



Agenda Item: # 9D
January 26, 2017

20 N. Swinton Avenue
Delray Beach, FL 33444

~ CRA BOARD SUMMARY ~
**FIRST AMENDMENT TO CRA/CITY INTERLOCAL AGREEMENT FOR FUNDING
CONSTRUCTION/PROFESSIONAL SERVICES FY 2016-2017**

At its meeting of September 22, 2016, the CRA Board adopted the FY 2016-17 Budget and approved the Interlocal Agreement with the City of Delray Beach for funding of Joint Projects for Fiscal Year 2016-2017. Per the Agreement, funds will be transferred to the City at the time that a contract is awarded or service authorization (consultant agreement) is approved for each project.

Attached is Amendment #1 to the ILA reflecting the changes, as well as other adjustments as explained in more detail below. It is noted that for many of the projects, funding has been increased, based on the actual cost of either the design fees or construction services related to the projects.

The following summarizes the above as well as modifications to the items listed in Exhibit "A" of the attached Interlocal Agreement, consistent with Budget Amendment #1. Line items were increased as follows based on updated design costs, construction cost estimates, and/or actual construction costs:

- #1 – Block 8 Alley (South of W Atlantic Ave – SW 10th/11th Aves) – Increased (\$30,000) for actual construction costs.
- #5 – Parking Study Implementation (E. Atlantic Avenue Crosswalk Upgrades - Venetian/Gleason) – Increased (\$16,000) for additional design costs associated with FDOT design and permitting requirements.
- #9 – Block 63 Alley – Increased (\$40,000) for additional design (\$6,500) and construction costs (\$33,500) associated with sewer main replacement and drainage improvements.
- #10 - SW Neighborhood Alleys (5 Alleys) – Increased (\$110,000) for additional design and construction costs associated with sewer main replacement and drainage improvements.

The adopted FY 2016-17 CRA Work Plan will be changed accordingly.

Recommended Action:

Approve the First Amendment to the Interlocal Agreement with the City of Delray Beach for funding of Construction/Professional Services for Fiscal Year 2016-17.

Submitted By: Thuy Shutt, Assistant Director

Attachment: Amendment No. 1 to Interlocal Agreement between the City & CRA for Construction/ Professional Services FY 2016-17

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**FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN
THE CITY OF DELRAY BEACH AND THE
DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY
FOR FUNDING CONSTRUCTION/PROFESSIONAL SERVICES
FY 2016-2017**

THIS FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT FOR FUNDING OF CONSTRUCTION/PROFESSIONAL SERVICES ("FIRST AMENDMENT") is made this _____ day of _____, 2017, by and between the **CITY OF DELRAY BEACH**, a Florida municipal corporation, (hereinafter referred to as "**CITY**"), and the **DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY**, a public body corporate and politic, duly created and operated pursuant to Chapter 163, Florida Statutes (hereinafter referred to as the "**CRA**").

WITNESSETH:

WHEREAS, the **CITY** and the **CRA** entered into an Interlocal Agreement for the Funding of Construction/Professional Services for Fiscal Year 2016-2017, on November 1, 2016 (the "Original Agreement"), which provided for funding for construction and professional services for projects within the Community Redevelopment Area; and

WHEREAS, the **CRA** and the **CITY** desire to enter into this First Amendment to the Original Agreement (the "First Amendment") in order to amend **Exhibit "A"** to the Original Agreement, to provide for changes in the amount of funding for the projects listed in **Exhibit "A"** to the Original Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and promises herein contained, the parties hereby agree as follows:

1. The recitations set forth above are hereby incorporated herein.
2. The **CRA** and the **CITY** agree to amend **Exhibit "A"** to the Original Agreement, to reflect the changes in the amount of funding provided by the **CRA** for Fiscal Year 2016-17 for the projects listed in **Exhibit "A"** to the Original Agreement. The revisions to **Exhibit "A"**, are consistent with the **CRA's** Budget Amendment No. 1 for FY 2016-17.
3. Subject to the availability of funds, and annual budgeting and appropriation by the **CRA**, the **CRA** will provide additional funding for the projects listed in **Exhibit "A"** in Fiscal Year

2016-17.

4. The **CITY** and the **CRA** agree that **Exhibit "A"** to the Original Agreement is hereby amended as provided in **Exhibit "A"** to this First Amendment, which is attached hereto and incorporated herein by reference.

5. All other terms and conditions of the Original Agreement not in conflict with this First Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed on the day and year first above written.

ATTEST:

CITY OF DELRAY BEACH, FLORIDA

City Clerk

By: _____
Cary D. Glickstein, Mayor

Approved as to Form:

City Attorney

ATTEST:

DELRAY BEACH COMMUNITY
REDEVELOPMENT AGENCY

Jeff Costello, Executive Director

By: _____
Reginald A. Cox, Chair

(SEAL)

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this ____ day of _____, 2017, by _____, as _____ (name of officer or agent, title of officer or agent), of _____ (name of corporation acknowledging), a _____ (state or place of incorporation) corporation, on behalf of the corporation. He/She is personally known to me or has produced _____ (type of identification) as identification.

Notary Public – State of Florida

EXHIBIT "A"

Fiscal Year 2016-2017 Projects			
	City Project #	Project Name	Amount of CRA Funding
1.	2014-002	Block 8 Alley (South of W Atlantic Ave - SW 10 th /11 th Aves)	\$ 200,000.00 \$230,000.00
2.	2016-654	SW 6 th , 7 th , 8 th & 9 th Ave Improvements (Atlantic-SW 1 st St)	\$ 100,000.00
3.	2016-596	Old School Square Park Upgrades	\$ 500,000.00
4.	2013-022	S Swinton Ave & SW/SE 1st Street (Mast Arm Traffic Signal)	\$ 250,000.00
5.	2014-008	Parking Study Implementation (E. Atlantic Avenue Crosswalk Upgrades - Venetian/Gleason)	\$ 350,000.00 \$366,000.00
6.	2014-069	Parking Study Implementation - Wayfinder Signage	\$ 150,000.00
7.	2012-051	Swinton & Atlantic Intersection	\$ 300,000.00
8.	2016-676	SW 2 nd Street Beautification (Phase II)	\$ 210,000.00
9.	2015-610	Block 63 Alley	\$ 225,000.00 \$265,000.00
10.	2015-620	SW Neighborhood Alleys (5 Alleys)	\$ 800,000.00 \$910,000.00
11.	2013-020	SE 2 nd St/Ave/Alleys/Parking Lot (Osceola Business Area)	\$ 1,900,000.00
12.	2014-006	Sidewalks – NW/SW Neighborhoods	\$ 630,000.00
13.	2011-024	NE 3 rd St/Ave Streetscape & Alley Improvements	\$1,600,000.00*
14.	2015-040	NW 5 th Ave Alleys (3 Alleys)	\$ 400,000.00
15.	2009-006	Block 20 Alley Improvements	\$ 75,000.00
16.	2016-101	Hilltopper Stadium Elevator	\$ 115,000.00
17.	2016-500	SW 4 th St/SW 6 th St/SW 7 th Ave Reconstruction	\$ 580,700.00*
18.	2016-095	Osceola Neighborhood Improvements (Design)	\$ 837,870.00*
19.	2016-102	Pompey Park Master Plan	\$ 800,000.00*

*City Financed – CRA to pay debt service annually