



# City of Grand Island

Tuesday, September 13, 2016

Council Session

## Item G-4

**#2016-211 - Approving Budget Amendment and Contract Extension for Community Development Block Grant 13-CR-002, 13-CR-104 and 14-CR-002 (4th Street & Lion's Club Park)**

*This item relates to the aforementioned Public Hearing item E-5.*

Staff Contact: Charley Falmlen

# Council Agenda Memo

**From:** Charley Falmlen, Community Development

**Meeting:** September 13, 2015

**Subject:** Approving Budget Amendment and Contract Extension for Community Development Block Grant 13-CR-002, 13-CR-104, and 14-CR-002

**Presenter(s):** Charley Falmlen, Community Development Specialist

## Background

The Nebraska Department of Economic Development (NDED) developed a Comprehensive Revitalization program to utilize Community Development Block Grant (CDBG) funds in non-entitlement communities. This program allocates grant funds over a multi-year period to meet locally identified needs that are CDBG eligible. Since 2013, The City of Grand Island has received \$720,000 in Comprehensive Revitalization Funds. The funds have been allocated to the funding category of “Streets” and intended for use along 4<sup>th</sup> and 5<sup>th</sup> Street to address curb reconstruction and ADA accessibility. Since the original application for funding, extensions have been granted, with a current contract end date of September 29, 2016.

## Discussion

This time last year, the improvements to 4<sup>th</sup> and 5<sup>th</sup> Street were well underway. Design bidding and construction contract processes were complete for the project. The first portion of the construction contract has been completed. But the contractor who was awarded the bid requested to be removed from the contractual obligations, due to his inability to meet the parameters of the contract. After this event, the City hoped to award the bid to the alternate bidder or send the project to re-bid. The alternate bidder was not interested in picking up the remainder of the project, therefore the project needed to be re-bid. As portions of the contract were already completed, the construction documents needed to be re-created. This took time for design and completion by the design firm. Additionally, the completion of the first part of the contract in 2015, was not paid for with CDBG funds, since the contractor failed to meet the requirements. This left additional CDBG funding to be allocated, which is why the improvements to Lion’s Club Park were added to the design.

The City of Grand Island was unable to offer proposed budget amendments or proposed contract extension dates until the new design was under construction contract, as bid amounts and completion dates are the end result of the bidding and contract process. The Improvements to Lions Club Park and the ADA Ramp and Curbs along 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup> Streets are currently under construction contract with a final completion date of June 1, 2017.

The proposed budget amendments would move all remaining funds from all Comprehensive Revitalization grants into the “Public Facilities” category which would accommodate the National Objectives for such work as that of Lions Club Park and the ADA Ramps.

The proposed contract extension date is July 29, 2017 to accommodate the full completion date of the contractor currently performing work under contract and the completion dates written into that contract.

### **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve the budget amendment and extension request
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

### **Recommendation**

City Administration recommends that the Council approve the budget amendment and extension request.

### **Sample Motion**

Move to approve the budget amendment and contract extension request for Comprehensive Revitalization Community Revitalization Block Grants and authorize the Mayor to sign all appropriate documents.

**CDBG CONTRACT AMENDMENT REQUEST FORM**

**This form must be completed and submitted to the Nebraska Department of Economic Development when making a contract amendment request. All attachments identified under the applicable amendment type must be submitted along with this form.**

CDBG Grant # 13-CR-002 Grantee City of Grand Island

DED Program Representative Jenny Mason

Completing this form Name Charley Falmlen

Tel. # 308-389-0288

Requesting Amendment # 4 Email charleyf@grand-island.com

**Complete the sections for each type of amendment requested and submit this form, along with the required attachments, to the Department.**

**Extension of Contract End Date**

Original Contract End Date 11/05/2014

Current Contract End Date including any previously approved extensions 09/29/2016

Proposed Contract End Date 07/29/2017

Required Attachments

Attachment 1: A letter from the Chief Elected Official stating the following:

- 1. Certification that the local governing body has approved the extension;
- 2. Identification and reasons for the proposed amendment; including
  - a. Changes to the nature of the project requiring the amendment;
  - b. Steps being taken to avoid any future amendment requests for the same reasons.
- 3. If additional local matching funds are required as a result of this extension, certification that such funds are available.

