

RESOLUTION NO. 14-162

**A RESOLUTION OF THE CAROLINE STREET CORRIDOR
AND BAHAMA VILLAGE COMMUNITY REDEVELOPMENT
AGENCY (CRA), AUTHORIZING AN EXPENDITURE OF
TAX INCREMENT FINANCING FUNDS; PROVIDING
CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, pursuant to Florida Statute section 163.387, the CRA is authorized to use funds held in the Bahama Village tax increment financing ("TIF") account; and

WHEREAS, the Bahama Village Redevelopment Advisory Committee has recommended an expenditure to the CRA, to cover unanticipated additional expenses, and provide a contingency allowance for the Nelson English/Willie Ward Park improvements project.

NOW, THEREFORE, BE IT RESOLVED BY THE CAROLINE STREET CORRIDOR AND BAHAMA VILLAGE COMMUNITY REDEVELOPMENT AGENCY, AS FOLLOWS:

Section 1: That an additional expenditure of TIF funds authorized as follows:

*Nelson English/Willie Ward Park project \$100,000.00

(additional funding for change order and contingency funds)

Section 2: The City Manager shall implement policies and procedures to ensure the protection and most effective use of the allocated funds.

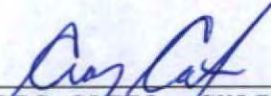
Section 3: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Agency.

Passed and adopted by the Caroline Street Corridor and Bahama Village Community Redevelopment Agency at a meeting held this 3rd day of June, 2014.

Authenticated by the presiding officer and Clerk of the Agency on June 3, 2014.

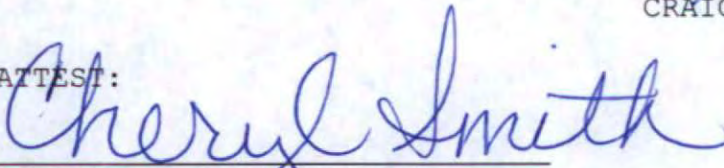
Filed with the Clerk June 4, 2014.

Chairman Craig Cates	<u>Yes</u>
Vice Chair Mark Rossi	<u>Yes</u>
Commissioner Teri Johnston	<u>Yes</u>
Commissioner Clayton Lopez	<u>Yes</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>Yes</u>
Commissioner Tony Yaniz	<u>Yes</u>



CRAIG CATES, CHAIRMAN

ATTEST:



CHERYL SMITH, CITY CLERK



EXECUTIVE SUMMARY

To: Bahama Village Redevelopment Advisory Committee - BVRAC

Through: Donald Leland Craig, AICP, Director of Community Development Services

From: Nicole Malo, Planner II

Meeting Date: June 3, 2014

Re: Consideration to fund the Change Order for the Nelson English/Willie Ward Park Construction using TIF

Action Item

This item is for the consideration of the allocation of available TIF funds for a change order amendment for the Nelson English/Willie Ward Park project in the amount of \$100,000 for approximately \$70,000 in change orders and \$30,000 in contingency funds for the development of the NE/WW Park Master Plan.

Strategic Plan

At this time the BVRAC has not completed the long-range capital plan required by the 2011 Strategic Plan; although, BVRAC allocated funding to complete one that is pending the release of the RFP.

Background

On May 1, 2014 the BVRAC unanimously approved the request to allocate of \$100,000 in Community Redevelopment Trust Funds for the Nelson English/Willie Ward Park Master Plan change order and contingency needs. In the event that the contingency funding is not needed it will be returned to the Trust Fund. The construction bid is for \$1,127,807.

To date the project has been allocated funding for design and construction as follows:

NE/WW Park TIF Obligation (FY 2010 award)	\$170,000
NE/WW Park TIF Obligation (FY 2012 award)	\$189,000
NE/WW Park TIF Obligation (FY 2012)	\$630,000
Infrastructure Surtax Fund	<u>\$157,100</u>
Total	\$1,146,100

This additional request for \$100,000 is in part due to the fact that no contingency funding was previously allocated to the project. Change orders are typical of projects of this magnitude. Please see the letter provided by the City's Engineering Division describing the change order in Attachment 2. A history of the project and the allocation process that has occurred is described in the May 3, 2013 Executive Summary attached herein as Attachment 3.

The contractor has continued the development of the park Plan in good faith and has not stopped construction based on the need for additional funding.

Summary

Based on the importance of the Nelson English/ Willie Ward Park to the families of Bahama Village, a project that provides access to clean green open space and healthy outdoor recreation for all members of the community, and which meet all the criteria for attaining community redevelopment goals as contained in the CRA Plan, the completion of the Nelson English Willie Ward Park is considered a major CRA project priority.

As part of this allocation consideration process the BVRAC should look to the Guiding Principles for the Bahama Village Community Redevelopment Area and the Objective Criteria for Ranking projects in order to help guide a finding of consistency with 2010 CRA Plan (Attachment 3). While considering the necessary funding request for the park please consider the feasibility of the project, how the project creates the greatest public good, enhances the quality of life for the community, and best leverages limited TIF funds while alleviating blight.

Recommendation

As a result of discussions with the District 6 Commissioner and the City Manager, recommendation by BVRAC and based on the Guiding Principles and the 2010 Community Redevelopment Plan, staff recommends that in order to complete the park in one phase with the least disturbance to the neighborhood and the Park users, the BVRAC recommend to the CRA **Option 1** below.

1. **Option 1:** That \$100,000 from available TIF funds be allocated to the Nelson English/Willie Ward Park project.
2. **Option 2:** That the request for available CRTF funds for the Nelson English/Willie Ward Park project be denied.

