



Cover Memorandum/Staff Report

File #: 23-213 CRA

Agenda Date: 9/28/2023

Item #: 7K.

TO: CRA Board of Commissioners
FROM: Ivan J. Cabrera, AICP
THROUGH: Renée A. Jadusingh, Executive Director
DATE: September 28, 2023

SECOND AMENDMENT TO THE AGREEMENT BETWEEN THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY AND AHRENS COMPANIES - 95 SW 5TH AVENUE

Recommended Action:

Approve the Second Amendment to the Agreement between the Delray Beach Community Redevelopment Agency (CRA) and Ahrens Enterprises DBA Ahrens Companies (Ahrens) for the construction of a commercial building located at 95 SW 5th Avenue in an amount not to exceed \$1,500 and authorize the CRA Board Chair and/or the Executive Director to execute all related documents for said purpose.

Background:

At the January 24, 2023, CRA Regular Board Meeting, the Board awarded the bid for Invitation to Bid CRA 2022-01-R - 95 SW 5th Avenue Commercial Building Construction Project ("ITB") to Ahrens, the lowest responsive and responsible bidder, in the amount of \$2,739,968.00. Subsequently, the CRA entered into an Agreement with Ahrens, dated February 28, 2023.

On April 25, 2023, the CRA Board approved the First Amendment to the Agreement. The First Amendment included the following provisions: Payment Procedures, Liquidated Damages, No Damages for Delay, Public Records, and Independent Contractor.

On September 11, 2023, Ahrens submitted a change order request in the amount of \$1,500. The purpose of this change order request is for materials and labor to perform necessary structural adjustments to the foundation of the commercial building.

At this time, CRA staff is requesting the CRA Board accept the change order request in the total amount of \$1,500 and approve a Second Amendment to the Agreement between the Delray Beach Community Redevelopment Agency and Ahrens Companies and thereby adjusting the total Contract Price to \$2,741,468 for the construction of the commercial building located at 95 SW 5th Avenue.

Attachments: Exhibit A - Location Map; Exhibit B - Agreement and Amendment; Exhibit C - Change Order

CRA Attorney Review:

The CRA Legal Advisor will prepare the Second Amendment to the Agreement between the Delray Beach Community Redevelopment Agency and Ahrens Companies in a legally sufficient and acceptable form.

Finance Review:

N/A

Funding Source/Financial Impact:

Funds allocated from General Ledger # 6216 - 95 SW 5th Avenue Commercial Building Construction

Overall need within the Community Redevelopment Area from Delray Beach CRA

Redevelopment Plan:

Removal of Slum and Blight

Land Use

Economic Development

Affordable Housing

Downtown Housing

Infrastructure

Recreation and Cultural Facilities