

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: November 7, 2017 Consent Regular
 Ordinance Public Hearing

Department: Department of Housing and Economic Sustainability

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: **A)** a budget transfer of \$570,000 in the Housing and Community Development Fund, and **B)** a budget amendment of \$570,000 in the Public Building Fund to recognize the transfer.

Summary: On August 16, 2016 (Agenda Item 5A-3), the Board of County Commissioners (BCC) approved the County's acquisition of the Program REACH/transitional housing facility (Facility), located at 1318-1320 Henrietta Avenue and 549-559 Palm Beach Lakes Boulevard in West Palm Beach. Despite the property and building being in use as a family shelter at the time of purchase, the property requires further improvements and the need for these subsequent improvements were disclosed to the BCC prior to making the decision to purchase the property. On April 4, 2017, the BCC approved \$570,000 in Community Development Block Grant (CDBG) funds for the renovation of the Facility. The Palm Beach County Facilities Development and Operations Department (FDO) is the implementing agency for this public facility project. The Memorandum of Understanding agreement between the Department of Housing and Economic Sustainability (HES) and FDO requires that an interdepartmental budget transfer be established to reimburse FDO for eligible project cost for the Project REACH project for \$570,000. This budget transfer and amendment is necessary to appropriate budget to process the interdepartmental transfers. These are Federal CDBG funds which require no local match. District 7 (JB)

Background and Justification: Palm Beach County receives an annual allocation of CDBG grant funds from the U.S. Department of Housing and Urban Development. Approval of this agenda item will appropriate existing CDBG funding to rehabilitate a County owned facility that provides emergency shelter to 80 homeless families annually. Program REACH serves homeless families consisting of adults with minor dependent children who are residents of Palm Beach County. REACH will provide interim/emergency shelter and wrap-around services for up to 19 families with dependent children at any given time to foster family recovery and stable housing solutions. REACH works in coordination with the Senator Philip D. Lewis Homeless Resource Center to meet the goals of the County's Ten-Year Plan to End Homelessness. The primary aim of REACH is to combat homelessness by providing a comprehensive and coordinated system in which homeless families can receive services that will lead to self-sufficiency. This is accomplished by providing a safe, clean, and supportive shelter for families, an action plan to meet the family's immediate needs, and intensive case management to empower the families to take the initiative for their future independence. Length of stay typically spans 90 days and is accessible 24 hours per day/7 days per week/365 days per year.

- Attachment:**
 1. Budget Transfer
 2. Budget Amendment
 3. Project Reach MOU

Recommended By: Jonathan Bram 10/12/17
 Department Director Date

Approved By: Steve Johnson 10/26/17
 Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2018	2019	2020	2021	2022
Capital Expenditures					
Operating Costs	\$570,000				
External Revenues	(\$570,000)				
Program Income					
In-Kind Match (County)					
NET FISCAL IMPACT	-0-				
# ADDITIONAL FTE POSITIONS (Cumulative)	-0-				

Is Item Included In Current Budget? Yes X No _____

Budget Account No.:

Fund 1101 Dept 820 Unit 1431 Object 9204 Program Code/Period BG169C/GY15

B. Recommended Sources of Funds/Summary of Fiscal Impact:

Approval of this agenda item will appropriate budget in Community Development Block Grant funds to reimburse FDO via interdepartmental transfer for the Project Reach project for \$570,000.


C. Departmental Fiscal Review:




 Shairette Major / Fiscal Manager II

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development and Control Comments:

 10/18/17
 OFMB KP 10/18 AK 10/18 DA 10/18

 10/24/17
 Contract Development and Control
 10/24/17 TW

B. Legal Sufficiency:

 10/25/17
 Assistant County Attorney

C. Other Department Review:

 Department Director

18-0091

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
BUDGET TRANSFER

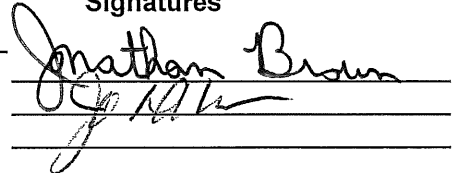
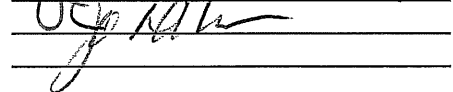
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FUND 1101 - Housing and Community Development

Use this form to provide budget for items not anticipated in the budget.