Attachments

Attachment 1: BVRAC Executive Summary, May 1, 2014

Attachment 2: Summary of Change order request, City Engineering Department

Attachment 3: History of NE/WW Park allocation process

Attachment 1



EXECUTIVE SUMMARY

To: Bahama Village Redevelopment Advisory Committee - BVRAC

Through: Donald Leland Craig, AICP, Director of Community Development Services

From: Nicole Malo, Planner II

Meeting Date: May 1, 2014

Re: Consideration to fund the Change Order for the Nelson English/Willie Ward Park Construction using TIF

Action Item

This item is for the consideration of the allocation of available TIF funds for a change order amendment for the Nelson English/Willie Ward Park project.

Strategic Plan

At this time the BVRAC has not completed the long-range capital plan required by the 2011 Strategic Plan; although, BVRAC allocated funding to complete one that is pending the release of the RFP.

Background

This Community Redevelopment Trust Fund allocation request is in order to pay for approximately \$70,000 in change orders and provide for \$30,000 on contingency funds for the development of the NE/WW Park Master Plan. In the event that the contingency funding is not needed it will be returned to the Trust Fund. The construction bid is for \$1,127,807.

To date the project has been allocated funding for design and construction as follows:

NE/WW Park TIF Obligation (FY 2010 award)	\$170,000
NE/WW Park TIF Obligation (FY 2012 award)	\$189,000
NE/WW Park TIF Obligation (FY 2012)	\$630,000
Infrastructure Surtax Fund	<u>\$157,100</u>
Total	\$1,146,100

This additional request for \$100,000 is in part due to the fact that no contingency funding was previously allocated to the project. Change orders are typical of projects of this magnitude. Please see the letter provided by the City's Engineering Division describing the change order in Attachment 1. A history of the project and the allocation process that has occurred is described in the May 3, 2013 Executive Summary attached herein as Attachment 2.

The contractor has continued the development of the park Plan in good faith and has not stopped construction based on the need for additional funding.

Summary

Based on the importance of the Nelson English/ Willie Ward Park to the families of Bahama Village, a project that provides access to clean green open space and healthy outdoor recreation for all members of the community, and which meet all the criteria for attaining community redevelopment goals as contained in the CRA Plan, the completion of the Nelson English Willie Ward Park is considered a major CRA project priority.

As part of this allocation consideration process the BVRAC should look to the Guiding Principles for the Bahama Village Community Redevelopment Area and the Objective Criteria for Ranking projects in order to help guide a finding of consistency with 2010 CRA Plan (Attachment 2). While considering the necessary funding request for the park please consider the feasibility of the project, how the project creates the greatest public good, enhances the quality of life for the community, and best leverages limited TIF funds while alleviating blight.

Recommendation

As a result of discussions with the District 6 Commissioner and the City Manager, and based on the Guiding Principles and the 2010 Community Redevelopment Plan, staff recommends that in order to complete the park in one phase with the least disturbance to the neighborhood and the Park users, the BVRAC recommend to the CRA **Option 1** below.

1. **Option 1:** That \$100,000 from available TIF funds be recommended for allocation to the Nelson English/Willie Ward Park project.
2. **Option 2:** That the request for available CRTF funds for the Nelson English/Willie Ward Park project be denied and the .

Attachments

Attachment 1: Summary of Change order request, City Engineering Department
Attachment 2:History of NE/WW Park allocation process

Attachment 2



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

TO: Nicole Malo, Planner II

CC: James Bouquet, City Engineer

FROM: Elizabeth Ignoffo, E.I., Permit Engineer

DATE: April 22, 2014

SUBJECT: **Nelson English/Willie Ward Park Renovation & Enhancement Project
Request for Additional Funds**

Construction at the Nelson English / Willie Ward Parks began on September 10, 2013. Total lump sum bid cost for construction of this project was \$1,127,807.00.

To date, completed work comprises placement of playground equipment, construction of the ADA accessible restrooms, Martin Luther King, Jr. Community Center flood-proofing walls, and sidewalk installation, parking area and drop-off lane site work. \$604,437.90 has been paid to the contractor, Burke Construction Group, Inc., for work identified in the Construction Plans.

Discrepancies have been encountered regarding fixtures and piping in the restrooms, site grades and elevations, locations of existing trees conflicting with the drop-off area and parking lot, and complications due to placement of the irrigation system components. Unknown piping and debris from the old pump station were uncovered in the location of the Amelia Street parking lot. An existing tree conflicts with the story-time shade structure.

Focusing on and correcting deficiencies while the project is under construction will prevent the removal of existing trees, minimize costs for restroom renovations, and mitigate accessibility requirements. To date, change orders proposed by the contractor total \$69,588.63. Each change order is being reviewed, evaluated and negotiated prior to recommendation to BVRAC to accept.

To facilitate construction improvements and complete the Renovation & Enhancement Project at the Nelson English / Willie Ward Parks, authorization from the Bahama Village Community Redevelopment Agency for allocation of TIF funds in the amount \$100,000 is requested. All funds not utilized for approved construction costs will remain in the BVRAC TIF account.

Attachment 3

RESOLUTION NO. 13-159

A RESOLUTION OF THE CAROLINE STREET CORRIDOR AND BAHAMA VILLAGE COMMUNITY REDEVELOPMENT AGENCY (CRA), AUTHORIZING AN EXPENDITURE OF TAX INCREMENT FINANCING FUNDS; PROVIDING CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, pursuant to Florida Statute section 163.387, the CRA is authorized to use funds held in the Bahama Village tax increment financing ("TIF") account; and

WHEREAS, the Bahama Village Redevelopment Advisory Committee has recommended certain expenditures to the CRA.

