRED UNDER THE CONTRACT HAVE BEEN RECEIVED. CONTRACTORS SHOULD BE MADE AWARE OF THIS REQUIREMENT.

TYPE OF CONTRACT: (Check One)
☐ CONSTRUCTION/DEMOLITION ☐ LEASE ☐ DEED
☐ PROFESSIONAL SERVICES **REVENUE CONTRACT**

DEPARTMENT HEAD'S SIGNATURE: Ron Brundidge

DEPARTMENT: DPW

FUNDING SOURCE (Percent)
FEDERAL % STATE 100% CITY % OTHER

DEPARTMENT CONTACT PERSON: JOSE ABRAHAM

PHONE NO.: 224-3932

REVISION | REVISION 1

CONTRACTOR'S NAME: **MICHIGAN DEPARTMENT OF TRANSPORTATION**

DATE PREPARED: 07/27/2015

CONTRACTOR'S ADDRESS:
P O BOX 30050
LANSING, MI 48909

ENGINEER'S ESTIMATE ☐ CONTRACT ☒ CHANGE ☒
TOTAL CONTRACT AMOUNT $ 0 REVENUE CONTRACT
TOTAL CPO AMOUNT
CHANGE AMOUNT

PHONE NO. **(517) 373-2090** **FAX**

☒ CORPORATION ☐ PARTNERSHIP ☐ INDIVIDUAL

FEDERAL EMPLOYER/SOCIAL SECURITY NUMBER: **38-3000134**

MINORITY FIRM ☐ YES ☒ NO

PURPOSE OF CONTRACT: **AMENDATORY CONTRACT TO RECEIVE FUNDING FROM MDOT FOR RECONSTRUCTION WORK ALONG CIVIC CENTER DRIVE FROM JEFFERSON AVENUE SERVICE DRIVE TO ATWATER STREET. CONTRACT 15-5302, JOB 117976**

CHARGE ACCOUNT: - 3301 – 193329 – 000000 – 432130 – 13598 – 000000 - 00000

TIME & DATE IN	APPROVER MUST ALSO MAKE APPROPRIATE NOTES IN ORACLE PURCHASE ORDER	TIME & DATE IN
	REQUESTING DEPARTMENT — AUTHORIZED DEPARTMENT REPRESENTATIVE	7/27/15
JUL 28 2015	**BUDGET** ☐ RECOMMEND APPROVAL ☐ RECOMMEND DENIAL — BUDGET DIRECTOR OR DEPUTY	
	GRANT MANAGEMENT SECTION ☐ RECOMMEND APPROVAL ☐ RECOMMEND DENIAL — GRANT ACCOUNTANT	
	FINANCE DEPARTMENT ☐ RECOMMEND APPROVAL ☐ RECOMMEND DENIAL — FINANCE DIRECTOR OR DEPUTY	
	LAW DEPARTMENT ☐ RECOMMEND APPROVAL ☐ RECOMMEND DENIAL — CORPORATION COUNSEL	
	PURCHASING DIVISION — PURCHASING DIRECTOR	
	CITY COUNCIL APPROVAL JCC REFERENCE: PAGE _____ DATE _____	

