



SUMMARY SHEET

Presenter/Submitted By: Joseph Cook		
Subject: 1. Consider approving Addendum 1 to the development agreement between Sunset City and Falcon Hill Development, LLC	Work Session? Yes x No	Meeting Date: 10/1/19
		Fiscal Impact:
		Funding Source:
Background: When the Development Agreement was approved the “work in the public right-of-way” cost was still listed as \$268,000, when \$214,970.80 was approved by Engineer Nelson. The bonding company requested a copy of the agreement and that is when it was found. This addendum corrects that figure so the appropriate bond can be issued.		
Attachment(s): Addendum 1 to Development Agreement		
Recommendations from staff, attorney, etc:		
Recommended Motion: To approve Addendum 1 to the development agreement between Sunset City and Falcon Hill Development, LLC.		

ADDENDUM 1 TO DEVELOPMENT AGREEMENT

THIS ADDENDUM 1 TO DEVELOPMENT AGREEMENT (the "Addendum") is made this 1st day of October, 2019 (the "Effective Date"), by and between Falcon Hill Development, LLC, whose address is 784 Parkway Drive, North Salt Lake, Utah 84054, (hereafter referred to as "**Developer**"), and Sunset City Corporation, whose address is 200 W. 1300 N. Sunset, Utah 84015, (hereafter referred to as "**City**").

WHEREAS, Developer and City have entered into that certain Development Agreement, Lofts at Falcon Ridge, a Mixed Use Condominium (the "Development Agreement") dated the 19th day of September, 2019; and

WHEREAS, Buyer and Seller have agreed to amend the Development Agreement as specified below; and

NOW, THEREFORE, in consideration of the above premises and other good and valuable consideration, the receipt and sufficiency which are hereby acknowledged, the parties hereby agree as follows:

1. Recitals. The above recitals are true and correct and are incorporated into the operative provisions of the Agreement by Reference.

2. Amendment to Paragraph 4.i. Buyer and Seller hereby agree that paragraph 4.i. shall be amended and restated in its entirety to read as follows:

"Work in the Public Right-of-Way. Pursuant to the Sunset City Code, Developer shall post a cash deposit, bond, or other financial guarantee, acceptable to the City, in the amount of 110% of the value of the proposed work in the Public Right of Way. The City agrees that the value of the proposed work equals **\$214,970.80** (the "ROW Cost"). Upon satisfactory inspection of the work in the public right-of-way, the "ROW Cost" shall be regularly disbursed to Developer. The City shall not delay disbursement of the ROW Cost for any reason other than an inspection found to be not in conformity with the plans as approved by the City Engineer. The City shall hold the amount of 10% of the PROW Cost for the period of 12 months from the date of acceptance by the City. Following the period of 12 months the 10% retained by the city shall be refunded to Developer."

3. No Other Changes. No other alteration, change or amendment to the Development Agreement have been made, discussed or contemplated by this Addendum.

[Signatures appear on the following page.]

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals on the date(s) indicated below.

ATTEST:

CITY
SUNSET CITY

Susan Hale
City Recorder

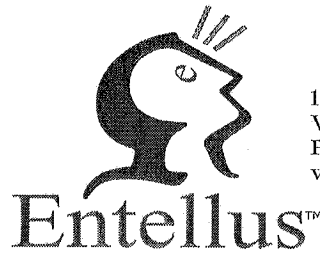
By: D. Howard Madsen
Its: Mayor

DEVELOPER
FALCON HILL DEVELOPMENT, LLC

By: Joseph M. Cook
Its: Managing Member

Engineer's Quantities

2100 North Public Way Improvements



1470 S 600 West
Woods Cross, UT 84010
Phone 801.298.2236
www.Entellus.com

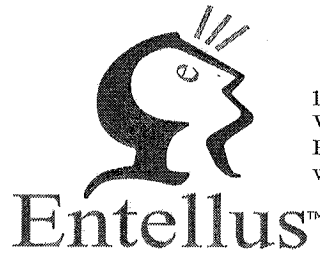
Project: Lofts at Falcon Ridge

9/19/19

SITE		Quantity	Unit	Unit Cost	Item Cost	\$9,450.00
01	ASPHALT PATCHING FOR UTILITIES (3" ASPHALT OVER 8" ROAD BASE)	2,700	SF	\$3.50	\$9,450.00	
02	Crack Seal	610		\$0.89	\$542.90	
03	Type 2 Slurry Seal Coat onto Existing Asphalt by 2'	1,500		\$0.25	\$375.00	
SANITARY SEWER		Quantity	Unit	Unit Cost	Item Cost	\$13,680.00
04	8" PVC 3034 PIPE MAIN	170	LF	\$54.00	\$9,180.00	
05	CONNECT TO EXISTING 48" MANHOLE	1	LF	\$4,500.00	\$4,500.00	
STORM DRAIN		Quantity	Unit	Unit Cost	Item Cost	\$46,250.00
06	15" RCP PIPE CULVERT	465	LF	\$55.00	\$25,575.00	
07	12" RCP PIPE CULVERT	125	LF	\$55.00	\$6,875.00	
08	60" MANHOLE	1	EA	\$4,000.00	\$4,000.00	
09	48" MANHOLE	1	EA	\$3,500.00	\$3,500.00	
10	INLET BOX WITH CURB HOOD	3	EA	\$2,100.00	\$6,300.00	
CULINARY WATER		Quantity	Unit	Unit Cost	Item Cost	\$31,170.00
11	REPLACE EXIST HYDRANT (NEW HYDRANT FURNISHED BY CITY)	1	LS	\$4,500.00	\$4,500.00	
12	RELOCATE EXISTING HYDRANT VALVE TO TEE	1	LS	\$2,100.00	\$2,100.00	
13	8" C900 DR14 PIPE	165	LF	\$58.00	\$9,570.00	
14	8" TEE FITTING	1	EA	\$1,000.00	\$1,000.00	
15	8" GATE VALVE	3	EA	\$1,800.00	\$5,400.00	
16	8" X 45° ELBOW FITTING	2	EA	\$800.00	\$1,600.00	
17	CONNECT TO EXISTING 6" MAIN WITH 8"X6" REDUCER FITTING	2	EA	\$3,500.00	\$7,000.00	
				Subtotal		\$100,550.00
				Contingent	10%	\$10,055.00
TOTAL COST				Total Cost		\$110,605.00

Engineer's Quantities

Main Street Public Way Improvements



1470 S 600 West
Woods Cross, UT 84010
Phone 801.298.2236
www.Entellus.com

Project: Lofts at Falcon Ridge

9/3/19

SITE	Quantity	Unit	Unit Cost	Item Cost	\$9,543.00
01 CONCRETE CURB & GUTTER REPLACEMENT	402	LF	\$21.50	\$8,643.00	
02 NEW CONCRETE DRIVE APPROACH	2	EA	\$450.00	\$900.00	

STORM DRAIN	Quantity	Unit	Unit Cost	Item Cost	\$3,000.00
03 RELOCATED CATCH BASIN	1	EA	\$3,000.00	\$3,000.00	

CULINARY WATER	Quantity	Unit	Unit Cost	Item Cost	\$82,335.00
04 NEW FIRE HYDRANT ASSEMBLY COMPLETE	2	EA	\$5,500.00	\$11,000.00	
05 8" C900 DR14 PIPE	60	LF	\$58.00	\$3,480.00	
06 6" C900 DR14 PIPE (HYDRANT SPOOL)	44	LF	\$50.00	\$2,200.00	
07 10" C900 DR14 PIPE	397	LF	\$65.00	\$25,805.00	
08 4" C900 DR14 PIPE	33	LF	\$50.00	\$1,650.00	
09 10X8 TEE FITTING	2	EA	\$1,000.00	\$2,000.00	
10 10X4 TEE FITTING	1	EA	\$1,000.00	\$1,000.00	
11 10X6 TEE FITTING	2	EA	\$1,000.00	\$2,000.00	
12 4" GATE VALVE	1	EA	\$1,400.00	\$1,400.00	
13 6" GATE VALVE	1	EA	\$1,400.00	\$1,400.00	
14 8" GATE VALVE	2	EA	\$1,800.00	\$3,600.00	
15 10" GATE VALVE	4	EA	\$3,200.00	\$12,800.00	
16 CONNECT TO EXISTING 8" MAIN WITH 10"X8" REDUCER FITTING	2	EA	\$4,500.00	\$9,000.00	
17 KILL EXISTING SERVICE AT MAIN	2	EA	\$2,500.00	\$5,000.00	

	Subtotal	\$94,878.00
	Contingent 10%	\$9,487.80
TOTAL COST	Total Cost	\$104,365.80



CIVIL ENGINEERING CONSULTANTS, PLLC.

5141 South 1500 West
Riverdale City, Utah 84405
801-866-0550

19 September 2019

Sunset City
200 West 1300 North
Sunset, Utah 84415

Attn: Sue Hale, City Recorder
Proj: **The Lofts at Falcon Ridge**
Subj: Plat, Improvement Drawings and Cost Estimate – Recommended Approval

Dear Sue,

I have completed my review of the recently re-submitted Plat, Improvement Drawings and Engineer's Cost Estimate for the above referenced project and find the documents and drawings in compliance with the "Public Works Standards of Sunset City".

I herewith recommend approval of the Plat, the Improvement Drawings and the calculations as submitted along with the Engineer's Cost Estimate.

The Developer should now submit the required Bonds and Developer's Agreement to the City, for signatures by the City, following which the Plat may be recorded.

Should you have any questions feel free to contact me at my office.
Sincerely,

CEC, Civil Engineering Consultants, PLLC.

N. Scott Nelson, PE.
City Engineer

Cc. Jason Monroe, City Public Works Director