



9B

Agenda Item: #  
March 22, 2018

20 N. Swinton Avenue  
Delray Beach, FL 33444

~ CRA BOARD SUMMARY ~  
**FIRST AMENDMENT TO CRA/CITY INTERLOCAL AGREEMENT FOR FUNDING  
CONSTRUCTION/PROFESSIONAL SERVICES FY 2017-2018**

---

At its meeting of September 28, 2017, the CRA Board adopted the FY 2017-18 Budget and approved the Interlocal Agreement ("ILA") with the City of Delray Beach for funding of Joint Projects for Fiscal Year 2017-2018. 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. The City Commission approved the ILA on November 7, 2017.

The City has requested the CRA's assistance for the funding of an elevator lift at the Spady Museum located at 170 NW 5<sup>th</sup> Avenue, and for additional design services associated with the NE 3<sup>rd</sup> Street/Avenue Streetscape Improvement Project.

The Spady Museum Property had a vertical wheelchair lift installed as part of a building renovation in 2001. The property is leased to EPOCH (Expanding & Preserving Our Cultural Heritage, Inc.). The reason for the addition of the vertical wheelchair lift was to provide handicap access to the 2<sup>nd</sup> floor of the museum to comply with ADA requirements. As part of the lease agreement with the City, EPOCH agreed to keep in repair and good condition the lift. EPOCH entered into a maintenance and repair agreement with Thyssen-krupp. Over the course of time, the seventeen-year-old vertical wheel chair lift has reached its engineered life cycle and needs complete replacement. The complete replacement is necessary since parts have become obsolete and therefore the lift cannot be repaired. The cost of replacing the wheel chair lift is \$25,300.00, staff also recommends contingency amount be added to the requested amount to cover any unforeseen conditions. An additional \$4,700.00 has been added to Item #20 to reflect this request, totaling \$30,000.00.

The NE 3<sup>rd</sup> Street/Avenue Streetscape Improvement Project design is currently 96% completed. Additional design services are required to revise the plans to add a new sanitary sewer main along NE 3<sup>rd</sup> Street, to separate a non-code compliant shared sewer lateral servicing the 3<sup>rd</sup> & 3<sup>rd</sup> Restaurant and the recently renovated CRA-owned Arts Warehouse, and to re-design the parallel parking along NE 3<sup>rd</sup> Avenue to reflect a driveway for one of the properties. The cost for the proposed additional design services is \$22,793.72. An amount of \$23,000.00 (rounded) has been added to Item #21 to reflect this request.

Attached is Amendment #1 to the ILA reflecting the required changes. Since time is of the essence, this adjustment will be incorporated into future Budget Amendment #2 for FY 2017-18 and the Work Plan for FY 2017-18 will be modified 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 2017-18.

**Submitted By:** Kevin Matthews, Project Manager

Attachment: Amendment No. 1 to Interlocal Agreement between the City & CRA for Construction/ Professional Services FY 2017-18; City Memorandum – Funding Request

**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 2017-2018**

**THIS FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT FOR FUNDING OF CONSTRUCTION/PROFESSIONAL SERVICES ("THIRD AMENDMENT")** is made this \_\_\_\_\_ day of \_\_\_\_\_, 2018, 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 2017-2018, on November 20, 2017 (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 amend **Exhibit "A"** to the Original Agreement to provide for the funding of an elevator lift at the Spady Museum located at 170 NW 5<sup>th</sup> Avenue, Delray Beach, Florida; and

**WHEREAS**, the funding is consistent with the **CRA's** Redevelopment Plan, and serves both a municipal and public purpose.

**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 provide for funding for the Spady Museum Elevator Lift project.
3. **Exhibit "A"** to the Original Agreement is hereby amended as provided in **Exhibit "A"**, which is attached to this First Amendment, and incorporated herein by reference.
4. All other terms and conditions of the Original Agreement not in conflict with this First Amendment shall remain in full force and effect.