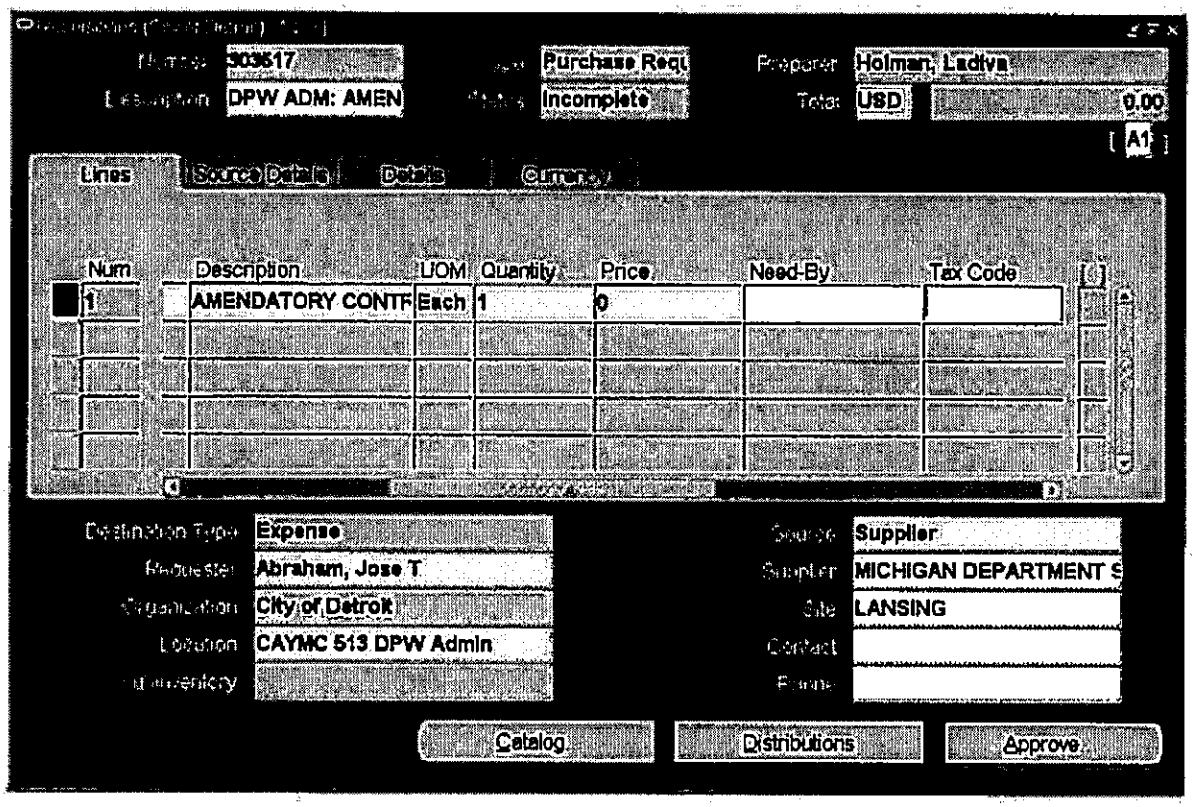
CONTRACT NO: 2873053

DEPARTMENT: DPW-STREET FUND [ ] WAIVER

AGENDA DATE: _____

CONTRACT SYNOPSIS

CONTRACTOR'S NAME:	MICHIGAN DEPARTMENT OF TRANSPORTATION
CONTRACTOR'S ADDRESS:	PO BOX 30050 LANSING MI 48909
WHAT FORM OF COMPETITION DID THE DEPARTMENT ENGAGE IN TO OBTAIN THIS PROFESSIONAL SERVICE CONTRACT:	Request For Proposal (RFP) # N/A Request For Quotes (RFQ) # N/A Request For Qualifications (RFQQ) # N/A If there was no competition obtained, explain why: REVENUE CONTRACT
PROJECT:	TO PROVIDE FUNDING FOR RECONSTRUCTION WORK ALONG CIVIC CENTER DRIVE
TYPE OF FUNDING AND %:	STATE FUNDS, 100%
CONTRACT AMOUNT:	$0
CONTRACT PERIOD:	NOVEMBER 1, 2012 – JUNE 30, 2017
ADVANCE PAYMENT:	NONE
BRIEF DESCRIPTION:	AMENDATORY CONTRACT TO CONTRACT 12-5537 TO PROVIDE FOR AN INCREASE IN THE ESTIMATED PROJECT COST, AND AN INCREASE IN THE MAXIMUM STATE FUNDING TO BE APPLIED TO THE ELIGIBLE ITEMS OF THE PROJECT COST RELATIVE TO RECONSTRUCTION WORK ALONG CIVIC CENTER DRIVE FROM THE JEFFERSON AVE SERVICE DRIVE TO ATWATER STREET INCLUDIING TRAFFIC CIRCLE WORK; RECONSTRUCTION WORK ALONG THE JEFFERSON AVE SERVICE DRIVE FROM WASHINGTON BLVD EASTERLY APPROX 400 FEET; DROP OFF CIRCLE CONSTRUCTION WORK AT THE INTERSECTION OF WASHINGTON BLVD AND THE JEFFERSON AVENUE SERVICE DRIVE.
REASON FOR DELAY:	N/A


