

Risk Review

Risk #: 2024576

Review Title:	First Amendment to the Specific Performance and Land Use Restriction Agreement with Directions for Mental Health, Inc, dba Directions for Living for Community Development Block Grant funded facility improvements.		
Granicus#:	20-749D	PID #:	Amount: \$146,245.00
Point of Contact:	Brian Lowack	Dept:	Planning Type of Review: Funding/Grant Agreement
Dates/Term:	9/30/20 - 3/31/21	History:	19-953D; 19-958A; 18-824D
Partners/Vendors:	Directions for Mental Health, Inc dba Directions for Living; US Department of Housing and Urban Development		
If PE to PE, \$768.28?		Name of JPA:	
<i>Additional Insured?</i>			

Required Coverages	Add'l Language / Exclusions	Limits	Justification
Property	Must name county as loss payee.	\$146,245 or more building coverage	Purchase & Installation of Industrial Back-Up Generator
Choose an item.			
Choose an item.			
Choose an item.			
Choose an item.			
Choose an item.			
Choose an item.			

Comments: 7/9/20 Approval and execution by the County Administrator of the First Amendment to the Specific Performance and Land Use Restriction Agreement (Amendment) with Directions for Living for Community Development Block Grant (CDBG) funded facility improvements. This Amendment provides an additional \$42,041.00, for a total CDBG investment of \$146,245.00, for the purchase and installation of an industrial back-up generator at Direction for Living's Clearwater Center. **Reviewed Amendment and Staff Report. Historical Risk Review with Insurance Requirements assigned for Original Agreement under 19-953D attached. Increased property insurance requirements from \$104,204 to \$146,245 based on the increase in funding. All other insurance requirements remain in full force and effect from original agreement.**

Notes: The First Amendment to Specific Performance and Land Use Restriction Agreement CD19DMH will provide an additional \$42,041.00 in CDBG funding, increasing the total CDBG investment to \$146,245.00; will provide additional time for the completion of the project, by extending the term six (6) months from September 30, 2020 to March 31, 2021; and will extend the term of the land use restriction to April 1, 2031. Bids for the project came back higher than anticipated. Additional funding is necessary to complete the project. The original estimated cost for the project was \$104,204.00, with funding being provided by the County. The new cost for the project, based on the lowest bid received, is \$146,245.00. The additional funding is to cover the cost difference.

The original Agreement requires that performance under the Agreement be completed by September 30, 2020. Due to the recent pandemic, project commencement was delayed, and Directions is unable to complete the project on or before the expiration date. It is necessary to extend the term of the Agreement six (6) months, to March 31, 2021. The original CDBG investment of \$104,204.00 required a land use restriction to be placed on the property until October 1, 2028. The new total CDBG investment of \$146,245.00 and the term extension requires that the land use restriction on the property be extended to April 1, 2031.

On July 23, 2019, the Board executed Resolution 19-48, which approved the 2019-2020 Action Plan. One of the projects to be carried out under the 2019-2020 Action Plan is the Directions for Living Facility Improvement Project, benefitting individuals at-risk of, or diagnosed with behavioral health, substance misuse, or co-occurring disorders or

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persons or families at-risk of, or currently experiencing homelessness. On November 13, 2019, the County Administrator executed Specific Performance and Land Use Restriction Agreement CD19DMH, effective October 1, 2019 through September 30, 2020, with the land use restriction expiring on October 1, 2028.

Reviewer: Valerie Edmons	Date 7/9/2020
Manager: Richard Kahler	Date 7/9/2020

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