NOW, THEREFORE, BE IT RESOLVED BY THE CAROLINE STREET CORRIDOR AND BAHAMA VILLAGE COMMUNITY REDEVELOPMENT AGENCY, AS FOLLOWS:

Section 1: That an additional expenditure of TIF funds for FY 12-13 is authorized as follows:

*Nelson English/Willie Ward Park project	\$630,000.00
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Section 2: The City Manager shall implement policies and procedures to ensure the protection and most effective use of the allocated funds.

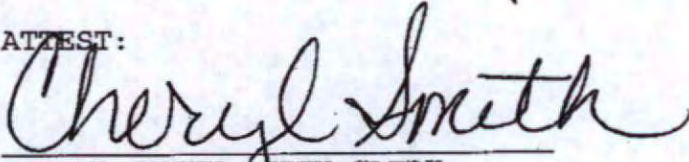
Section 3: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Agency.


Passed and adopted by the Caroline Street Corridor and Bahama Village Community Redevelopment Agency at a meeting held this 4th day of June, 2013.

Authenticated by the presiding officer and Clerk of the Agency on June 6, 2013.

Filed with the Clerk June 6, 2013.

ATTEST:


CHERYL SMITH, CITY CLERK


CRAIG CATES, CHAIRMAN



EXECUTIVE SUMMARY

To: Bob Vitas

Through: Mark Finigan, Assistant City Manager
Donald Leland Craig, AICP, Planning Director

From: Nicole Malo, Planner II

Meeting Date: June 4, 2013

Re: Bahama Village Tax Increment Financing (TIF)
Nelson English / Willie Ward Park Project

Action Item

Approve \$630,000 of available TIF funds (in addition to amounts previously approved by the BV CRA for this project) for the construction of designed improvements to the Nelson English/Willie Ward Park project. This FY 2013 allocation consideration is in addition to the four (4) Bahama Village TIF funded projects approved by the Bahama Village CRA on May 21, 2013. Funding in an amount of \$630,000 for the Nelson English/Willie Ward Park project is supported/recommended by the Bahama Village Redevelopment Advisory Committee (BVRAC).

Strategic Plan

The BVRAC has begun to identify the rudiments of the long-range capital plan for the Bahama Village CRA required by the 2011 Strategic Plan. The creation of the Park is consistent with the goals of the Environment and Quality of Life sections of the Strategic Plan.

Background

In February 2013 the two responsive and responsible bids were received by the City pursuant to a properly advertised Invitation To Bid process. The low bid for the construction of the Nelson English/Willie Ward Park project came in at \$1,127,807 (with alternatives) and will be presented to the Bahama Village CRA on June 4, 2013 for approval. The low bid amount of \$1,127,807 is approximately \$830,518 more than the available funding for the project. Because the bid exceeds the funding available for the project engineering staff requested that the bid validity period be held over for 60 days while Staff in coordination with the Bahama Village Redevelopment Committee attempted to source additional funding. Therefore, in order to stay within that time frame and avoid a costly re-bidding process, it is critical the CRA approve \$630,000 of available TIF funds for the project.

In response to the funding shortage and the tight timeline for the Park project, at the April 4, 2013 BVRAC Meeting the Committee reviewed several options for redistributing available TIF funds in order to complete the Park. At that meeting, the BVRAC voted to not fund a \$450,000 2013 application for the Petronia Street Connectivity Project and the Frederic Douglas Gym Structural Analysis Report, making the \$450,000 available for additional Park funding. At a subsequent meeting on May 2, the BVRAC recommended to the CRA that the 2011 award for the VFW/ American Legion Post deobligate \$100,000 from the phased project, and on May 21st the CRA approved that application amendment making the additional money available for allocation. Further, the BVRAC asked staff to identify any other available funds that could be used for the Park project. As a result, staff has identified all of the TIF funds available to fund the Park project, of which \$927,289 comes from the TIF as follows:

NE/WW Park Obligation (FY 2010 TIF award remaining)	\$108,289
NE/WW Park Obligation (FY 2012 TIF award)	<u>\$189,000</u>
Subtotal	\$297,289
Petronia Street Connectivity Project	\$290,000
Frederic Douglass Gym Structural Analysis Report	\$160,000
NAB Program Cancelation (FY 2010 award remaining)	\$ 24,980
A Positive Step Program Cancelation (FY 2011 award remaining)	\$ 32,706
Deobligation VFW/AL Post 163 (FY 2011 award)	\$100,000
Remaining Budget in the TIF Fund as of April 28, 2013	<u>\$ 22,314</u>
Subtotal	\$630,000
Total BV TIF Commitment	Subtotal \$927,289

Staff with the support of the District Commissioner has identified \$157,100 in the Infrastructure Surtax Fund that was budgeted for a structural analysis report for the band room. With the support of the Commission the funds from this budget item may be used to assist in offsetting the budget shortfall. Finally, a budget amendment authorizing the use of \$43,418 from Infrastructure Surtax Reserves will provide, when combined with the Total BV TIF Commitment of \$927,289 will provide the necessary funding to award the low bid total cost with alternatives.

