

Board of County Commissioners

Agenda Request

Date of Meeting: January 7, 2008

Date Submitted: December 27, 2007

To: Honorable Chairman and Members

From: Benjamin H. Pingree, County Administrator
Timothy Barden, Office of Management and Budget Director

Subject: Consideration of Florida Department of Community Affairs, Community Development Block Grant – Buckhorn Plaza Contract Modification #2

Statement of Issue:

This agenda item requests Board authorization for the Chairman to sign Modification #2 documents and justification cover letter to the Florida Department of Community Affairs, Community Development Block Grant Program (CDBG) for the Buckhorn Plaza Development.

Background:

A proposal to submit a CDBG-Economic Development category application was presented to the Board at its regular meeting of June 21, 2004. At that meeting, the Board directed staff to hold the two public hearings required for submittal of the Economic Development (ED) application to the CDBG Program. The second public hearing was held at the regular Board meeting of January 18, 2005 and staff was directed to submit the application to the Florida Department of Community Affairs (DCA), seeking \$750,000 to assist in the development of Buckhorn Plaza. The plaza will create 38 new jobs for the community.

The application was submitted to DCA on May 11, 2005. DCA returned the original Agreement to the County on October 28, 2005. DCA signed the contract on January 30, 2006. The execution of the CDBG Agreement between the County and DCA for \$750,000 was authorized at the following regular Board meeting. In addition, the Board directed staff to issue a Request For Proposals (RFP) for CDBG-ED Administrative Consulting Services. Concurrent with this process, the County entered into Participating Party Agreements with: (1) Miracle Years Childcare Center, (2) Scratch Cakes and Eatery, and (3) Buckhorn Laundromat (seeking a new agreement as this will now become Buckhorn Pharmacy), on December 5, 2005, requiring the creation of 38 new jobs. These new jobs are the direct requirement of the Grant Agreement.

The RFP for administrative and engineering services was advertised on November 22, 2005 (due date of December 1, 2005) with a correction published on November 30, 2005 (due date of December 16, 2005). The bids were received on December 16, 2005 and ranked. The Administrative proposals were ranked and recommendation made to the Board at the February 6,

2006 meeting. The firm selected was Jordan and Associates. In the engineering ranking, there was a tie for second place, therefore, all bids were rejected and RFP services were re-advertised. This advertisement was published March 13, 2006, with bids coming in April 6, 2006. Berryman & Henigar was the engineering firm selected and approved for the design work at the May 15, 2006 Board meeting. Since the awarding of this contract, Berryman and Henigar has been acquired by Greenman-Pederson Inc., (GPI).

At the October 15, 2007 Board meeting, staff presented Modification #2 for review and approval by the Board that contained all forms requested at the time by DCA. The Board approved the Modification #2, as was submitted by staff. Staff expediently transmitted Modification #2 to DCA on October 17, 2007.

After submission of the Modification #2 documents to DCA, the DCA advised the County, through its contract consultant, Jordan and Associates that some additional forms and minor modifications to the previously submitted documents needed to be completed in order for Modification #2 to be accepted. The DCA advised that Form 07.02 (Attachment #3), Request for Modification, Attachment A – Program Budget (Attachment #4), revised project work plans for the three original participating party businesses (Scratch Cakes and Eatery, Miracle Years Childcare Center and Buckhorn Laundromat) and the developer, Buckhorn First, LLC (Attachments #6), were needed to complete the Modification #2, specifically, Form 07.02. Form 07.02 is a standard form used by DCA for monitoring movement of budget funds.

This form completed and attached shows the new budget line item titled ‘Relocation’ with the \$6,510 that was moved from line items other utility hookups and water lines, the \$44,940 that was originally erroneously budgeted (by the original consulting company that prepared the CDBG – ED application to DCA) in the ‘hookups’ line item is moved to sewer lines and components. The \$2,750 in fire hydrants and \$2,875 in water hookups line items are moved to sewer lines and components, at the suggestion of the DCA contract manager, to lessen delays change orders can bring during infrastructure construction, in the event that more than one fire hydrant is needed.

Additionally, the DCA requested revised project work plans for the County (Attachment #5), the three original participating party businesses and the developer, Buckhorn First, LLC (Attachment #6) are required to show actual beginning and ending dates for all activities needed to be submitted.