Attachment 2: A revised implementation schedule showing when major milestones will be completed for each activity.

**Decrease in proposed accomplishments**

Original Proposed Accomplishments \_\_\_\_\_ Current Proposed Accomplishments \_\_\_\_\_

Required Attachments

Attachment 1: A letter from the Chief Elected Official stating the following:

- 1. Certification that the local governing body has approved the decrease in proposed accomplishments;
- 2. Identification and reasons for the proposed amendment; including
  - a. Changes to the nature of the project requiring the amendment;
  - b. Steps being taken to avoid any future amendment requests for the same reasons.
- 3. If additional local matching funds are required as a result of this decrease, certification that such funds are available.

Attachment 2: A revised implementation schedule showing when major milestones will be completed for each activity.

**Amendment to Housing Program Guidelines**

Required Attachments

Attachment 1: Letter from the Chief Elected Official stating the following:

- 1. Certification that the local governing body has approved the amendment to the housing program guidelines;
- 2. Identification and reasons for the proposed amendment;
- 3. If additional local matching funds are required as a result of this amendment, certification that such funds are available.

Attachment 2: If the housing program guidelines amendment will affect major milestones, a revised implementation schedule showing when major milestones will be completed for each activity.

Attachment 3: A complete copy of the proposed revised housing program guidelines.

**Budget Amendment**

**Original Contract Budget Approved**

| Activity Name           | Activity Number | CDBG Funds    | Other Funds | Total Funds   |
|-------------------------|-----------------|---------------|-------------|---------------|
| Storm Sewers            | 0250            | \$ 75,000.00  |             | \$ 75,000.00  |
| Architectural Barriers  | 0490            | \$ 120,000.00 |             | \$ 120,000.00 |
| SF Housing Rental Rehab | 0541            | \$ 40,000.00  |             | \$ 40,000.00  |
| General Administration  | 0181            | \$ 5,000.00   |             | \$ 5,000.00   |
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| <b>Total</b>            |                 | \$ 240,000.00 |             | \$ 240,000.00 |

**Proposed Budget After Amendment**

| Activity Name          | Activity Number | CDBG Funds    | Other Funds | Total Funds   |
|------------------------|-----------------|---------------|-------------|---------------|
| Public Facilities      | 0070            | \$ 117,717.00 |             | \$ 117,717.00 |
| Streets                | 0230            | \$ 117,283.00 |             | \$ 117,283.00 |
| General Administration | 0181            | \$ 5,000.00   |             | \$ 5,000.00   |
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| <b>Total</b>           |                 | \$ 240,000.00 |             | \$ 240,000.00 |

- Attachment 1: Letter from the Chief Elected Official including:
1. Certification that the local governing body has approved the budget amendment;
  2. Identification and reasons for the proposed budget amendment; including
    - a. Changes to the nature of the project requiring the amendment;
    - b. Steps being taken to avoid any future amendment requests for the same reasons.
  3. If additional local matching funds are required as a result of this amendment, certification that such funds are available.
  4. If the amendment includes a new activity, certification that the activity meets the national objective.
- Attachment 2: Minutes from the public hearing held on the proposed amendment (required if reallocating more than 10% of the total original grant amount).
- Attachment 3: If the budget amendment will affect major milestones, a revised implementation schedule showing when major milestones will be completed for each activity.
- Attachment 4: Certification of re-evaluation of the environmental assessment (this form is included in the CDBG Administration Manual Chapter 6: Environmental Review).

