

RESOLUTION NO. 6239

**RESOLUTION AUTHORIZING NEGOTIATIONS WITH D. W. GATES
ENGINEERING TO PROVIDE ENGINEERING SERVICES FOR THE
NORTH PEORIA STREET LIGHTING PROJECT, TULSA, OKLAHOMA**

WHEREAS, the TDA Board of Commissioners has previously issued an RFQ for the provision of engineering services for the design and installation of street lighting for the North Peoria Street Lighting Project in accordance with TDA's policies and the provisions of the North Peoria TIF Master Plan; and,

WHEREAS, the TDA has received three responses to the said RFQ for such engineering services with the TDA Board of Commissioners selecting D. W. Gates Engineering to be the most desirable and qualified firm to provide the requested engineering services for such Project; and,

WHEREAS, the TDA Executive Director has recommended that the TDA Board authorize the TDA Chairman, TDA Executive Director and General Counsel to enter into negotiations with representatives of D. W. Gates Engineering for agreement upon the terms of an Engineering Services Agreement for the design and installation of street lighting for the North Peoria Street Lighting Project in accordance with TDA's policies and the provisions of the North Peoria TIF Master Plan; and,

WHEREAS, the TDA Board of Commissioners has determined that it should approve such negotiations for the sale and redevelopment of said Lots in accordance with TDA policies.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TULSA DEVELOPMENT AUTHORITY, that:

Section 1. The Board of Commissioners of the Tulsa Development Authority does hereby authorize the TDA Chairman, TDA Executive Director and the TDA General Counsel to enter into negotiations with representatives of D. W. Gates Engineering for agreement upon the terms of an Engineering Services Agreement for the design and installation of street lighting for the North Peoria Street Lighting Project in accordance with TDA's policies and the provisions of the North Peoria TIF Master Plan.

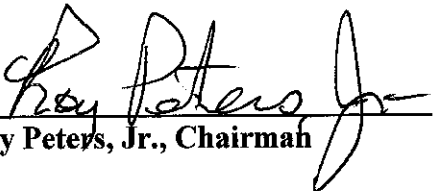
Section 2. That this authorization to enter into negotiations with representatives of D. W. Gates Engineering is contingent and conditioned upon the prior receipt by the Tulsa Development Authority of the written acknowledgement and agreement by the appropriate officer/manager of D. W. Gates Engineering on behalf of himself/herself/itself, and its owners, officers, managers, members and successors:

- (1) That no Redevelopment Agreement or other contract with Tulsa Development Authority for the sale and redevelopment of the said real estate shall be in effect unless and until it shall have been approved by a majority vote of the Tulsa Development Authority Board of Commissioners in a public meeting; and,
- (2) That either party (i.e. TDA or D. W. Gates Engineering) shall have the right to terminate the negotiations at any time without cause and without any further liability to the other, including within such exclusion of liability, without limitation, any costs, fees or other expenses incurred by either party in the course of preparation for and/or participation in such negotiations.

Section 3. This resolution shall take effect immediately.

PASSED and **ADOPTED** this 12th day of July, 2016.

TULSA DEVELOPMENT AUTHORITY

By: 
Roy Peters, Jr., Chairman

Approved as to legal form and adequacy:


Jot Hartley, General Counsel
The Hartley Law Firm, PLLC