Total BV TIF Commitment	\$ 927,289
Infrastructure Surtax Reserves	\$ 43,418
Infrastructure Surtax Deferral of BV Bandroom Structural Analysis	<u>\$ 157,100</u>
Low Bid Total Cost (With Alternatives)	\$1,127,807

Summary

Based on the importance of the Nelson English/ Willie Ward Park to the families of the Bahama Village Redevelopment Area, a project that provides access to clean green open space and healthy outdoor recreation for all members of the community, and which meet all the criteria for attaining community redevelopment goals as contained in the CRA Plan, the completion of the Nelson English Willie Ward Park is considered a major CRA project priority.

As part of this allocation consideration process the CRA should look to the Guiding Principles for the Bahama Village Community Redevelopment Area and the Objective Criteria for Ranking projects in order to help guide a finding of consistency with 2010 CRA Plan.

Recommendation

Approve \$630,000 of available TIF funds (in addition to amounts previously approved by the BV CRA for this project) for the construction of designed improvements to the Nelson English/Willie Ward Park project.



EXECUTIVE SUMMARY

To: Bahama Village Redevelopment Advisory Committee - BVRAC

Through: Mark Finigan, Assistant City Manager
Donald Leland Craig, AICP, Planning Director

From: Nicole Malo, Planner II

Meeting Date: May 2, 2013

Re: Consideration of Tax Increment Financing allocation for full funding of the Nelson English Willie Ward Park Master Plan project for FY 2013

Action Item

This item is for the consideration of the allocation of available TIF funds for the completion of the Nelson English/Willie Ward Park project. This FY 2013 allocation consideration is in addition to the four (4) projects recommended for allocation at the April 4, 2013 BVRAC Meeting.

Strategic Plan

At this time the BVRAC has not completed the long-range capital plan required by the 2011 Strategic Plan; although, BVRAC will begin discussing the process for creating the Plan at the same May 2, 2013 Meeting.

Background

In February 2013 the construction bid documents were awarded for the construction of the Nelson English/Willie Ward Park Master Plan, the low-bid construction cost came in at \$1,127,807(Exhibit A); approximately, \$830,518 more than the available funding for the Park awarded by the CRA from the 2011 and 2012 Tax Increment Finance fund (TIFF). Because the bid exceeds the funding available for the project engineering staff requested that the bid validity period be held over for 60 days (Exhibit B)). Therefore, in order to stay within that time frame and avoid a costly re-bidding process, it is critical that the BVRAC make a recommendation to the CRA to award funds for the completion of the Park project this month.

In response to the lack of funding and the tight timeline, at the April 4, 2013 BVRAC Meeting the Committee reviewed several options for redistributing available TIF funds in order to complete the Park. The Executive Summary from that meeting describes in greater

detail the background and available budget for the Nelson English/Willie Ward Park Master Plan and is attached herein as Exhibit C. At that meeting, the BVRAC voted to deobligate \$450,000 from the Petronia Street Connectivity Project and the Frederic Douglas Gym Structural Analysis Report from the previously recommended FY 2013 TIF allocation. Further, the BVRAC asked staff to identify any other available funds that could be used for the Park project. As a result, staff has identified all of the funds required to complete the Park project, of which \$969,889 comes from the TIFF, as follows:

NE/WW Park Obligation (FY 2010 award remaining)	\$108,289
NE/WW Park Obligation (FY 2012 award)	<u>\$189,000</u>
Subtotal	\$297,289
Petronia Street Connectivity Project	\$290,000
Frederic Douglass Gym Structural Analysis Report	\$160,000
NAB Program Cancellation (FY 2010 award remaining)	\$ 24,980
A Positive Step Program Cancellation (FY 2011 award remaining)	\$ 32,706
Remaining Budget in the TIF Fund as of April 28, 2013	<u>\$ 22,314</u>
Subtotal	\$530,000
Potential deobligation (by separate Committee Action)	\$100,000
VFW/AL Post 163 (FY 2011 award)	
Potential FY 2014 TIF preauthorization (see below)	\$ 42,600
TIF Commitment - Subtotal	\$969,889

In addition, staff with the support of the District Commissioner has identified \$157,100 in the Infrastructure Surtax Fund that was budgeted for a structural analysis report for the band room. With the support of the Commission the funds from this budget item may be used to complete the majority of the Park budget shortfall. Using this extra funding will allow for the complete construction of all components of the Park, with the exception of Additive Alternative #13 for approximately \$42,600 for the Landscaping and Irrigation System of the Willie Ward Park (Exhibit B). This portion of the project has been identified as a piece that could potentially be omitted from the Park project or, the Committee could choose to preauthorize \$42,600 from the FY2014 TIFF, subject to funds availability, as described above. Using the funds described herein, with very little for possible contingency, the park could be finished as follows:

TIF Commitment - Subtotal	\$969,889
Infrastructure Surtax Fund	<u>\$157,100</u>
Total	\$1,126,989

Summary

Based on the importance of the Nelson English/ Willie Ward Park to the families of Bahama Village, a project that provides access to clean green open space and healthy outdoor

recreation for all members of the community, and which meet all the criteria for attaining community redevelopment goals as contained in the CRA Plan, the completion of the Nelson English Willie Ward Park is considered a major CRA project priority.

As part of this allocation consideration process the BVRAC should look to the Guiding Principles for the Bahama Village Community Redevelopment Area and the Objective Criteria for Ranking projects in order to help guide a finding of consistency with 2010 CRA Plan (Exhibit D and E). While reviewing the existing application awards for re-assignment to the park please consider the feasibility of the project, how the project creates the greatest public good, enhances the quality of life for the community, and best leverages limited TIF funds while alleviating blight.

Recommendation

As a result of discussions with the District 6 Commissioner and the City Manager, and based on the Guiding Principles and the 2010 Community Redevelopment Plan, staff recommends that in order to complete the park in one phase with the least disturbance to the neighborhood and the Park users, the BVRAC recommend to the CRA **Option 1** below.

1. **Option 1:** That \$530,000 from available TIF funds, and that \$100,000 from the deobligation of the VFW/American Legion Post 163 award, and that \$157,100 identified in the Infrastructure Surtax Fund be recommended for allocation to the Nelson English/Willie Ward Park project. Additionally, that approximately \$42,600, be preauthorized, subject to available funds, from the future FY2014 TIF fund to the Park project.

2. **Option 2:** That \$530,000 from available TIF funds, and that \$100,000 from the deobligation of the VFW/American Legion Post 163 award, and that \$157,100 identified in the Infrastructure Surtax Fund be allocated to the Nelson English/Willie Ward Park project and that the Willie Ward Park Landscaping and Irrigation System (Bid Additive Alternative #13) be removed from the project.

Attachments

Exhibit A: Low-Bid Summary

Exhibit B: Request to Hold Bid Amount

Exhibit C: April 4, 2013 Executive Summary

Exhibit D: Guiding Principles for Ranking BVCRA TIF Applications

Exhibit E: Objective Criteria for Ranking Applications

Exhibit A

Description	Burke Construct Group, Inc. Lump Sum Price
1. Performance and Payment Bonds	\$ 15,700.00
2. Gen. & Sup. Conditions, Mobilization, Insurance, Testing, Engineering, Measurement & Payment, As-builts, Environmental Protection.	\$ 80,175.00
3. Building Permit Allowance	\$ 18,259.00
4. Site Demolition; sidewalk, playground equipment, landscape	\$ 36,300.00
5. Site grading, pavements, sidewalks, pavers, sw swales	\$ 262,112.00
6. Thomas St parking area, pavement, curbs, sw grate inlet	\$ 54,276.00
7. Picnic Shelter, purchase installation, concrete pad	\$ 37,889.00
8. Playground & Fitness Equipment, bicycle racks, tables, grills, receptacles, purchase & installation	\$ 96,301.00
9. Nelson Park Landscaping & Irrigation System, purchase install	\$ 73,995.00
10. Light Fixture, purchase & installation	\$ 137,000.00
11. Community Pool plaza flood proofing, drop off/loading zone parking area, water meter relocation, trash yard construction	<u>\$ 110,000.00</u>
Total Lump Sum Bid	\$ 922,007.00
ADDITIVE ALTERNATE #1	
12. Amelia St parking area, installation of pavers, sw mgt system	\$ 70,000.00
ADDITIVE ALTERNATE #2	
13. Ward Park Landscaping & Irrigation system	\$ 42,600.00
14. Storytime Tensile Fabric Shade Structure, purchase installation	\$ 24,000.00
ADDITIVE ALTERNATE #3	
15. ADA Restrooms (2) construction	<u>\$ 69,200.00</u>
Total Lump Sum Bid + Additive Alternates #1 #2 #3 #4	\$ 1,127,807.00

Exhibit B



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

REQUEST TO HOLD BID AMOUNT

To: Bidders
Date: March 11, 2013
RE: Nelson English Willie Ward Park Renovation/Enhancement Project
Bid Opening – February 6, 2013, 3:00 p.m.
Project BV-1003 / ITB #13-009

The City of Key West is requesting that Bidders of ITB #13-009 Nelson English Willie Ward Park Renovation/Enhancement Project hold the amount of the bids submitted at the bid opening held on February 6, 2013, 3:00 p.m. for an additional 60 days. The period of 60 days is to begin immediately upon the expiration of the 60 days to award the contract (see Instructions to Bidders, p.8, paragraph 12 of the bid documents).

All bids received on February 6, 2013 exceeded the budget account funding currently available. Additional time is required to request from the Bahama Village Redevelopment Advisory Committee (BVRAC) additional funding consideration, from the Tax Increment Fund.

By signature below, the Bidder agrees to hold the amount of the bid submitted to the City of Key West on February 6, 2013 for an additional 60 days beginning upon the expiration of the 60 days to award the contract as written in the bid documents.

David Martinez

Print Name of Bidder's Authorized Representative

Signature of Bidder's Authorized Representative

3/18/13

Date

Exhibit C



EXECUTIVE SUMMARY

To: Bahama Village Redevelopment Advisory Committee - BVRAC

Through: Mark Finigan, Assistant City Manager
Donald Leland Craig, AICP, Planning Director

From: Nicole Malo, Planner II

Meeting Date: April 4, 2013

Re: Consideration of amendments to the FY 2011 and FY 2013 Tax Increment Fund Appropriation recommendations

Background

Based on the need for facility updates at the Martin Luther King Community Center and Pool Complex the City completed a \$375,000 renovation project in 2011 and utilized grant funding to replace recreational lighting at the adjacent Nelson English Park. Due to a lack of funding remaining for additional renovation to the parks, the City's Community Services Director applied to the Community Redevelopment Agency (CRA) for Tax Increment Finance (TIF) funding for FY 2010-2011 to help fund a Park Master Plan, construction documents and reconstruction of the adjacent Willie Ward and Nelson English Parks.

That year the CRA awarded \$170,000 of TIF funding for the Master Plan design and Phase 1 construction for the proposed multi-phase Park redevelopment. Subsequently, the City sent out for a Request for Qualifications to design the Parks and the CRA awarded the bid to mbi/k2m Architecture. In FY 2011-2012 a second application was submitted for TIF funding for Phase 2 construction for \$349,000; however, the project was awarded only \$189,000. Based on the construction cost statement provided in the application a statement was made at the December 1, 2011 BVRAC award meeting that the Park could be designed and constructed using the 2011 and reduced 2012 award for a total of \$359,000, if the City were to provide in house services for project management and some construction services and if the proposed exterior bathroom facilities were not constructed. Therefore, the applicant did not submit for a third phase of TIF funding and in the fall of 2012 construction drawings were prepared by the applicant and submitted to the City for review. The construction drawings were for Phases II and III inclusive of the bathrooms.

Subsequently, when construction bid documents were awarded, based on a competitive bidding process in February, 2013, the low-bid construction cost came in at \$1,127,807 (Exhibit A), significantly higher than the estimated budget provided in the Park Master Plan 2012 TIF application. Because \$50,000 of the allocation was spent on design and

construction plans, \$309,000 of the total award including alterations is available, leaving \$818,807 in additional funds needed to complete the construction of the Nelson English/Willie Ward Park Master Plan project. Based on the lump-sum bid it is difficult to provide an estimate at this point how much, if any, in-house construction services will be possible.

Based on the importance of the Nelson English/ Willie Ward Park to the families of Bahama Village, a project that provides access to clean green open space and healthy outdoor recreation for all members of the community, and which meet all the criteria for attaining community redevelopment goals as contained in the CRA Plan, the completion of this project is considered a major priority to CRA staff. As a result of discussions with the district 6 Commissioner Lopez and the City Manager, staff recommends that in order to complete the park in one phase with the least disturbance to the neighborhood and the Park users, the Bahama Village Redevelopment Advisory Committee reallocate funding from several projects that were previously awarded large sums, but have not begun construction, or have alternate funding sources.

In response, staff has identified one (1) project that has not utilized a FY 2010-2011 award and four (4) projects from the FY 2012-2013 application cycle (not yet been approved for funding by the CRA) that should be considered for reallocation of funding to the Nelson English/Willie Ward Park. The candidate projects are identified below as either multi-phase construction projects that can be postponed or those projects that affect the smallest portion of the community as a whole (reaching community redevelopment goals). Nothing in this action item is intended to infer that these projects should not be considered for future allocations or that they will automatically be re-awarded funding in the future. The projects identified are as follows:

1. **American Legion Post 163/VFW** - Awarded **\$310,000** in FY 2010-2011. Construction has not begun and required matching funds in the amount of \$310,000 have not been identified by the organization to date. This is the second award given to the American Legion Post 163/VFW. The first award was in FY 2009-2010 for \$50,000 that was spent on construction documents.
2. **Petronia Street Corridor Connectivity Project** - Awarded **\$290,000** in FY 2012-2013 for the first funding request for a multi-year streetscape enhancement project estimated to cost \$1.18 million. Construction has not begun to date and a multi-year funding commitment is required for the project. This is the second request for funding although the first application was withdrawn by the City.
3. **Frederic Douglas Gym Structural Analysis Report** – Awarded **\$160,000** in FY 2012-2013. No construction is proposed as part of this award. Additionally, the City has approved \$1million dollars from the sale of the Pier House property to fund the rehabilitation including soft and hard construction costs.
4. **Cornish Memorial A.M.E Zion Church, Phase II** – Awarded **\$205,000** in FY 2012-2013 for ADA compliant bathrooms, an ADA ramp, and foundation

stabilization and an electrical upgrade to the Parsonage. The CRA has not approved this award and no construction has begun to date. This is the second award that has been given to the A.M.E Zion Church. The first award was for \$417,000 on FY 2009-2010.

5. **Coral City Elks Lodge #610/ Coral City Temple #400** – Awarded **\$55,000** in FY 2012-2013 for improvements to the existing interior of the building, including ADA bathrooms, and plumbing replacements. The CRA has not approved this award and no construction has begun to date. This is the third request for funding from the organization. In 2012 the organization was funded \$80,000 for roofing and awning repairs.

The total amount available for all five (5) project awards combined is \$1,020,000; although, at least \$818,807 in additional funds are required to complete the project.

Finally, \$48,000 remains in TIF after the BVRAC recommendations for the 2012-2013 allocation in addition to the Habitat for Humanity – Neighborhood Revitalization Initiative project that was awarded \$72,000 for the second year in a row and the Community Garden project awarded \$20,000.

As part of this reallocation consideration process the BVRAC should look to the Guiding Principles for the Bahama Village Community Redevelopment Area and the Objective Criteria for Ranking projects in order to help guide a finding of consistency with 2010 CRA Plan (Exhibit C and D). While reviewing the existing application awards for re-assignment to the park please consider the feasibility of the project, how the project creates the greatest public good, enhances the quality of life for the community, and best leverages limited TIF funds while alleviating blight. Please remember that once the priorities for the community have been set through this reallocation process, the applicants can resubmit for funding in the future.

Summary

Because the bid exceeds the funding available for the project, Engineering staff has requested that the amount of the bid be held over for 60 days from the bid opening date (February 6, 21013 (Exhibit B)). Therefore, in order to stay within that time frame and avoid a costly re-bidding process, it is critical that the BVRAC make a recommendation to the CRA this month.

For further guidance for reallocation consideration please find the following information attached herein:

- Exhibit A: Low-Bid Summary
- Exhibit B: Request to Hold Bid Amount
- Exhibit C: Guiding Principles for Ranking BVCRA TIF Applications
- Exhibit D: Objective Criteria for Ranking Applications
- Exhibit E: 2013 TIF Application Summary Table

Recommendation

Based on the Guiding Principles and Objective Criteria for Ranking TIF Applications in the Bahama Village Redevelopment Area and the 2010 Community Redevelopment Plan, staff recommends that: the previously awarded amounts of \$72,000 for Habitat for Humanity and \$20,000 for the Community Garden be retained; and that \$48,000 in reserves be retained; and staff recommends that one of the following two Options for redirecting at least \$818,000 in funds to the Nelson English Willie Ward Park project be approved for recommendation:

1. **Option 1:** That **all** of the TIF funds previously awarded for **Projects 1-3** listed above (American Legion Post 163/VFW: \$310,000; Petronia Street Corridor Connectivity Project: \$290,000; and the Frederic Douglas Gym Structural Analysis Report: \$160,000. Total \$760,000) **and** \$58,000 from **Project 4** (Cornish Memorial A.M.E Zion Church, Phase II: reducing award to 147,000) for a total of \$818,000, are redirected to the Nelson English Willie Ward Park project; or alternatively
2. **Option 2:** That **all** of the TIF funds previously awarded for **Projects 1-3** listed above (American Legion Post 163/VFW: \$310,000; Petronia Street Corridor Connectivity Project: \$290,000; and the Frederic Douglas Gym Structural Analysis Report: \$160,000. Total \$760,000) **and all** of **Project 5** (Coral City Elks Lodge #610/ Coral City Temple #400: \$55,000) **and** \$3,000 from **Project 4** (Cornish Memorial A.M.E Zion Church, Phase II: reducing award to \$202,000) for a total of \$818,000, be reallocated to the Nelson English Willie Ward Park project.

Exhibit D



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Overview:

Guiding Principals for the Bahama Village Redevelopment Area Objectives

November 1, 2011

The information below provides a summary of guiding principals for understanding the objectives of the Bahama Village Community Redevelopment Area (BVCRA) as extracted from the Amended and Restated CRA Plan, 2010. The information below characterizes the Vision, Objectives, and Strategies of the Bahama Village (BV) subarea and should be used to guide approvals for the Tax Increment Fund allocations.

According to the CRA Plan the area is envisioned to be revitalized and redeveloped in a manner particularly sensitive to the needs and desires of the Bahama Village community and its residents and business proprietors. In addition to the residential, retail, entertainment, institutional and commercial employment opportunities that may result from this Community Redevelopment Plan, it is envisioned that there will be an emphasis on parks, open spaces and designated civic areas for special events. In addition, general public access and multimodal connectivity within the subareas and to other areas in the City should also be considered.

The vision encompasses both residential and non-residential redevelopment and varying price ranges of housing stock. Overall quality of life is expected to increase in the subarea through revitalization and redevelopment of housing and delivery or refurbishment of infrastructure, but also by transportation improvements.

The transportation component of the vision must focus both on vehicular and pedestrian traffic. A combination of safety-conscious bicycle and pedestrian features can significantly reduce vehicular traffic. The greatest positive impact on transportation will be increasing the pedestrian and bicycle-friendly orientation of the area. Rather than having to use a vehicle for shopping, work, recreation, or visits to friends; walking, bicycling and use of intermodal or multi-model transportation will become a more favorable option. The village concept embodied in this Community Redevelopment Plan should accommodate the potential for shuttles and various forms of transit service which further reduce the vehicular demand on the roadway network.

Please note that because the fund is generated from the increases in property value of projects that increase the value of a property that will produce higher gains for the fund in the years to come. Future capital projects will continue to reverse and remove the blighting trends within the Community Redevelopment Area. Special assessments, grants and other revenues should be used to compliment or in conjunction with available tax increment to achieve stated goals. Costs or budgets should not be construed as exclusively the burden of the public sector. Private enterprise as a participant in carrying out significant portions of the Plan should be encouraged.



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The following information identifies objectives and strategies that lay the foundation for the programs and projects to be considered when implementing the goal of reducing and eventually eliminating blight in the area:

- Consider apparent benefit, value, revenues or other relevant factors.
- Focus on creating a sustainable, more energy-efficient and environmentally-friendly community located in a densely populated area of an historical island community, steeped in traditions. These fundamental concepts include:
 - Provision of vibrant and attractive gathering places for the entire community;
 - Better access to open spaces, facilities and services;
 - Pedestrian friendly street and access network;
 - Increasing and refurbishing affordable housing stock;
 - Addressing vehicular flow, parking and intermodal transportation needs;
 - Seeking opportunities to conserve water resources while creating urban landscaping opportunities;
 - Implementing crime prevention measures; and
 - Developing linkages that better integrate the Community Redevelopment Area with existing City, County and community resources.

Objective 1: Recognition of Unique Community Characteristics - Maintain and improve the historical, architectural and cultural community character by recognizing the existing mixed use and family-oriented neighborhoods and businesses, and the pedestrian-oriented connections to the larger environment of the City. Such as:

- Focus on mixed use (commercial and residential) development, in existing mixed use designated land use areas;
- Encourage small scale commercial uses;
- Discourage large scale development and redevelopment.

Objective 2: Innovative Use of Transportation, Pedestrian and Open View Corridors – Create innovative intermodal transportation strategies to address traffic circulation, reduce congestion, protect pedestrians and provide parking solutions and expand public waterfront access through:

- Improvements to existing pedestrian and bicycle connections within the subarea and between the subarea and other destinations in the City;
- Promote pedestrian-oriented mixed use areas through streetscaping, greenway and wayfinding projects;
- Develop infrastructure corridors (transportation, power, utility, pedestrian and communications).

Objective 3: Advance Housing Stocks - Re-invest in, refurbish or replace existing housing; encourage affordable and work-force housing; preserve and empower homeownership and long-term rentals for residents:

- No reduction of affordable or work-force housing;



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- Identify appropriate programs to assist in the renovation and redevelopment of housing stock;
- Ensure that the historic value of existing structures are maintained through application of existing HARC guidelines and through loan and funding programs.

Objective 4: Advance Effective and Efficient Regulatory Measures - Ensure that regulation is in place that promotes and implements the vision for the BVCRA:

- Review the Comprehensive Plan and Land Development Regulations,
- Assess permitted density for affordable housing.

Objective 5: Advance the Bahama Village Subarea - Embrace and support the unique historic social fabric of the residents of the subarea; and, encourage economic opportunities for the residents and businesses of the subarea, such as:

- Develop small scale grant programs to refurbish and maintain properties;
- Invest in community training programs for employees and meaningful employment.

Objective 6: Stimulate Public and Private Participation - Stimulate public/private interest and participation in the redevelopment of the BVCRA as a vibrant community:

- Identify incentive programs, grants and funding options, including bonds and loans, applicable to CRA objectives.

Objective 7: Innovative Development and Use of Open Space - Encourage provision, maintenance and policing of parks, recreation facilities and open public space improvements; increase recreation opportunities throughout the community, such as:

- Provide access to safe, activated, interconnected recreational opportunities, including pocket parks, greenways and recreational corridors;
- Encourage public spaces as open green space, including multimodal transportation corridors.

Objective 8: Promote Sustainable Community Redevelopment - Promote funding and delivery of programs to support the unique community of the subarea. Promote sustainable redevelopment, such as:

- Promote an open dialogue with residents, landowners, business interests and other stakeholders;
- Identify and fund programs that advance community continuity through training, educational or social programs aimed at advancing community redevelopment;
- Employ an annual process that evaluates the success and effectiveness of prior years' allocations of funds;
- Provide a five year spending plan with a special emphasis on multi-year projects and long range needs.

Objective 9: Support Community Redevelopment - Ensure that revitalization, redevelopment and new projects within the Community Redevelopment Area comply with planning review, HARC, the Tree Commission, and any other applicable local, state or federal regulatory provisions, such as:



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- Encourage review and oversight of the development of design concepts and plans proposed by any property owner to ensure the integrity of the vision articulated in the CRA Plan;
- Dedicate staff to coordinate and process all applications proposed for the CRA, and look for a means to educate and encourage all participants to develop approaches consistent with this and other Primary Objectives.

Objective 10: Emphasize a Safe and Clean Environment - Ensure that the Community Redevelopment Area is safe and clean over a period of time; identify and implement extraordinary maintenance and community policy innovation activities. Such as:

- The Community Redevelopment Act encourages “community policing innovations” including, but not limited to, community mobilization, neighborhood block watch, citizen patrol, foot patrol, storefront police stations or intensified motorized patrol.
- The following principles shall be established to guide these programs, they include:
 - Addressing socioeconomic/urban design problems which cause, encourage or facilitate criminal activity;
 - Involve local citizens in the campaign against crime;
 - Make the local law enforcement or security approachable and trusted in order to foster an image of the community as a safe place.
- Periodically assess the numbers and types of law enforcement responses within the Community Redevelopment Area; identify problems and trends;
- Develop innovative techniques to address special needs of visitors;
- Implement crime prevention through environmental/urban design standards (CEPTED) to correct security problems such as site design, lighting and landscaping;
- Identify, execute, and coordinate special maintenance standards and programs for public facilities.

Attached please find an interactive diagram that may help guide ones understanding of how this years proposals meet or do not meet the ten objectives above.

K:\Community Redevelopment Area\2012 TIF Appropriation Requests\Guiding Principals for BV Redevelopment Objectives.doc

Exhibit E



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Objective Criteria for Ranking TIF Appropriation Requests

These criteria are consistent with the Amended and Restated Community Redevelopment Area Plan.

Applications should be considered and ranked based on the following factors:

- A. **Compliance with the amended and restated Community Redevelopment Plan** - An applicant seeking project financial assistance must demonstrate that the recommended community redevelopment project or program is consistent with the objectives and strategies in the applicable Community Redevelopment Plan.
- B. **Need for Public Contribution of Tax Increment** - The need for a tax increment appropriation must be demonstrated to the satisfaction of advisory committee (if in Bahama Village), CRA and staff, and the CRA. Documentation, including development budgets, cash flow projections, market studies and other financial and market information should be carefully analyzed.
- C. **Amount of Tax Increment Contribution versus Private Investment** - A redevelopment proposal requesting tax increment funding assistance should, to the greatest extent possible, maximize the ratio of private investment to public contribution.
- D. **Term of Appropriation** - The length of the term of the tax increment funding assistance shall be kept to the minimum necessary to achieve the desired result. The proposed term of any tax increment funding assistance shall be fully documented.. If this appropriation is for a reoccurring program, at what point does program become self sustaining and meet measurements of success?
- E. **Development Benefits and Costs** - The direct and indirect benefits of any proposed community redevelopment project (including rehabilitation, infrastructure, redevelopment, development and programs) should, where possible, be determined and quantified based upon advancing the Primary Objectives of the Plan.