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|---------------------------------|--|
| DED Use Only                    |  |
| Date amendment request received |  |
| Date amendment approved/denied  |  |

## CDBG CONTRACT AMENDMENT REQUEST FORM

**This form must be completed and submitted to the Nebraska Department of Economic Development when making a contract amendment request. All attachments identified under the applicable amendment type must be submitted along with this form.**

CDBG Grant # 13-CR-102 Grantee City of Grand Island  
DED Program Representative Jenny Mason  
Completing this form Name Charley Falmlen  
Tel. # 308-389-0288  
Requesting Amendment # 4 Email charleyf@grand-island.com

**Complete the sections for each type of amendment requested and submit this form, along with the required attachments, to the Department.**

**Extension of Contract End Date**

Original Contract End Date 01/09/2014  
Current Contract End Date including any previously approved extensions 09/29/2016  
Proposed Contract End Date 07/29/2017

Required Attachments

Attachment 1: A letter from the Chief Elected Official stating the following:

1. Certification that the local governing body has approved the extension;
2. Identification and reasons for the proposed amendment; including
  - a. Changes to the nature of the project requiring the amendment;
  - b. Steps being taken to avoid any future amendment requests for the same reasons.
3. If additional local matching funds are required as a result of this extension, certification that such funds are available.

Attachment 2: A revised implementation schedule showing when major milestones will be completed for each activity.

**Decrease in proposed accomplishments**

Original Proposed Accomplishments \_\_\_\_\_ Current Proposed Accomplishments \_\_\_\_\_

Required Attachments

Attachment 1: A letter from the Chief Elected Official stating the following:

1. Certification that the local governing body has approved the decrease in proposed accomplishments;
2. Identification and reasons for the proposed amendment; including
  - a. Changes to the nature of the project requiring the amendment;
  - b. Steps being taken to avoid any future amendment requests for the same reasons.
3. If additional local matching funds are required as a result of this decrease, certification that such funds are available.

Attachment 2: A revised implementation schedule showing when major milestones will be completed for each activity.

**Amendment to Housing Program Guidelines**

Required Attachments

Attachment 1: Letter from the Chief Elected Official stating the following:

1. Certification that the local governing body has approved the amendment to the housing program guidelines;
2. Identification and reasons for the proposed amendment;
3. If additional local matching funds are required as a result of this amendment, certification that such funds are available.

Attachment 2: If the housing program guidelines amendment will affect major milestones, a revised implementation schedule showing when major milestones will be completed for each activity.

Attachment 3: A complete copy of the proposed revised housing program guidelines.

**Budget Amendment**

**Original Contract Budget Approved**

| Activity Name          | Activity Number | CDBG Funds    | Other Funds | Total Funds   |
|------------------------|-----------------|---------------|-------------|---------------|
| Public Facilities      | 0070            | \$ 45,000.00  |             | \$ 45,000.00  |
| Streets                | 0230            | \$ 250,000.00 |             | \$ 250,000.00 |
| General Administration | 0181            | \$ 5,000.00   |             | \$ 5,000.00   |
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| <b>Total</b>           |                 | \$ 300,000.00 |             | \$ 300,000.00 |

**Proposed Budget After Amendment**

| Activity Name          | Activity Number | CDBG Funds    | Other Funds | Total Funds   |
|------------------------|-----------------|---------------|-------------|---------------|
| Public Facilities      | 0070            | \$ 295,000.00 |             | \$ 295,000.00 |
| General Administration | 0181            | \$ 5,000.00   |             | \$ 5,000.00   |
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| <b>Total</b>           |                 | \$ 300,000.00 |             | \$ 300,000.00 |

- Attachment 1: Letter from the Chief Elected Official including:
1. Certification that the local governing body has approved the budget amendment;
  2. Identification and reasons for the proposed budget amendment; including
    - a. Changes to the nature of the project requiring the amendment;
    - b. Steps being taken to avoid any future amendment requests for the same reasons.
  3. If additional local matching funds are required as a result of this amendment, certification that such funds are available.
  4. If the amendment includes a new activity, certification that the activity meets the national objective.
- Attachment 2: Minutes from the public hearing held on the proposed amendment (required if reallocating more than 10% of the total original grant amount).
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|                                 |  |
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| Date amendment request received |  |
| Date amendment approved/denied  |  |

**CDBG CONTRACT AMENDMENT REQUEST FORM**

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CDBG Grant # 14-CR-002 Grantee City of Grand Island

