

September 11, 2019

Letter of Agreement for Four New Pickleball Courts in Peterson Park

The purpose of this Letter of Agreement is to identify roles and responsibilities of Pickleball Lincoln, Inc. ("PLI"), Lincoln Parks Foundation ("Foundation"), and Lincoln Parks and Recreation ("City") for funding, design, construction and endowment of four new pickleball courts in Peterson Park. PLI and Foundation, with City's approval, have been engaged in fundraising for a capital campaign to design and construct four additional pickleball courts in Peterson Park. The project will result in a total of ten pickleball courts in the park.

City has secured bids for construction of the four new pickleball courts. The apparent low bidder is PCC Sports with a base bid of \$248,000.05. The three alternates included in the bid were as follows:

- Alt. 1 – Additional rock surface parking - \$14,074.50
- Alt. 2 – Accessible parking stalls and sidewalk - \$16,076.50
- Alt. 3 – Wind screen fabric for fence - \$7,426.90

City will be funding Alt. 2 utilizing its own resources. PLI and City agree to reject Alt. 1 and Alt. 3.

A reserve of five-percent (5%) of the construction contract is desired as a contingency for unanticipated costs that may be encountered during construction. This contingency reserve will be \$12,000. Any unused contingency reserve funds will be applied to the endowment.

City will be entering into a contract for construction of the four new pickleball courts and needs to have verification that funds in the amount of \$260,000.05 have been placed with Foundation prior to executing the contract. It is acknowledged by the Parties that a grant has been secured from Lancaster County in the amount of \$50,000, which will be received as reimbursement for eligible expenses. The verified amount of cash with the Foundation as of September 9, 2019 prior to execution of the construction contract is \$210,000.05.

City has contracted with Olsson to provide design and engineering services for the four new pickleball courts at a cost of \$24,300. City has committed \$5,000 in Lincoln Cares program funds to the project which will be designated for design and engineering costs. PLI will reimburse City for the remaining cost of design and engineering of the new courts in the amount of \$19,300 by June 1, 2020.

City in cooperation with PLI have determined that an endowment of \$15,000 is needed for future repair and replacement costs associated with the four new pickleball courts, including court resurfacing, to keep them in good repair. PLI agrees to place \$15,000, which may include any remaining funds for the construction contingency, with the Foundation for the purpose of establishing the endowment for the four new pickleball courts by June 1, 2020.

The City and PLI plan to develop and enter into a use agreement for the ten pickleball courts in Peterson Park and for other courts in the City prior to June 1, 2020.

The Parties hereby affirm this Letter of Agreement.



Mark Nelson, President
Pickleball Lincoln, Inc.

Date 9/11/19

Maggie Stuckey, Executive Director
Lincoln Parks Foundation

Date _____

Lynn Johnson, Parks and Recreation Director
City of Lincoln

Date _____