

RESOLUTION NO. 143-06

RESOLUTION OF THE MEMBERS OF THE RICHMOND CITY COUNCIL, RICHMOND,
CALIFORNIA, APPROVING AND AUTHORIZING THE EXECUTION OF THE DESIGN-
BUILD AGREEMENT WITH RICHMOND CIVIC CENTER PARTNERS LLC FOR PHASE
ONE A OF THE CIVIC CENTER PROJECT

WHEREAS, the City of Richmond, following a Request for Qualifications released on January 27, 2005, selected Richmond Civic Center Partners, LLC, as the development team for the Civic Center Project, and the City Council approved Richmond Civic Center Partners LLC as the developer for the Civic Center Project; and

WHEREAS, the City of Richmond entered into an Exclusive Right to Negotiate ("ERN") with Richmond Civic Center Partners, LLC, on July 29, 2005; and

WHEREAS, the City of Richmond subsequently entered into an Agreement to Negotiate ("ANE") with Richmond Civic Center Partners, LLC, on November 15, 2005; and

WHEREAS, the City of Richmond approved the First Amendment to the ANE on March 28, 2006; and

WHEREAS, the City of Richmond approved the Second Amendment to the ANE on September 12, 2006; and

WHEREAS, the City of Richmond approved the Third Amendment to ANE on November 2, 2006; and

WHEREAS, The City Council has adopted a resolution finding that the Civic Center Project is a "Master Development Project" within the meaning of Section 2.52.100 of the Richmond Municipal Code.

NOW, THEREFORE the City Council of the City of Richmond hereby makes the following findings:

Section 1. The City Council hereby approves the Design-Build Agreement for Phase One A of the Civic Center Project (the "Agreement") , which includes design and entitlement for the Project, as well as demolition, seismic upgrades and abatement work, in substantially the form attached hereto as Exhibit A and incorporated herein by reference, subject to any minor technical and clarifying changes approved by the City Manager and City Attorney, and authorizes the City Manager to execute the Agreement.

I certify that the foregoing Resolution was passed and adopted by the Members of the City Council of the City of Richmond, California at a meeting held on December 19, 2006 by the following vote:

AYES: Councilmembers Bates, Griffin, Marquez, McLaughlin, Rogers, Thurmond, Viramontes, and Mayor Anderson
NOES: Councilmember Butt
ABSTENTIONS: None
ABSENT: None

DIANE HOLMES
Clerk of the City of Richmond

[SEAL]

Approved:

IRMA L. ANDERSON
Mayor

Approved as to form:

JOHN EASTMAN
City Attorney

State of California }
County of Contra Costa : ss.
City of Richmond }

I certify that the foregoing is a true copy of Resolution No. 143-06, finally passed and adopted by the Council of the city of Richmond at a meeting held on December 19, 2006.