503617
Purchase Requ
Holman, Ladiva
DPW ADM: AMEN
Incomplete
USD
0.00
A1
Lines
Source Details
Details
Currency
Num
Description
UOM
Quantity
Price
Need-By
Tax Code
1
AMENDATORY CONTF
Each
1
0
Destination Type
Expense
Source
Supplier
Requester
Abraham, Jose T
Supplier
MICHIGAN DEPARTMENT S
Organization
City of Detroit
Site
LANSING
Location
CAYMC 513 DPW Admin
Contact
Inventory
Phone
Catalog
Distributions
Approve...

AMENDMENT TO CONTRACT 12-5537
AS AMENDED BY 14-5365

COM

Control Section	EDA 82522
Job Number	117976A
Contract No.	15-5302

THIS AMENDATORY CONTRACT is made and entered into this date of _____, by and between the MICHIGAN DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT"; and the CITY OF DETROIT, a Michigan municipal corporation, hereinafter referred to as the "REQUESTING PARTY"; for the purpose of fixing the rights and obligations of the parties in agreeing to this Amendment to CONTRACT #12-5537 as amended by 14-5365.

WITNESSETH:

WHEREAS, the parties to the Amendment have heretofore, by a Contract dated March 11, 2013, hereinafter referred to as "CONTRACT #12-5537 as amended by 14-5365" provided for the construction and financing of that which is hereinafter referred to as the "PROJECT" and is described as follows:

> Reconstruction work along Civic Center Drive from the Jefferson Avenue Service Drive to Atwater Street, including traffic circle work; reconstruction work along the Jefferson Avenue Service Drive from Washington Boulevard easterly approximately 400 feet; drop-off circle construction work at the intersection of Washington Boulevard and the Jefferson Avenue Service Drive; and all together with necessary related work.

WHEREAS, the DEPARTMENT and the REQUESTING PARTY having appropriate authority desire to amend CONTRACT #12-5537 as amended by 14-5365 to provide for a decrease in the state participation ratio from 91 percent to 79 percent and an increase in the maximum state funding from $2,539,200 to $2,625,231 to be applied to the eligible items of the PROJECT COST.

NOW, THEREFORE, it is hereby agreed by and between the parties hereto that:

1. Section 5 of CONTRACT #12-5537 as amended by 14-5365 is revised to read as follows:

> 5. The PROJECT COST shall be met in part by contributions by TED FUNDS. TED FUNDS Category A shall be applied to the eligible items of the PROJECT COST up to an amount not to exceed the lesser of: (1) 79 percent of the approved and responsible low bid amount, or (2) $2,625,231. The balance, if any, of the PROJECT COST, after deduction of TED FUNDS, is the sole responsibility of the REQUESTING PARTY.

The REQUESTING PARTY shall be responsible for the payment of all costs and expenses incurred in the performance of PROJECT work.

Based upon the final cost of the PROJECT, the final costs included in the grant, and/or a request by the REQUESTING PARTY, a payment adjustment may be initiated and/or authorized by the DEPARTMENT for eligible items of the PROJECT COST such that the total amount of TED FUNDS does not exceed $2,625,231. The grant includes those activities of preliminary engineering, right-of-way acquisition, construction, and construction engineering related to the grant. The REQUESTING PARTY shall certify all actual costs incurred for work performed under this contract that are eligible for payment with TED FUNDS and will be required to repay any TED FUNDS it received in excess of 79 percent of the total of such costs.

2. EXHIBIT I of CONTRACT 14-5365 is superseded by EXHIBIT I REVISED, dated April 27, 2015 attached hereto and made a part hereof. Any references to EXHIBIT I in CONTRACT #12-5537 as amended by 14-5365 shall be construed to mean EXHIBIT I REVISED.

3. Except as amended by the provisions herein, all of the provisions, covenants, and obligations of the parties contained in CONTRACT #12-5537 as amended by 14-5365 shall remain in full force and effect.

