

Resolution #21-0646
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**RESOLUTION AUTHORIZING THE ASSIGNMENT OF CONSTRUCTION RELATED
CONTRACTS FOR MERSCHEL PARK AND THE TERMINATION OF THE
DOWNTOWN DEVELOPMENT AGREEMENT**

WHEREAS the City of Winston-Salem entered into an agreement with Pepper Property Association, LLC (“PPA”) pursuant to N.C.G.S. 160A-458.3 (Downtown Development Projects) in January 2019 for the construction of Merschel Park in conjunction with adjacent new construction projects; and

WHEREAS the terms of said January 2019 agreement set forth a twenty-four (24) month time period for completion of Merschel Park; and

WHEREAS the twenty-four (24) month time period has expired, and Merschel Park has not been constructed; and

WHEREAS representatives from PPA bid the construction of Merschel Park in August 2021, receiving three (3) bids for said work; and

WHEREAS Frank L. Blum Construction (“Blum”) submitted the lowest bid in the amount of \$4,219,041 and has committed to a minimum of thirteen percent (13%) MWBE participation in the project; and

WHEREAS construction-related oversight services in the amount of \$150,000 by Stimmel Associates, PA (“Stimmel”) are included in addition to the work being performed by Blum.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Winston-Salem City Council authorize the assignment of contracts and other arrangements with Blum and Stimmel for needed services related to the construction of Merschel Park to the City; and

BE IT FURTHER RESOLVED that the Mayor and Winston-Salem City Council authorize the termination of the Downtown Development Agreement with PPA.

BE IT FURTHER RESOLVED that the Mayor and Winston-Salem City Council authorize city staff to execute the documents necessary to effectuate the purposes herein, after review and approval of the same by the City Attorney.