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED October 11, 2017	REMAINING BALANCE
EXPENDITURES								
143-1431-8201	Contributions -Non Government Agency	4,672,044	4,672,044	0	570,000	4,102,044		4,102,044
820-1431-9204	Transfer for Public Bldg Imprv Fund 3804	0	0	570,000		570,000		570,000
TOTAL EXPENDITURES				570,000	570,000			

Department of Housing and Economic Sustainability
INITIATING DEPARTMENT/DIVISION
Administration/Budget Department Approval
OFMB Department - Posted

Signatures	Date
	10/12/17
	10/15/17

By Board of County Commissioners
At Meeting of :
November 7, 2017
Deputy Clerk to the
Board of County Commissioners

18-0092

**BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
BUDGET AMENDMENT**

PUBLIC BUILDING IMP FUND

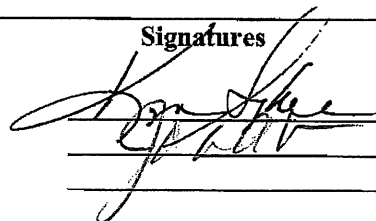
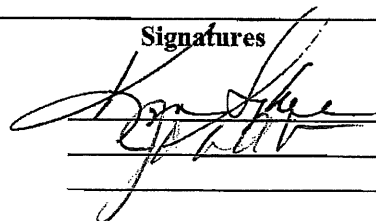
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BGEX-410-101617-133

BGRV-410-101617-11

ACCT.NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED	REMAINING BALANCE
<u>REVENUES</u>								
411 B645	8015 - Tr Fr HCD Fd 1101	0	0	570,000		570,000		
	Total Receipts and Balances	53,328,323	51,483,442	570,000	0	52,053,442		
<u>EXPENDITURES</u>								
<u>Program Reach Trans</u>								
411 B645	4907 - Building Improvemts Noncapita	0	0	570,000		570,000		
	Total Appropriations & Expenditure	53,328,323	51,483,442	570,000	0	52,053,442		

INITIATING DEPARTMENT/DIVISION
Facilities Development & Operations
Administration/Budget Department Approval
OFMB Department - Posted

Signatures	Date
	10/16/17
	10/18/17

By Board of County Commissioners
At Meeting of
November 7th, 2017
Deputy Clerk to the
Board of County Commissioners

MEMORANDUM OF UNDERSTANDING

**PROGRAM REACH TRANSITIONAL HOUSING FACILITY RENOVATION
PROJECT**

This Memorandum of Understanding (Memorandum) is entered into on JUL 10 2017, by and between **Palm Beach County Department of Economic Sustainability ("DES")**, and **Palm Beach County Facilities Development and Operations Department ("FDO")** to cooperatively complete the renovation of the Program Reach transitional housing facility located at 1318-1320 Henrietta Avenue and 549-559 Palm Beach Lakes Boulevard in West Palm Beach ("Project").

WHEREAS, Palm Beach County has secured \$570,000 in Federal Community Development Block Grant (CDBG) funds provided by the United States Department of Housing and Urban Development (HUD) for the Project; and

WHEREAS, DES has been tasked with project implementation and FDO has assumed the responsibilities for the design and construction of the Project as approved by the Board of County Commissioners (BCC) at its April 4, 2017 meeting; and

WHEREAS, DES has made available \$570,000 in CDBG funds to FDO for design and construction of the Project, as shown on Exhibit "A", attached hereto: and

WHEREAS, the Project requires a design consultant/engineer and a contractor to implement the Project; and

WHEREAS, FDO shall utilize the services of a Construction Management firm (CM), under an Annual Contract, to be responsible for the design and construction of the Project as outlined in Exhibit "A"; and

WHEREAS, the work of the CM requires oversight and coordination to be provided by assigned staff of FDO; and

WHEREAS, HUD requires that an inter-departmental agreement, provided as this Memorandum, be executed between DES and FDO, as the department implementing a federally-funded Project; and

WHEREAS, DES and FDO wish to enter into this Memorandum in order to establish the terms and conditions for undertaking the Project; and

NOW THEREFORE, in consideration of the mutual promises and covenants herein contained, it is agreed as follows:

1. DES:

- a. Shall provide FDO with the Federal requirements applicable to consultant and construction contracts as they relate to the use of CDBG funds (including but not limited to, Davis-Bacon and Related Acts (DBRA), bonding requirements established under 24 Code of Federal Regulations (CFR) Part 85, and Executive Order 11246).
- b. Shall provide FDO with forms to be completed by consultants, contractors and subcontractors as they relate to CDBG program regulations, and provide FDO with report forms to collect information needed by DES to meet its reporting obligations to HUD.
- c. Shall provide up to \$570,000 of CDBG funds to pay for FDO's Project related staff expenses in addition to design and construction costs.

