



Agreement (RDA); and

WHEREAS, warranties are assigned per Section 12.7 of the SIPA; and

WHEREAS, verification of pavement health is still needed with regards to an area of the pavement base layer on Village Way between Woodlawn Avenue and Mississippi River Boulevard that was stressed due to construction activities on the base layer and that were not corrected to the satisfaction of the City prior to the installation of the wear course; and

WHEREAS, final wear paving is needed at the Village Way - Mount Curve Boulevard intersection as required by City Standards due to the repair of a City owned storm pipe that had been damaged by a third party utility; and

WHEREAS, with the exception of line item 71 in the attached spreadsheet and the location shown on the map titled "ROW OP #2 - 20200010102 EXHIBIT" in Exhibit A, Ryan has satisfied all other applicable requirements of the Ordinance Permit Acceptance process as required by the SIPA and RDA for the installation of certain public improvements such that a recommendation is made to Council that the public infrastructure identified in Ordinance Permit 20200010102 be accepted with the following agreed upon conditions:

CONDITIONS #1 - 4

1. The warranty assignment and warranty commencement are provided for in Sections 12.7 and 17 of the SIPA and apply to all highlighted roadways shown in Exhibit A including Village Way between Woodlawn Avenue and Mississippi River Boulevard.
2. Further testing will be completed by Ryan/Project Paul at no cost to the City in the area identified in project communique, and as shall be coordinated with the City and Ryan/Project Paul, on Village Way between Woodlawn Avenue and Mississippi River Boulevard.
3. If it is found through testing and analysis, and in the opinion of the City, that corrective measures are warranted, said correction shall be as determined by the City. The timing, the limits, and the type of corrective work shall be memorialized in writing. Any repair and or replacement shall be completed as soon as weather permits and be per Project Specifications.
4. The mill and overlay of the Village Way - Mount Curve intersection will be completed as soon as weather permits Any repair and or replacement shall be completed as soon as weather permits and be per Project Specifications.

NOW, THEREFORE, BE IT RESOLVED, that the City Council accepts the infrastructure as so defined in the attached Exhibit A and with the afore stated agreed upon conditions and pursuant to the RDA and SIPA for commencement of the warranty period following Council acceptance.