

Terms Sheet for the Agreement for Development and Construction of New Cultural Facilities by Austin Film Society for Public Use Funded in Part with Bond Funds

- The City of Austin leases a portion of the former Robert Mueller Municipal Airport and former National Guard Armory adjacent to East 51st Street to the Austin Film Society (AFS) as a studio complex for multi-media productions and for educational and job training purposes. The lease allows for AFS to construct improvements to the property.
- AFS has previously made improvements to the complex utilizing a combination of private funding/grants and \$5 million in public funding from the City's 2006 Bond Program (Proposition 4)
- Voters approved an additional \$5.4 million for additional improvements as part of the 2012 Bond Program (Proposition 18). Exhibit B of the agreement provides additional detail on planned and potential improvements.
- The City shall provide procurement services for project manager services and architectural and engineering professional services. AFS shall procure contractor services. AFS will be responsible for negotiation of all related contracts and City will have the right to review and approve. AFS will utilize the City's standard professional services and construction agreements.
- Contractors and subcontractors will comply with the City's prevailing wage requirements
- AFS will comply with the City's Minority- and Women-Owned Business Enterprise (M/WBE) program as well as local small business participation. The City's Small and Minority Business Resources Department will provide assistance with program requirements, including development of a supplier diversity policy and an outreach program to solicit M/WBE participation.
- AFS will endeavor to achieve LEED Silver certification of the improvements.
- AFS will participate in the City's Art in Public Places Program.
- Title to all improvements will remain vested in the City.
- AFS may not increase the project budget without the City's prior written consent. Details of the project budget can be found in Exhibit C.
- AFS will submit all required documentation at least 30 days before the date of a requested disbursement of the City's contribution toward improvements.
- AFS will produce all milestone deliverables to the City as outlined in Exhibit E.
- AFS will continue to operate and maintain the property in accordance with the terms and conditions of its lease agreement.
- AFS is soliciting donations to increase funding for the improvements. Therefore, it is requesting a waiver of the City's naming requirements that are set forth in City Code.