

**Potential Consent Agenda Item****Staff member: Steve Bevington**

**Agenda Item:** Consent addition: Request to extend the date to enter into a construction contract for existing Restoration Program Grant.

**Background:** NCLWF wastewater, stormwater, and restoration construction projects approved after January 1, 2006 are subject to NCGS §113A-254 requiring grant recipients to enter into a construction contract for the project within one year after grant award. The statute states that the award is withdrawn unless the NCLWF Board of Trustees finds that the applicant has good cause for failing to meet this requirement. The statute further states that, if the Trustees find good cause for the failure, they then must set a date by which the grant recipient must take action or forfeit the grant.

The Town of Caswell beach has requested an extension of the date to enter into a construction contract and has provided a summary of the reasons for their delay in entering into a construction contract (see attached). This request was received on November 23, 2020, shortly after the agenda was set for the December 1, 2020 NCLWF Board meeting.

Project Number & Name	Current Construction Contract Deadline	<u>Proposed</u> Construction Contract Deadline
2018-1003 Town of Caswell Beach – Dune Infiltration	01/31/21	09/30/21

**Staff recommendation:** Staff supports this extension request as the grantee has made a good faith effort to meet project deadlines but was delayed due to delays in NCDOT funding. Further, COVID-19 has complicated work for project partners. Staff proposes to extend the construction contract deadline to September 30, 2021, rather than the requested date of March 31, 2021, to be in line with the construction contract deadlines for other NCLWF construction projects.

**Board action needed:** Motion to adopt, amend, or reject the request to extend the date to enter a construction contract as shown in the table above.

Attachment: Request form Town of Caswell Beach.

## CWMTF Agreement Change Request

Grant Recipient ID / Description	1000131171 - TOWN OF CASWELL BEACH		
Billing Address	1100 CASWELL BEACH ROAD CASWELL BEACH, NC 28465		
Project Description	2000032360 - 2018-1003 Caswell Beach - Dune Infiltrat		
Program ID/Description	2018_CWMTF_INNOVATIVE SW	Budget Revision	<input type="radio"/> Yes <input checked="" type="radio"/> No
Agreement Number	2000032360	Project Number	2018-1003
Agreement Period From	06/04/2019	Agreement Period To	01/31/2021
Submitted by	Jeffrey Griffin	Submitted Date	11/23/2020

	Current	Proposed Revision		Proposed Revision
Grant contract date to enter into a construction contract (if applicable)	January 31, 2021	Mar 31, 2021	Revise Agreement Expiration Date	May 31, 2021

**Reason for change**  
 The funding for this project required coordination with the NCDOT. Funding from the DOT fell through earlier this year due to a reduction in gas tax revenue secondary to COVID related reduction in travel. In a recent meeting with the NCDOT, the town was assured that funding for this project would be available by the first part of the fourth quarter. The town has coordinated with the contractor and the project should be on track for a January start date. The Town of Caswell Beach respectfully requests additional time to complete this project.

Codes	Funds	CWMTF Funds				Matching Funds					
		CWMTF Funds Budget	Approved Payments	Change	Revised CWMTF Budget	Balance	Matching Funds Budget	Approved Spending	Change	Revised Matching Funds	Balance
D014	D014 - Addnl. Expense										
D015	D015 - Addnl. Expense										
D016	D016 - Addnl. Expense										
D020	D020 - Design and Permitting	\$8,455.00			\$8,455.00	\$8,455.00	\$78,800.00	\$0.00		\$78,800.00	\$78,800.00
D021	D021 - Construction	\$143,810.00			\$143,810.00	\$143,810.00	\$344,854.00	\$0.00		\$344,854.00	\$344,854.00
D022	D022 - Construction Contingency	\$11,099.00			\$11,099.00	\$11,099.00	\$11,336.00	\$0.00		\$11,336.00	\$11,336.00
D023	D023 - Construction Admin/Observation	\$35,625.00			\$35,625.00	\$35,625.00	\$17,250.00	\$0.00		\$17,250.00	\$17,250.00
D025	D025 - Monitor/Collect/Eval Data; Report	\$9,300.00			\$9,300.00	\$9,300.00	\$20,700.00	\$0.00		\$20,700.00	\$20,700.00
D026	D026 - Information Dissemination	\$1,000.00			\$1,000.00	\$1,000.00	\$2,000.00	\$0.00		\$2,000.00	\$2,000.00
D027	D027 - Legal Fees and Closing Costs	\$4,000.00			\$4,000.00	\$4,000.00	\$8,500.00	\$0.00		\$8,500.00	\$8,500.00
D045	D045 - Easement Prep & Recordation										
D049	D049 - Project Administration										

**AUTHORIZING GRANTEE SIGNATURE**  
☒ The information supplied in this change request is true to the best of my knowledge, and conforms with the terms and conditions of this agreement.

Name:  Date: (mm/dd/yyyy)\*