



REQUEST FOR BOARD ACTION

ITEM NO. 16.

DATE OF MEETING: January 4, 2010

REQUESTED BY: Michael Mack, Director, PCU

SHORT TITLE: Resolution Approving the Amended Agreement and Authorizing a Purchase Order to Cape Fear Resource Conservation & Development, Inc., for Grant Administration Services Related to the Maple Hill Community Sewer Project in the Amount of \$45,000.

BACKGROUND: On January 16, 2007, Pender County entered into an agreement with Cape Fear RC&D for the financial administration of the grant(s) for the Maple Hill Community Sewer Project. At the time of the agreement, the Clean Water Management Grant had not been secured by Pender County. The attached amended agreement is to replace the previous agreement and increases the scope of work and administrative efforts required for both Rural Center and CWMTF grant compliance.

The Cape Fear RC&D was instrumental in acquiring the CWMTF grant and will be administering two grants on behalf of the Maple Hill Water & Sewer District in addition to donating \$2,000 to the project. The NC Rural Development Center Grant is in the amount of \$2,774,614 and the NC Clean Water Management Trust Fund (CWMTF) Grant is for \$1,463,000 for a total of \$ 4,237,614 in grant funding. The payments to Cape Fear RC&D will be made from project administration money budgeted in each of the grants (\$30,000 in the Rural Center grant and \$15,000 in the CWMTF grant).

Staff recommends approval of this resolution.

SPECIFIC ACTION REQUESTED: The Board of Commissioners is requested to approve the amended agreement and authorize a Purchase Order to Cape Fear RC & D in the amount of \$45,000 for the grant administration of the Rural Center and CWMTF grants related to the Maple Hill Community Sewer Project.

COUNTY MANAGER'S RECOMMENDATION

Respectfully recommend approval.

JB
Initial

RESOLUTION

NOW, THEREFORE BE IT RESOLVED by the Pender County Board of Commissioners that

the Amended Agreement is approved and a Purchase Order to Cape Fear Resource Conservation & Development (CFRC&D) in the amount of \$45,000 is authorized for project grant administration.

82-404505 Contracted Services \$45,000

The Chairman/County Manager is authorized to execute any document necessary to implement this resolution.

AMENDMENTS:

MOVED _____ SECONDED _____

APPROVED _____ DENIED _____ UNANIMOUS _____

YEA VOTES: Tate ___ Blanchard ___ Brown ___ Rivenbark ___ Williams ___

Jimmy T. Tate, Chairman 01/04/10
DATE

ATTEST 01/04/10
DATE



Bladen · Brunswick · Columbus · New Hanover · Pender

Maple Hill Alternative Sewer Project Construction Oversight and Grant Management

This agreement is intended to replace a previous agreement between Pender County (the County) and Cape Fear RC&D (CFRC&D) signed on January 16, 2007 for Financial Administration of the grants for the Maple Hill Alternative Sewer Project.

Current funding includes two grants and local obligations:

NC Rural Development Center	\$2,774,614
NC Clean Water Management Trust Fund	1,463,000
Maple Hill Sewer District – Local Funds	42,386
Cape Fear RC&D	<u>2,000</u>
Total	\$4,282,000

CFRC&D will provide financial administration for the two grants awarded for this project. Accomplishment of successful administration of these funds will include.

- Full knowledge of and adherence to the grant agreements as they pertain to the management of funds.
- Stay abreast of deadlines and expiration dates – apprising the County there of.
- Construction oversight as it pertains to billing, payment and grant management.
- Receipt and compilation of invoices.
- Present invoices to County with assurance that work is complete and billable.
- On behalf of the County, submit copies of invoices with requests for payment to NCCWMTF and NC Rural Center on agreed to increments of project completion.
- Submit invoices for CFRC&D services at agreed to increments of project completion.
- Write and submit progress reports as scheduled by the granting entities.
- Ensure that final reports are completed and submitted on time.
- Photograph project progress.

The County will:

- Notify grantors, Hobbs Upchurch Engineering and vendors of CFRC&D's role.
- Provide clear and timely information and updated documents to CFRC&D.
- Make payments to vendors based on established system of increment completion.
- Pay CFRC&D on increments of project completion and as agreed.

Payments to CFRC&D will be made from the County using the project administration money budgeted in each of the grants – NC Rural Development Center (\$30,000) and NCCWMTF (\$15,000). A total of \$45,000 will be paid over the course of the project in increments of percent of the job completed.

Payments will be made upon completion of and by percentages of the fee as follows.

1. Early preconstruction work → including design, community contacts, grantor communication, and data collection for permit applications – 20% of management fee, \$9,000.
2. Preconstruction → permits obtained, project advertised, bids accepted and contracts awarded – 10% of management fee, \$4,500.
3. Construction 50% complete – 25% of management fee, \$11,500.
4. Construction 100% complete – 25% of management fee, \$11,500.
5. All inspections and final reports complete. – 20% of management fee, \$9,000.

The Cape Fear RC&D Council agrees that the RC&D Program is conducted in compliance with the nondiscrimination provisions as contained in Title VI and VII of the Civil Rights Act of 1964 as amended, the Civil Rights Restoration Act of 1987 (Public Law 100-259) and other nondiscrimination statutes; namely, Section 504, of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975 and in accordance with the regulations of the Secretary of Agriculture (7CFR-15, Subparts A and B) that provide that no person in the United States shall, on the ground of race, color, national origin, age, sex, religion, marital status, or handicap/disability be excluded from participation in, or be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial (or technical) assistance from the U.S. Department of Agriculture or any agency thereof."

The Cape Fear RC&D Council agrees that the signing of this document constitutes agreement to comply with Federal laws concerning restrictions on lobbying, a drug-free workplace, and responsibilities for non-procurement, suspension, and debarment, and State review.

IN WITNESS WHEREOF the undersigned have executed this Agreement as of the day and year as the last signed below. The parties hereto agree that facsimile signatures shall be as effective as if originals.

Cape Fear RC&D, Inc



Kip Godwin, President

12-14-09

Date

Pender County Board of Commissioners

Jimmy Tate, Chairman

Date