



## RESOLUTION NO. 40006

1 A RESOLUTION approving an agreement with the Broadway Center for the  
2 Performing Arts ("BCPA") for the Pantages Restoration Project, and  
3 authorizing assumption and execution of design and construction  
4 agreements previously contracted by the BCPA, including a contract with  
5 John Korsmo Construction, Inc., d.b.a. Korsmo Construction, for first phase  
6 construction, with a guaranteed maximum price of \$4,231,768, plus  
7 applicable sales tax, for renovations and repairs to the Pantages Theater  
8 and Jones Building.

9 WHEREAS the Broadway Center for the Performing Arts ("BCPA") operates  
10 the Pantages Theater and Jones Building ("Pantages Theater") for the City,  
11 pursuant to a Management Agreement, and

12 WHEREAS the BCPA makes the Pantages Theater available to various  
13 community performing arts groups in furtherance of the City's desire to provide a  
14 performing arts center for the benefit of the public, and

15 WHEREAS, as operator of the facility, the BCPA has identified certain  
16 necessary work to maintain and restore ("Restoration") the historic interior and  
17 other areas within the Pantages Theater, including seats, lighting, and skylight, and

18 WHEREAS the Pantages Theater has not been updated since 1982, and  
19 has significant paint deterioration, worn out seating, ornamental plaster requiring  
20 reinforcement, and a historic skylight requiring stabilization, as well as lighting  
21 levels that need to be increased significantly to meet current code requirements,  
22 and

23 WHEREAS the Restoration will provide functional upgrades to the Pantages  
24 Theater that will enhance operations, long-range marketability of the facility, and  
25 patrons' experience, and  
26



WHEREAS the City has previously budgeted funds to pay for a portion of the  
1 Restoration, and

2 WHEREAS the BCPA is conducting a donor campaign to raise private funds  
3 for the Restoration, and  
4

5 WHEREAS, in order to secure the participation of such donors, the BCPA  
6 desires to have direct involvement in design decisions relative to layout, level of  
7 finish, and donor recognition with respect to the Restoration, and

8 WHEREAS, pursuant to its authority under the Management Agreement, the  
9 BCPA competitively selected a design firm and contractor to carry out the  
10 Restoration, and entered into design and preconstruction services agreements, and  
11

12 WHEREAS the City and the BCPA have identified a portion of the  
13 Restoration work that should proceed as a first phase utilizing various funding  
14 sources, including the funds previously budgeted by the City, grants received from  
15 the state, and other sources, and  
16

17 WHEREAS future phases are to be funded by other sources, including  
18 private funds raised by the BCPA, and

19 WHEREAS the BCPA agrees that, as the owner of the facility, the City will  
20 be the entity that contracts with the contractor to manage the work for the  
21 Restoration of the Pantages Theater, and  
22

23 WHEREAS, in order to effectuate the City's ability to manage the Restoration  
24 of the Pantages Theater, the BCPA agrees to assign its design and construction  
25 agreements to the City, and  
26



WHEREAS, by this Agreement, the City and the BCPA desire to define the City and the BCPA's roles in the design and construction process for Restoration to the Pantages Theater; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That the proper officers of the City are hereby authorized to enter into the Pantages Theater Restoration Agreement, substantially in the form of the document on file with the City Clerk.

Section 2. That the proper officers of the City are hereby authorized to assume and execute a contract with John Korsmo Construction, Inc., d.b.a. Korsmo Construction, for first phase construction of the Pantages Restoration project, with a guaranteed maximum price of \$4,231,768, plus applicable sales tax, for renovations and repairs to the Pantages Theater and Jones Building, substantially in the form of the document on file with the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney