Legislation Details (With Text)

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Title:	FIFTH AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN CITY AND CRA - STREETSCAPE BEAUTIFICATION LANDSCAPE MAINTENANCE		
Sponsors:			
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Attachments:	1. Agenda Cover Report, 2. Exhibit A - Fifth Amendment to ILA - Streetscape maintenance -2-6-19, 3. Exhibit B - Public Works Streetscape Maintenance Memo - 2-8-19, 4. Exhibit C - Location Map CRA-funded streetscape maintenance		

Date	Ver.	Action By	Action	Result

TO: **CRA Board of Commissioners**
FROM: **DJ Lee, CRA Property/Project Manager**
THROUGH: **Jeff Costello, CRA Executive Director**
DATE: **February 12, 2019**

FIFTH AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN CITY AND CRA STREETSCAPE BEAUTIFICATION LANDSCAPE MAINTENANCE

Recommended Action:

Approve the Fifth Amendment to the Interlocal Agreement with the City to include funding for the electrical, irrigation and landscape maintenance costs associated with the various Streetscape Maintenance Projects as listed in Exhibit “A” of the Agreement, in an amount not to exceed $100,000 per year, and extend the time period for the CRA to fund the streetscape maintenance costs, up to and including September 30, 2024.

Background:

The adopted Community Redevelopment Plan and Annual Work Plan call for the implementation of various streetscape beautification projects pursuant to the adopted Neighborhood and Redevelopment Plans. The Community Redevelopment Plan includes the provision that the CRA will provide initial maintenance for a minimum of five (5) years for selected streetscape and pocket park improvement projects in cooperation with the City.

In 2011 the CRA entered into an Interlocal Agreement (ILA) with the City to provide funding for the maintenance of the completed streetscape projects. The term of the original Agreement commenced on October 1, 2011 and extended for a period of five (5) years and provided for the renewal of the Agreement for a five (5) year period upon the consent of both parties. As stipulated in the Agreement, the CRA is invoiced every 30 days by the City based on the actual cost of landscape maintenance and irrigation. The City’s Parks

and Recreation Department currently administers the agreements with the City's landscape maintenance vendors for various streetscape improvements, while the CRA provides funding for the landscape maintenance for the projects specified in the ILA. It is noted, the City's landscape maintenance agreements will be administered by the Public Works Department in the future. There have been four (4) amendments to the ILA since its original approval in 2011. Exhibit "A" provides additional background since the approval of the original ILA. Provided below is the most recent activity related to the ILA.

On January 24, 2017, the CRA entered into the Fourth Amendment to the Interlocal Agreement with the City of Delray Beach to extend the time period for the CRA to fund the costs associated with the irrigation and landscaping maintenance along the Martin Luther King Jr. Drive and along SW 12th Avenue from West Atlantic Avenue to SW 3rd Street, up to and including September 28, 2021. During the Board's review of the Amendment, the Board discussed the ILA and felt there were areas that weren't being adequately maintained. The Board also discussed the terms and conditions of the landscape maintenance agreements to ensure proper performance by the contractors and the ability for CRA staff to participate on the evaluation committee as part of the City's Request for Bids/Proposals process. The Fourth Amendment included the provision that the CRA shall be entitled to have one representative on any Selection Committee or Evaluation Committee that the City establishes to evaluate proposals submitted for any work that is funded pursuant to the ILA. As part of the above, the City was providing reports to the Board regarding the monthly streetscape maintenance activity. As previously explained, due to the demands of City staff related to the clean-up as a result of Hurricane Irma, monthly reports will be provided again in January 2018.

In 2017, streetscape improvement projects were completed on NW 12th Avenue from W. Atlantic Avenue to Martin Luther King, Jr. Drive/NW 2nd Street, Martin Luther King Jr. Drive from NW 12th Avenue to the I-95 sound barrier, NE 2nd Avenue from NE 4th Street to George Bush Boulevard, and SE 2nd Street from S Swinton Avenue to SE 3rd Avenue as well as SE 2nd Avenue from SE 2nd Street to SE 3rd Street.

At the October 26, 2017 CRA Board Meeting, the Fifth Amendment to the ILA was presented to the Board and the Board tabled the ILA pending the execution of all service contracts by the City.

Attached is a memo from the Public Works Department, which lists the streetscape beautification projects and the associated landscape contractors, along with a summary of the maintenance schedule and contract terms. All projects are maintenance by contracted landscape companies, except for the Federal Highway streetscape improvements (between George Bush Blvd. & SE 10th St.) and NE 2nd Avenue improvements (between NE 4th St. & George Bush Blvd).

The attached ILA lists the completed streetscape beautification projects and associated electrical costs for the decorative light fixtures, outlets, irrigation and landscape maintenance. The amendment also includes a provision that the CRA would not be precluded from performing the maintenance of the projects if mutually agreed upon by the City and CRA.

Attachment(s): Exhibit A - Fifth Amendment to ILA for Streetscape Beautification Maintenance; Exhibit B - Public Works Department Streetscape Maintenance Memo; Exhibit C - Location Map

CRA Attorney Review:

The CRA Attorney has reviewed the Interlocal Agreement to form and determined it to be acceptable.

Finance Review:

N/A

Funding Source/Financial Impact:

Funding in the amount is $100,000 has been allocated in GL# 7336 - Streetscape Maintenance

Timing of Request:

N/A