**(SIGNATURE PAGE TO FOLLOW)**

**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: \_\_\_\_\_,  
MAYOR

Approved as to Form:

\_\_\_\_\_  
R. MAX LOHMAN, CITY ATTORNEY

ATTEST:

DELRAY BEACH COMMUNITY  
REDEVELOPMENT AGENCY

\_\_\_\_\_  
JEFF COSTELLO,  
EXECUTIVE DIRECTOR

By: \_\_\_\_\_  
ANNETTE GRAY, CHAIR

(SEAL)

STATE OF FLORIDA        )  
                                  )    SS:  
COUNTY OF PALM BEACH )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2018, 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 2017-2018 Projects			
	City Project #	Project Name	Amount of CRA Funding
1	2017-004	Roadway Recon. Design (15 Streets OCI 0-42) (The Set)	\$ 1,000,000.00
2	2017-108	SW 4th St/SW 6th St/ SW 7th Ave/SW 3rd Ct & Alleys Reconstruction (The Set)	\$ 5,500,000.00*
3	2017-062	Storage Facility for 100 Ft Christmas Tree	\$ 250,000.00
4	2017-097	Catherine Strong Park (New Building /Pool)	\$ 800,000.00
5	2017-102	Hilltopper Restroom/Concession Building	\$ 58,500.00
6	2017-132	Reclaimed Water System Expansion Area 9 (The Set)	\$ 200,000.00
7	2017-002	License Plate Recognition Software/ Equipment	\$ 200,000.00
8	2017-119	Level by Level Parking Garage Count System	\$ 200,000.00
9	2017-169	Merritt Park Playground & Poured in Place Surfacing	\$ 200,000.00
10	2017-127	W Atlantic Ave Beautification/ I-95 Interchange	\$ 53,000.00
11	2016-004	Old School Square Building Maintenance	\$ 463,300.00
12	2013-022	S Swinton Ave & SW/SE 1st Street (Mast Arm Traffic Signal)	\$ 250,000.00
13	2015-610	Block 63 Alley	\$ 265,000.00
14	2015-040	NW 5th Ave Alleys	\$ 400,000.00
15	2014-008	Parking Study Implementation (E. Atlantic Ave Crosswalk Upgrades - Venetian/Gleason	\$ 440,000.00
16	2017-103	SW Neighborhood Alleys (5 Alleys)	\$ 1,700,000.00
17	2016-002	Sidewalks – NW/SW Neighborhoods	\$ 630,000.00
18	2016-596	Old School Square Park Upgrades	\$ 200,000.00
19	2016-102	Pompey Park Master Plan	\$ 800,000.00
20		Spady Museum Elevator Lift	\$ 30,000.00
21	2012-03	NE 3 <sup>rd</sup> Street/Avenue Streetscape Improvements	\$ 23,000.00

\*City Financed – CRA to pay Debt Service Annually



# City of Delray Beach

*Public Works Department*

## M E M O R A N D U M

[www.mydelraybeach.com](http://www.mydelraybeach.com)

**TO:** Jeff Costello, Director of CRA

**FROM:** Joseph Frantz, Deputy Director of Public Works

**DATE:** 03/02/2018

**SUBJECT:** Spady Museum Vertical Wheelchair Lift

---

The Spady House Property had a vertical wheelchair lift installed as part of a building renovation in 2001. The reason for the addition of the vertical wheelchair lift was to provide handicap access to the 2<sup>nd</sup> floor of the museum to comply with ADA requirements. As part of the lease agreement with the City of Delray Beach (City), Spady House Property agreed to keep in repair and good condition the lift. Spady House Property entered into a maintenance and repair agreement with Thyssen-krupp. Over the course of time the seventeen-year-old vertical wheel chair lift has reached its engineered life cycle and needs complete replacement. The complete replacement is necessary since parts have become obsolete and therefore the lift cannot be repaired.