4. The REQUESTING PARTY waives any and all claims it has or may have against the DEPARTMENT which arise out of the need to amend CONTRACT #12-5537 as amended by 14-5365.

5. This Amendatory contract shall become binding on the parties hereto and of full force and effect upon the signing thereof by the duly authorized officials for the parties hereto; upon the adoption of the necessary resolution approving said contract and authorizing the signatures thereto of the respective officials of the REQUESTING PARTY, a certified copy of which resolution shall be attached to this contract.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed the day and year first above written.

CITY OF DETROIT

By _____
Title: Street Administrator

By _____
Title:

MICHIGAN DEPARTMENT
OF TRANSPORTATION

By _____
Department Director MDOT

RDS
5/6

FORM APPROVED
5-13-2015
ASSISTANT
ATTORNEY
GENERAL

April 27, 2015

EXHIBIT I REVISED

CONTROL SECTION	EDA 82522
JOB NUMBER	117976A

ESTIMATED COST

Estimated PROJECT COST

Contracted Work	$3,441,200

ESTIMATED COST PARTICIPATION

GRAND TOTAL ESTIMATED COST	$3,441,200
Less TED FUNDS*	$2,625,231
BALANCE (REQUESTING PARTY'S SHARE)	$ 815,969

NO DEPOSIT

*TED FUNDS for the PROJECT are limited to an amount as described in Section 5.

City Council Contract Agenda Items Review Checklist

Reviewer: ~~(purchasing agent sign here)~~ Date Received: ~~00/00/2014~~ 9/3/2015

Date: 9/2/2015 Department DPW Division: Administration

Dept Head/Contact Person: Jose Abraham Phone No.: 313-224-3901

Description: Amendatory contract to receive funding from MDOT for reconstruction work along Civic Center Drive from Jefferson Avenue Service Drive to Atwater Street; Contract 15-5302, Job 117976.
brief explanation of function or need of the goods/services

Contract No.: 2873053 PO Type: CPO Est. Value: $ $0

Contract Term (if applicable): November 2012 to June 30, 2017

Funding: City % State 100% Federal ____% Other: ____ %
(Documentation must be furnished by the Dept. if anything other than City funding)

Recommended Supplier: Michigan Department of Transportation Required Date: 9/2/15

---

1. The business being awarded is **NEW / RENEWAL** If a renewal, provide justification for renewal: **N/A**

2. Was the product or service competitively bid? ☐Yes ☐No **N/A**
   Attach Copy of Bid Tabulation/Evaluation score sheets as needed
   If the answer to #2 is "NO" explain why there was no competition: _____

3. Was a Co-Operative Agreement Considered? ☐Yes ☐No Co-Operative Name: **N/A**
   If answer to #3 is "No" explain why a Co-Op was not considered: _____

4. Were savings achieved? **N/A**
   ☐Yes Amount $_____ ☐No

5. Does this agreement represent an increase? **NO**
   ☐ Variance in unit price only (Current unit price $0.00 Proposed Unit Price $0.00)
   ☐ Change in amount/volume of the good or service to be used. _____

6. Does the supplier currently provide other goods and services to the City? ☐Yes ☐No **N/A**
   If yes please list: _____

7. Is this good/service used by other departments? ☐Yes ☐No **N/A**

If "yes" can this Req/PAR be combined other department requirements? ☐ Yes ☐ No

8. Is this a service that can be performed by City employees? ☐ Yes ☐ No **N/A**
   Is this a service that City employees can be trained to do? ☐ Yes ☐ No

NOTES: Buyer: R. Wade

a. Excluded Parties List / Supplier Award Management Website Reviewed? Yes ___ No X
N/A State Agency - M.D.O.T.

☒ **PLACE ON FINANCIAL REVIEW COMMISSION AGENDA**

☒ **PLACE ON CITY COUNCIL AGENDA**

☐ **REJECT AND NOTIFY DEPARTMENT DIRECTOR:**

SIGNED: _____ DATE: _____
(Department)

INFORMATION PROVIDED BY: _____

TITLE: Dy. Director

PHONE: _____