

RESOLUTION 23-24

A RESOLUTION TO APPROVE TO CALL A PORTION OF THE PERFORMANCE BONDS FOR BRIXWORTH PHASE 5 AND PHASE 6

WHEREAS, two Performance Bond Letters of Credit are in place for Brixworth Phase 5 in the amount of \$149,330.00 and Brixworth Phase 6 in the amount of \$176,924.00; and

WHEREAS, these sections have been completely built out and a pre-topping walk through inspection for any items in need of repair was completed in March 2022 and in October 2022; and

WHEREAS, the developer was notified of punch items to be repaired after each walk through was complete; and

WHEREAS, to date, the punch list items or final asphalt topping have been completed and the Developer has communicated with City staff with direction to call the bonds for the City to finish all necessary improvements; and

WHEREAS, City staff recommends approval of calling a total amount of \$326,254.00, as shown in Exhibit A attached hereto, for the City to make repairs and install final topping, as recommended by the Planning Commission on February 13, 2023.

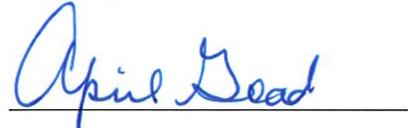
NOW, THEREFORE BE IT RESOLVED, the City of Spring Hill Board of Mayor and Aldermen approves to call \$326,254.00 of the total bonds for Brixworth Phase 5 and Phase 6 to finish necessary repairs and install final asphalt topping.

Passed and Adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 21st day of February, 2023.



Jim Hagaman, Mayor

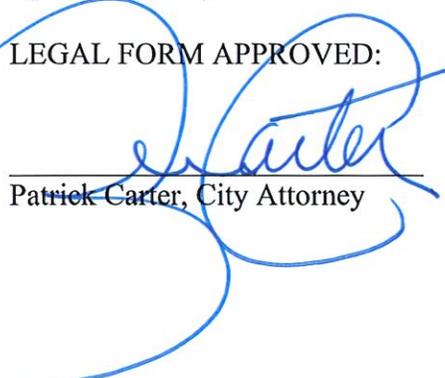
ATTEST:



April Goad, City Recorder

April Goad, City Recorder

LEGAL FORM APPROVED:



Patrick Carter, City Attorney



REQUEST: *Approval of Resolution 23-24*
SUBMITTED BY: Missy Stahl, CIP Manager
DATE: February 6, 2023
RE: To approve to call a portion of the Performance Bonds for
 Brixworth Phase 5 & Phase 6

PURPOSE:

The purpose of this resolution is to approve for the City to call \$316,786.50 from the performance bonds in place for Brixworth Phase 5 & Phase 6.

BACKGROUND:

Brixworth Phase 5 and Phase 6 are 100% built out but have not been final topped. City staff has walked the phases twice and provided the developer with a punch list of items that are in need of repair each time. To date, all repairs have not been addressed. City staff has received several complaints from the citizens regarding the lack of final topping within Brixworth Phase 5 and Phase 6.

City staff and the City attorney have been in contact with the developer. The developer has stated he is not going to repair the punch list items and has given staff the direction to call the bonds to make the repairs. Staff notified the developer of the intent to call the bonds to cover outstanding punch list items. The Planning Commission recommended this action by PC Resolution 23-13, approved on February 13, 2023.

The total amount of the two performance bonds is \$326,254.00. The City intends to call \$316,786.50 of the total for repairs and final asphalt topping.

FINANCIAL IMPACT:

There will be no financial impact to the City's budget.

STAFF RECOMMENDATION:

Staff recommends approval of Resolution 23-24, to approve to call a portion of the performance bonds for Brixworth Phase 5 & Phase 6.



BRIXWORTH PHASE 5 AND PHASE 6 – PUNCH LIST ITEMS FOR REPAIRS

Brixworth Phase 5

- Repair around box culvert near phase 5 and 6 Danes Drive. Most of the riprap has fallen off into the creek. Clean the rock out and re-stabilize the bank. Also, place topsail at the edge of the sidewalk down to the box culvert top. Currently it has an 8 to 10 inch drop off the side of the sidewalk.
- Remove all inlet protection. Clean all storage structures out.
- At the phase line of five and six make sure that there is positive flow between the structures. Currently there is a birdbath between the two.
- At the phase line of five and six there is a fence post behind one of the catch basin hoods. Remove fence post that's sticking up.
- At the intersection of Bern Drive and Danes Drive, adjust pavement for positive flow
- Repair curb in front of 4032 Danes Dr.
- Repair asphalt in front of 4032 Danes Dr.
- Repair asphalt for positive flow at the corner of 3019 Michaleen Drive
- 3011 Michaleen Dr. be sure and catch basins has positive flow
- Place proper lid on storm structure across from 3003 Michaleen Drive.
- Repair asphalt in front of 1700 Lantana Dr.
- Repair asphalt in front of 1695 Lantana Dr.
- Repair asphalt in front of 1696 Lantana Dr.
- Repair sidewalk at the corner of 1710 Lantana Dr.
- Repair curb across from 4016 Danes Dr.

Brixworth Phase 6

- Repair sidewalk at 1096 Brixworth Dr.
- Repair sidewalks on both sides of the road near the crossing for walking trail on Friendship Drive
- Repair asphalt marked in orange paint around a manhole on Friendship Drive
- Adjust asphalt to correct the birdbath at the phase line on Friendship Drive
- Repair sidewalk at phase line on Friendship Drive
- Remove all inland protection
- Repair asphalt around the manhole at the intersection Brixworth Drive and Friendship Drive
- Repair sidewalk in front of 1100 Brixworth Dr.
- Remove all concrete around all sewer manhole and replace with asphalt
- Repair curb in front of 1108 Brixworth Dr.
- Repair asphalt at 1111 Brixworth Dr.
- Repair asphalt around manhole cover in front of 1113 Brixworth Dr.