DED Program Representative Jenny Mason

Completing this form Name Charley Falmlen

Tel. # 308-389-0288

Requesting Amendment # 2 Email charleyf@grand-island.com

**Complete the sections for each type of amendment requested and submit this form, along with the required attachments, to the Department.**

**Extension of Contract End Date**

Original Contract End Date 08/29/2015

Current Contract End Date including any previously approved extensions 11/29/2015

Proposed Contract End Date 07/29/2017

Required Attachments

Attachment 1: A letter from the Chief Elected Official stating the following:

- 1. Certification that the local governing body has approved the extension;
- 2. Identification and reasons for the proposed amendment; including
  - a. Changes to the nature of the project requiring the amendment;
  - b. Steps being taken to avoid any future amendment requests for the same reasons.
- 3. If additional local matching funds are required as a result of this extension, certification that such funds are available.

Attachment 2: A revised implementation schedule showing when major milestones will be completed for each activity.

**Decrease in proposed accomplishments**

Original Proposed Accomplishments \_\_\_\_\_ Current Proposed Accomplishments \_\_\_\_\_

Required Attachments

Attachment 1: A letter from the Chief Elected Official stating the following:

- 1. Certification that the local governing body has approved the decrease in proposed accomplishments;
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Attachment 2: If the housing program guidelines amendment will affect major milestones, a revised implementation schedule showing when major milestones will be completed for each activity.

Attachment 3: A complete copy of the proposed revised housing program guidelines.



**Budget Amendment**

**Original Contract Budget Approved**

| Activity Name          | Activity Number | CDBG Funds    | Other Funds | Total Funds   |
|------------------------|-----------------|---------------|-------------|---------------|
| Streets                | 0230            | \$ 220,000.00 |             | \$ 220,000.00 |
| General Administration | 0181            | \$ 5,000.00   |             | \$ 5,000.00   |
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| <b>Total</b>           |                 | \$ 225,000.00 |             | \$ 225,000.00 |

**Proposed Budget After Amendment**

| Activity Name          | Activity Number | CDBG Funds    | Other Funds | Total Funds   |
|------------------------|-----------------|---------------|-------------|---------------|
| Public Facilities      | 0070            | \$ 220,000.00 |             | \$ 220,000.00 |
| General Administration | 0181            | \$ 5,000.00   |             | \$ 5,000.00   |
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| <b>Total</b>           |                 | \$ 225,000.00 |             | \$ 225,000.00 |

- Attachment 1: Letter from the Chief Elected Official including:
1. Certification that the local governing body has approved the budget amendment;
  2. Identification and reasons for the proposed budget amendment; including
    - a. Changes to the nature of the project requiring the amendment;
    - b. Steps being taken to avoid any future amendment requests for the same reasons.
  3. If additional local matching funds are required as a result of this amendment, certification that such funds are available.
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|---------------------------------|--|
| DED Use Only                    |  |
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| Date amendment approved/denied  |  |

RESOLUTION 2016-

WHEREAS, the City of Grand Island, Nebraska, is an eligible unit of a general local government authorized to receive Community Development Block Grant (CDBG) contract amendment through the Nebraska Department of Economic Development; and

WHEREAS, the Nebraska Department of Economic Development offers a CDBG Economic Development Grant for activities that meet the CDBG national objective of benefiting low-to-moderate income persons; and

WHEREAS, a 3 grants were awarded in the amount of \$720,000 for the purposes of Comprehensive Revitalization; and

WHEREAS, the City is requesting an budget amendment and extension of the contract deadline with the State of Nebraska; and

WHEREAS, the Nebraska Department of Economic Development presently requires certification of approval of the local governing body.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island, Nebraska is hereby authorized to apply for a contract extension with the Nebraska Department of Economic Development for the Comprehensive Revitalization Grants and the Mayor is hereby authorized and directed to execute such proceedings on behalf of the City of Grand Island for such grant programs.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, and September 13, 2015.

\_\_\_\_\_  
Jeremy L. Jensen, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

|                     |                 |
|---------------------|-----------------|
| Approved as to Form | ☐ _____         |
| September 12, 2016  | ☐ City Attorney |