MEMORANDUM OF UNDERSTANDING FOR PROGRAM REACH TRANSITIONAL
HOUSING FACILITY RENOVATION PROJECT

- d. Shall utilize a budget transfer mechanism to reimburse FDO for eligible project costs.
- e. Shall update FDO with any HUD requirements associated with the use of CDBG funds that arise in the course of implementing the herein described Project.
- f. Shall monitor the progress of Project implementation and funding expenditures through contact with FDO and receipt from FDO of reports and/or copies of all charges made to the Project account.

2. FDO:

- a. Shall assign qualified staff to the oversight and implementation of the Project to assure the timely completion of the Project.
- b. Shall utilize a CM for the Project's design and construction.
- c. Shall submit to DES a copy of the CM procurement documents, contract award recommendation, executed contracts and executed change orders.
- d. Shall coordinate all required asbestos survey work. A copy of all asbestos survey reports shall be submitted to DES.
- e. Shall administer the design, permitting and construction contract by performing tasks including, but not limited to, conducting site visits, reviewing the purchase and installation of products and materials according to specifications, evaluating change orders, tracking progress according to Project schedules, reviewing and approving payment requests, and reviewing warranties for products and equipment.
- f. Shall provide DES a copy of payment requests from consultants and contractors and provide documentation of any staff charges applied against the Project budget. Copies of all items charged to the Project account shall be forwarded to DES concurrently with submission to PBC Finance Department.
- g. Shall inspect work in progress being performed by the consultant and contractor, and review, approve and process the payment requests made against their respective contracts. FDO shall not release final payment nor the contractually-required retainage accumulated from all draws until it has satisfactorily submitted all necessary Project closeout documentation to DES.
- h. Shall be responsible for the enforcement of DBRA requirements, including but not limited to, obtaining and updating applicable wage decisions, reviewing payrolls and related DBRA documentation, and interviewing workers in the field. A copy of any modifications and/or additions to the wage decision shall be forwarded to DES.
- i. Shall inform DES in writing that all DBRA requirements are in compliance.

- j. Shall provide oversight of the CM to assure that the design and construction of the Project is implemented according to the scope of the Project and that all activities are eligible as Public Facilities and Improvements, as defined in 24 CFR 570.201(c) to enable DES to achieve the National Objective of benefiting low and moderate income persons per 24 CFR 570.208(a)(2)(A).
- k. Shall obtain reports and forms completed by consultants, contractors and subcontractors as they relate to CDBG and submit such reports and forms to DES.
- l. Shall coordinate with DES staff regarding the expeditious completion of the Project.

3. FDO acknowledges that DES has performed an Environmental Review (ER) for the Project and notified FDO, via letter dated May 25, 2017, of any findings discovered during the ER process. Notwithstanding anything to the contrary contained in this Memorandum, FDO shall be responsible for compliance with any findings resulting from the ER. Should future environmental findings or conditions be discovered during Project implementation, FDO shall notify DES of the findings and/or conditions. If needed, applicable mitigation measures must be incorporated into Project implementation.

4. DES has allocated CDBG funds from HUD for this project. FDO acknowledges the following expenditure deadlines for these funds:

- \$175,000 of the project budget (\$570,000) shall be expended no later than December 31, 2017.
- 100% of the project budget shall be expended (or the project completed with all charges to the project account and all invoices paid) no later than July 1, 2018.

The above expenditure deadlines have been established to ensure County compliance with HUD requirements. Extensions to the deadlines may be granted by DES at its sole discretion and may be denied if the HUD expenditure deadlines will not be met. The DES Director or his designee shall provide written authorization of any extension granted by DES.

5. FDO shall maintain written records of work performed by its staff, and expenditures incurred in connection with this Memorandum, which records shall be maintained for five (5) years after expiration of this Memorandum.

6. All income earned by FDO, if any, from activities financed, in whole or in part, by funds provided hereunder must be reported to DES. Such income would include, but not be limited to, income from service fees, sale of commodities, and rental or usage fees. Such income shall only be used to undertake the activities authorized by this Memorandum and as approved by DES. Accounting and disbursement of such income shall comply with 24 CFR 200 and regulations pertaining to the Community Development Block Grant Program.