THE CITY OF SPRING HILL

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- Repair sidewalk in front of 1124 Brixworth Dr.
- Repair sidewalk in front of 1128 Brixworth Dr.
- Repair asphalt at the driveway apron of 1130 Brixworth Dr.
- Repair asphalt at the intersection of Danes Drive in Brixworth Drive. One location is going to be further east and one spot will be at the intersection. Make sure to create positive flow for water runoff
- Repair asphalt in front of 4045 Danes Dr.
- There is an area hollow underneath the sidewalk in front of 1137 Brixworth Dr.
- Repair sidewalk at the corner of 1145 Brixworth Dr.
- Repair catch basin hoods at the corner of 1147 Brixworth Dr. The catch basin hoods our way below the curb must make adjustments.
- Repair curb in front of 1147 Brixworth Dr.
- Finish installing asphalt to the property line on Safe Haven place. It was stopped short approximately 20 feet.
- The catch basin at the corner of Safe Haven Place and Brixworth Drive needs to be adjusted. Catch basin hood is about to fall in.
- Repair sidewalk at the corner of 1114 Brixworth Dr.
- Clean all storm structures out
- Repair walking trail in the areas that are marked

Brixworth Phase 5 and Phase 6

- Install final asphalt topping after all repairs have been completed

Cost to correct all punch list items - \$15,822.80

Cost to install final asphalt topping - \$259,643.70

15% administrative fee - \$41,320.00

Total amount of bonds to be called - \$316,786.50



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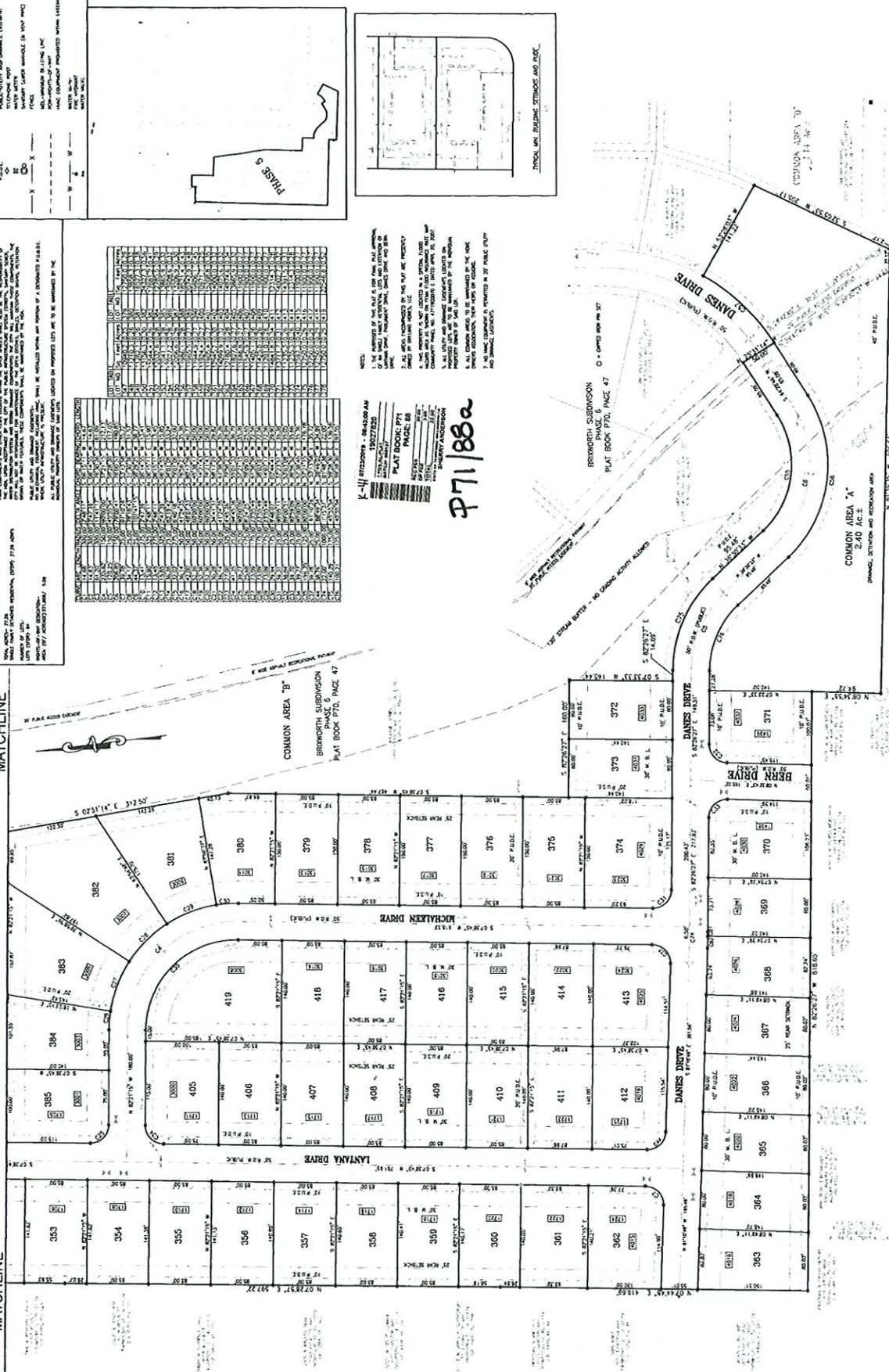
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MATCHLINE

MATCHLINE



OWNER: BROWNWORTH SUBDIVISION, INC. 201
 10000 DANES DRIVE, SUITE 200
 BROWNSVILLE, TX 77802
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