



Agenda Item #
November 9, 2017

10B

20 N. Swinton Avenue
Delray Beach, FL 33444

~ CRA BOARD SUMMARY ~
**SECOND AMENDMENT TO WORK ASSIGNMENT – IBI GROUP (FLORIDA) INC. –
THE SET TRANSFORMATION PLAN**

The West Atlantic Redevelopment Plan was adopted in 1995, with the most recent Plan Amendment occurring in 2001. Also, the Southwest Area Neighborhood Redevelopment Plan was adopted in 2003 and has not been amended/updated.

On December 8, 2016, the CRA entered into a Work Assignment with IBI Group, one of the CRA's consultants on a continuing contract basis, to update the West Atlantic Avenue (CRA Sub-area 3) and Southwest Area Neighborhood (CRA Sub-Area 8) Redevelopment Plans, as well as inclusion of a plan for the Northwest Neighborhood (CRA Sub-Area 4,) and consolidating the Plans into one comprehensive document - The Set Transformation Plan. This initiative has involved collaboration with the City, WARC, NW/SW Neighborhood Alliance and other community stakeholders. This Scope of Work involves an assessment of the existing Plans including updated socio-economic and demographic data, the community's needs, placemaking and branding opportunities, transportation and connectivity, quality of life, redevelopment opportunities and trends to determine what collective and comprehensive strategies can be implemented to promote wealth building, social equity, community wellness and pride, and development opportunities within the area.

Public meetings were held on March 28th and April 1st and the first draft document was submitted in June for review and comments. To allow more time for the second draft with summarized comments by the Plan Committee, a 60-day extension to the completion date from October 4, 2017 to December 4, 2017 was approved administratively by the Executive Director. Pursuant to the Work Assignment, any additional time extensions must be approved by the CRA Board.

A revised document (version 2.0) was received on September 26th and distributed to the Plan Committee for review and comments, which were provided to the Consultant. The revised document for distribution to the CRA Board, WARC and City Commission is anticipated by the week of November 13th. The Final Community Workshop is scheduled for November 4, 2017, 9:30 am – 12:00 pm at the Delray Beach Public Library. A presentation to the CRA Board is also scheduled for the November 9th CRA Board Workshop meeting. Recommendations to the City Commission by WARC and the CRA Board are scheduled for December with final adoption by the City Commission anticipated by February, 2018.

Based upon the above, the Second Amendment to the Work Assignment with IBI Group extending the completion date to March 2, 2018 is before the Board for consideration.

Recommended Action:

Approve the Second Amendment to the Work Assignment with IBI Group (Florida) Inc. (IBI) for services associated with The Set Transformation Plan extending the Termination Date to March 2, 2018.

Submitted By: Kristyn Cox, West Atlantic Redevelopment Director

Attachments: Second Amendment to Work Assignment with IBI Group (Florida) Inc.

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**SECOND AMENDMENT TO THE WORK ASSIGNMENT
BETWEEN THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY
AND
IBI GROUP (FLORIDA) INC.**

THIS SECOND AMENDMENT TO THE WORK ASSIGNMENT ("Amendment") is made and entered into as of the ___ day of _____, 2017, by and between the **DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY**, a public agency created pursuant to Section 163, Part III, Florida Statutes, (hereinafter referred to as the "CRA"), and **IBI GROUP (FLORIDA) INC.** (hereinafter referred to as "Consultant").

WITNESSETH:

WHEREAS, the CRA and the Consultant previously entered into an Agreement for Project Development, Financial, and Real Estate Management Analysis and Services dated July 25, 2013, the "Original Agreement"; and

WHEREAS, on March 25, 2016, the parties entered into a First Amendment to the Original Agreement to renew the Original Agreement for one (1) additional year and to include a provision prohibiting contingency fees; and

WHEREAS, the CRA and the Consultant entered into a Work Assignment on December 8, 2016, to provide for the Consultant to provide services associated with the "2016 The Set Redevelopment Plan" (the "Work Assignment"); and

WHEREAS, on June 8, 2017, the parties entered into a Second Amendment to the Original Agreement in order to provide an extension of the Original Agreement for an additional one (1) year term, and to provide for additional terms and conditions related to potential conflicts of interest; and

WHEREAS, the Work Assignment provided for the Consultant to complete the services on or before October 4, 2017; and

WHEREAS, on September 15, 2017, the CRA and Consultant entered into a First Amendment to the Work Assignment for the Consultant to complete the services on or before December 4, 2017; and

WHEREAS, CRA and Consultant desire to enter into this Second Amendment in order to extend the time for completion of the Work Assignment for an additional ninety (90) days, up to and including March 2, 2018.

NOW THEREFORE, in consideration of the promises, mutual covenants, provisions and undertakings hereinafter contained and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. That the recitals set forth above are true and correct and are incorporated herein by reference.

2. That the CRA and the Consultant agree to extend the completion date for the services provided by the Consultant with respect to the "2016 The Set Redevelopment Plan" for an additional ninety (90) days, up to and including March 2, 2018.

3. That except as amended herein, the CRA and Consultant ratify, approve and reaffirm the terms of the Original Agreement, and the Original Agreement shall remain in full force and effect, except as amended herein.

4. In the event of any conflict or ambiguity by and between the terms and provisions of the Work Assignment, First Amendment, and this Second Amendment, the terms and provisions of this Second Amendment shall control to the extent of any such conflict or ambiguity.

[Signature page to follow]

IN WITNESS WHEREOF, the parties have executed this Second Amendment to the Work Assignment on the date first written above

**DELRAY BEACH COMMUNITY
REDEVELOPMENT AGENCY**

BY: _____
ANNETTE GRAY, CHAIR

ATTEST:

JEFF COSTELLO, EXECUTIVE DIRECTOR

**CONSULTANT:
IBI GROUP (FLORIDA) INC.**

BY: _____
Signature

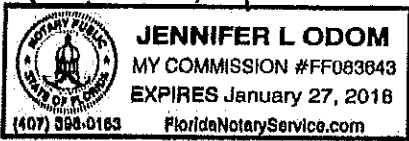
Patricia F. Ramo
Print Name and Title
VP - ENGINEERING

STATE OF FLORIDA

(SEAL)

COUNTY OF Broward

The foregoing instrument was acknowledged before me this 2 day of November, 2017, by Patricia F. Bamudo, as VP, Engineering (name of officer or agent, title of officer or agent), of IBI Group (Florida) Inc. (name of corporation acknowledging), a FL (state or place of incorporation) corporation, on behalf of the corporation. He/She is personally known to me or has produced personally known (type of identification) as identification.



Jennifer L Odom
Notary Public - State of Florida

My Commission Expires: 1/28/17

BEFORE ME, an officer duly authorized by law to administer oaths and take acknowledgments, personally appeared Patricia F. Bamudo as VP, Engineering authorized to do business in the State of Florida, and acknowledged executed the foregoing Agreement as the proper official of IBI GROUP (FLORIDA) INC., for the use and purposes mentioned in it and affixed the official seal of the limited liability company, and that the instrument is the act and deed of that company. He is personally known to me or has produced personally known as identification.

IN WITNESS OF THE FOREGOING, I have set my hand and official seal at in the State and County aforesaid on this 2 day of November, 2017.

Jennifer L Odom
NOTARY PUBLIC

My Commission Expires: 1/28/17