7. FDO agrees to comply with the applicable uniform administrative requirements as described in the CDBG Regulations (24 CFR 570.502).

8. FDO shall carry out the activities in this Memorandum in compliance with all Federal laws and regulations at Subpart K of 24 CFR Part 570, except that: (i) FDO does not assume DES's environmental responsibilities described at 24 CFR Part 570.604; and (ii) FDO does not assume DES's responsibility for initiating the review process under the provisions of 24 CFR Part 52.

**MEMORANDUM OF UNDERSTANDING FOR PROGRAM REACH TRANSITIONAL
HOUSING FACILITY RENOVATION PROJECT**

9. This Memorandum may be suspended or terminated in accordance with 24 CFR Part 85.43 if FDO materially fails to comply with any term hereof, and this Memorandum may be terminated for convenience in accordance with 24 CFR Part 85.44.

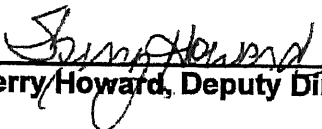
10. Upon expiration of this Memorandum, FDO shall transfer to DES any CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of CDBG funds. Any real property under FDO's control upon expiration of this Memorandum which was acquired or improved in whole or part with CDBG funds, made available through this Memorandum, in excess of \$25,000 must be used to meet one of the national objectives in the CDBG Regulations 24 CFR Part 570.505 for a period of five (5) years after expiration of this Memorandum.

11. This Memorandum shall expire on the date when FDO closes out the contract with, and makes all final payments pursuant to, all contracts funded by DES; when FDO has satisfactorily submitted all necessary documentation to DES for Project closeout; and FDO has obtained written confirmation from DES of the completion of the Project.

AGREED AS TO TERMS:

**DEPARTMENT OF ECONOMIC
SUSTAINABILITY**

**FACILITIES DEVELOPMENT AND
OPERATIONS DEPARTMENT**

BY: 
Sherry Howard, Deputy Director

BY: 
Audrey Wolf, Director

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**MEMORANDUM OF UNDERSTANDING FOR PROGRAM REACH TRANSITIONAL
HOUSING FACILITY RENOVATION PROJECT**

Project: 16523.02 Emergency Family Shelter
 CM Name: Robling Architecture Construction, Inc.

EXHIBIT "A"

Date: 12/15/2016
 Revised 2/14/17

Grounds #2733			
Task No.	Description	Est. Cost	REMARKS
CID - 1	Repair perimeter fence and gate so facility can be secured	\$ 1,012.50	
CID - 2	Replace the rusted chain and padlock on the double gate leading into the unused south parking lot	\$ 337.50	
CID - 3	Repair the bottom of the south fence to reduce the gap under the fence to no more than 2 inches	\$ 1,620.00	
CID - 4	Remove all non-ornamental foliage from the perimeter fence to provide a clear view of the fence line	\$ 2,025.00	
CID - 5	Remove the concrete and any other loose debris that may be a hazard or used as weapons	\$ 1,080.00	
CID - 6	Install exterior pole mounted LED lights at specified areas	\$ 54,000.00	Install (6) site light poles, including plans & permitting
CID - 7	Evaluate water drainage area between buildings 2744 and 2746	\$ 3,375.00	
CID - 8	Install cages at three backflows	\$ 3,240.00	
ADA - Attachment A, item 1	Install ADA Parking Signage & Striping	\$ 1,012.50	
ADA - Attachment A, item 2	Resurface & restripe parking lot south of Bldg. 2746	\$ 16,200.00	1" asphalt overlay & painted striping
ADA - Attachment A, item 4 & 9	Construct ADA pedestrian walkway connecting the parking lot to Building 2746 and the same building to playground area.	\$ 52,987.50	Includes removal, grading, sidewalk, landscaping, drainage, construction documents, permits
ADA - Attachment B, item 1	Repair edges unitary surfacing at playground	\$ 4,050.00	
		\$ 140,940.00	