The approval of Modification #2 is critical to the extension of this grant and completion of this project. The grant is currently set to expire on January 29, 2008. Without an extension, the grant will expire and DCA has informed us that this project will not be reinstated if the County allows that to happen.

Currently, the RFP for the County’s infrastructure portion of this development was advertised on December 2, 2007. A number of bids were received and opened on December 19, 2007. The bids are currently being tabulated by the engineering firm of GPI to ensure that all CDBG requirements were included in the bid packages received from the bidders. The engineer will tabulate the information and formulate a recommendation for presentation at the next Board meeting.

Analysis:

This contract needs to be amended to provide for: (1) a six-month contract extension to July 31, 2008, (2) amend the budget to realign \$44,940 from other utility hookups to the sewer lines and components budget line item and move \$3,810 and \$1,865 to the water line budget line item (these funds were incorrectly budget by the original consulting company that prepared the application to DCA) and move \$6,510 into a newly created budget line item titled "Relocation" [these funds were moved from other utility hookups and water lines], (3) update the County's Project Work Plan to reflect actual start and end dates for infrastructure construction, and (4) update the work plans for the Participating Party businesses (Scratch Cakes, Buckhorn Laundromat, LLC [to become Med Systems, LLC a pharmacy] and Miracle Years Childcare Center) and for the developer, Buckhorn First, LLC. In addition, the proper reimbursements and closeout reports needed to be submitted to DCA can be adequately achieved by this time extension.

Staff recommends approval of this modification so the grant does not expire and the project can be completed.

Options:

1. Authorize the Chairman to sign Modification #2 documents and letter of Justification to CDBG.
2. Do not authorize the Chairman to sign Modification #2 documents and letter of Justification to CDBG.
3. Board Direction

Recommendation:

1. Option # 1

Attachments(s):

1. Letter of Justification for Chairman's Signature
2. Amendment 2 Modification Documents for Chairman's Signature
3. Form 07.02 – Request For Amendment for Chairman's Signature
4. Attachment A – Program Budget (Revised)
5. Revised Project Work Plan for Wakulla County.
6. Revised Project Work Plans for Buckhorn First, LLC and the three Participating Party Project Work Plans

January 7, 2008

Mr. Esrone McDaniels, Administrator
Community Development Block Grant Program
Florida Department of Community Affairs
2555 Shumard Oaks Boulevard
Tallahassee, Florida 32399-2100

Re: CDBG Contract Number – 06DB-3K-02-75-01-E01, Amendment #2

Dear Mr. Mc Daniels:

This is to request modification of Agreement Number 06DB-3K-02-75-01-E01 between Wakulla County and the Florida Department of Community Affairs under the Community Development Block Grant Program, Economic Development category in the amount of \$750,000 for financing of the Buckhorn Plaza Development infrastructure.

The buildings being constructed by the developer, Buckhorn First, LLC, are progressing on schedule and the infrastructure construction bids were advertised on December 2, 2007, and received and opened on December 19, 2007. The results are currently being tabulated by the engineering firm of GPI to ensure that all the criteria in the bid solicitation was submitted by the bidders, as required. GPI will make recommendation to staff by January 4, 2008. The bid information and staff's recommendation to the Board will be heard at the next regular scheduled meeting of January 14, 2008. We hope to award the bid at that time.

This amendment request provides for: (1) a six-month contract extension to July 31, 2008, (2) amends the budget to realign \$44,940 in grant funds to the 03J Sewer Lines and Components budget line item, as was recommended by Mr. Steve Fellerman, (3) moves \$6,510 into a newly created budget line item titled 08 Relocation and moves \$5,675 into the 03J Water Lines (4) updates the County's Project Work Plan to reflect actual start and ending dates for infrastructure construction, and (5) updates the work plans of the Participating Party businesses (Scratch Cakes, Buckhorn Laundromat, LLC, to become Med Systems, LLC a pharmacy, and Miracle Years Childcare Center) and for the developer, Buckhorn First, LLC.

Your favorable consideration of this amendment is requested to enable this much valued project to be completed

Thank you for your consideration.

Sincerely,

Edward E. Brimmer
Chairman

cc: Mr. Steve Fellerman, DCA Contract Manager
Ms. Kathy Baker, Jordan and Associates, Inc.