Building #2745 / 1320 Henrietta Avenue (North Building)			
Task No.	Description	Est. Cost	REMARKS
CID - 9	Ensure all units have working smoke alarms (install all new 120V devices)	\$ 4,320.00	
CID - 10	Confirm roof integrity, secure roof truss fasteners, per inspection on 10/12/16	\$ -	Not Needed on this Building
CID - 11	Repair the perimeter fence in front of the Building 2745	\$ 1,350.00	
CID - 12	Secure all AC units with hurricane strapping.	\$ 1,080.00	
CID - 12	Replace split-system A/C Unit (per unit)	\$ 8,100.00	Replace (2) 2-ton split systems (\$4,050 ea.)
CID - 13	Repair large hole in sheetrock in laundry room	\$ 675.00	
CID - 14	Extend AC condensate drains 12" away from foundation	\$ 675.00	
CID - 15	Replace damaged dryer vent dampers	\$ 607.50	
FMD - 4	Secure roof soffit openings to prevent rodent access.	\$ 3,105.00	
ADA - Attachment A, Item 6	Install ADA compliant door handles	\$ 1,820.00	
ADA - Attachment A, Item 8	Renovate (1) unit to be accessible, including entry, bath & kitchen	\$ 57,375.00	Includes design & permitting (Bathroom cannot be 100% compliant due to size of space)
		\$ 78,107.60	

Building #2744 / 1318 Henrietta Avenue (Center Building)			
Task No.	Description	Est. Cost	REMARKS
CID - 16	Resurface 2nd floor porch and balcony slab to shed water away from building	\$ 19,575.00	
CID - 17	Weatherproof exterior of building	\$ 24,500.00	
CID - 18	Remediate water-damaged gypsum board walls & ceilings	\$ 8,775.00	
CID - 19	Remove and replace water damaged ceiling tiles on 1st floor	\$ 270.00	
CID - 20	Repair missing and damaged HVAC condensate shut-off switches	\$ 344.25	Replace (3) condensate cut-off switches
CID - 21	Secure all AC units with hurricane strapping. (confirmed to be for the AC units)	\$ 648.00	
CID - 22	Remove and treat rust on external stairs & repaint	\$ 5,400.00	
CID - 23	Bury exposed cables that are lying on ground (at rear of #2744)	\$ 405.00	
ADA - Attachment A, Item 5	Install ADA compliant signage at toilet rooms	\$ 405.00	
ADA - Attachment A, Item 6	Install ADA compliant door handles	\$ 1,620.00	
ADA - Attachment A, Item 7	Replace 24" grab bar at toilet	\$ 540.00	
		\$ 62,482.25	

Building #2746 / 559 Palm Beach Lakes Blvd. (South Building)			
Task No.	Description	Est. Cost	REMARKS
CID - 18	ADA requirements regarding ramps and occupant accessibility for the three 1st floor ADA units	See ADA - 3	
CID - 19	Need to ensure smoke detectors are installed outside bedrooms (add 120V smoke devices)	\$ 3,780.00	
CID - 20	Secure roof truss fasteners, per inspection on 10/12/16	\$ 4,880.00	
CID - 21	Confirm lead paint and asbestos issues and implement recommendations	\$ 3,200.00	This task can be performed by PBC annual consultant also
CID - 22	Secure all AC units with hurricane strapping. (confirmed to be for the AC units)	\$ 648.00	
CID - 23	Extend AC condensate drains 12" away from foundation	\$ 405.00	
		\$ 12,893.00	

Other and Miscellaneous			
Task No.	Description	Est. Cost	REMARKS
CID - 24	Install Schlage touchscreen deadbolt hardware throughout.	\$ 12,825.00	This cost represents all buildings "throughout". Remove & replace deadbolts only (handsets to remain)
CID - 25	Replace administrative hardware with ADA compliant handsets.	See Item ADA - 6	
CID - 26	Replace security system controller with a Vista 128 and an alpha numeric keypad to arm/disarm.	\$ 4,050.00	
CID - 27	Conduct an ARC 4496 review to determine what and costs associated	\$ 12,150.00	Cost for Evaluation Report Only
CID - 28	Install fire sprinkler system	\$ 153,900.00	This cost represents all buildings. Includes design, permitting, site & related work
	Install centrally monitored fire alarm system	\$ 225,450.00	This cost represents all buildings. Incl. design, raceway, permitting, equipment & related work
ADA - Attachment A, item 3	Construct accessible ramp at entry to 2 units (1320, 559)	\$ 12,825.00	
ADA - Attachment A, item 6	Install ADA compliant door handles (559)	\$ 1,620.00	
ADA - Attachment A, item 8	Renovate (1) unit to be accessible, including entry, bath & kitchen (559)	\$ 57,375.00	Includes design & permitting (Bathroom cannot be 100% compliant due to size of space)
		\$ 254,745.00	Total including fire sprinklers, but not fire alarm
		\$ 550,168.00	Total entire facility