

AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN A BUDGET AMENDMENT FOR THE PUBLIC INFRASTRUCTURE IMPROVEMENTS FOR THE ELEVATE BRANSON COMMUNITY VILLAGE PROJECT AND ALL THE DOCUMENTS RELATED THERETO.

WHEREAS, the City of Branson applied for a Community Development Block Grant (CDBG) program for the Elevate Branson - Elevate Community Housing in the amount of \$1,940,000.

WHEREAS, the Missouri Department of Economic Development has awarded the city \$1,940,000 in community development block grant funding; and

WHEREAS, the city accepted the community development block grant funding from the Missouri Department of Economic Development in 2021.

WHEREAS, a budget amendment is needed as part of this public infrastructure improvement project from CDBG program funding to cover the additional monies needed to construct the public infrastructure improvements for the Elevate Branson Community Village project.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BRANSON, MISSOURI, AS FOLLOWS:

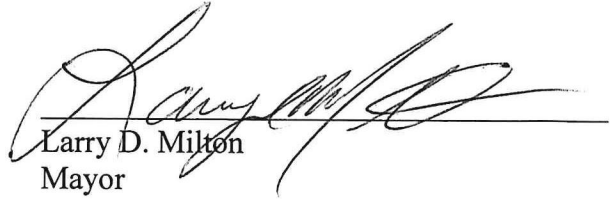
Section 1: The Board of Aldermen desires to authorize the Mayor to sign a Budget Amendment for the Elevate Branson Community Village Project as specified in the related specifications and substantial conformity with the terms shown on Exhibit "1" and incorporated by this reference as set out here in full, together with such changes therein as shall be approved by the officers of the City executing same which are consistent with the provisions and intent of this legislation and necessary, desirable, convenient or proper in order to carry out the matters herein authorized. The Mayor, City Administrator, and other appropriate City officials are hereby authorized to execute the Budget Amendment and such additional documents and take any and all actions necessary, desirable, convenient or prudent in order to carry out the intent of this legislation.

Section 2: The Mayor or his designee is authorized and directed to sign on the City's behalf all documents necessary for the use of CDBG funds related to the public infrastructure improvements for the Elevate Branson Community Village project, and all attachments, exhibits, affidavits, and addenda or other document(s) which may be necessary to complete the project.

Section 3: This ordinance shall be in full force and effect after its passage and approval.

Read, this first time on this 28th day of May, 2024.


Read, this second time, passed, and truly agreed to by the Board of Aldermen of City of Branson, Missouri this 24th day of May, 2024.


Larry D. Milton
Mayor

ATTEST:


Hillary Briand
City Clerk

APPROVED AS TO FORM:


City Attorney



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Please download this form to your computer before completing it.

Subrecipient Name: City of Branson Project Number: 2019-DP-04 Amendment Request #: 2
Subrecipient Email: charrison@bransonmo.gov Address: 110 W Maddux City, Zip: Branson, MO 65616
Person Completing This Request: Kelsi Burton Date of Request: 5/1/2024

SUBRECIPIENT'S EXPLANATION AND CERTIFICATION: to confirm this proposed amendment meets the requirements outlined in CDBG Administrative Manual Chapter 4b – Budget Policy. Request cannot be processed until this section is filled. A letter from the Subrecipient is no longer needed.

1. Explain the necessity of additional funds and subrecipient's efforts to search for other funding sources and/or to reduce the funding cost:

Additional funding will be necessary for the completion of the project, as the sole bid received for the project was higher than the budgeted grant award. The City is unable to cover the additional cost without additional financial assistance.

2. Does the amendment modify the project scope, service area, or number of beneficiaries as identified in the project's application? ☐ Yes ☒ No

If yes, explain:

a. ☒ By checking this box, I am aware that the requested budget, if approved, can only be drawn after the applicable Environmental Review Record Amendment step (if required) is completed.

3. Does the new budget exceed the threshold of \$5,000 per family beneficiary? ☐ Yes ☒ No
(Instruction: Divide the total CDBG-funded budget by the number of family beneficiaries found on Funding Approval)

4. If requesting a budget change in professional services (Engineering, Architectural, or Administration Services), explain the change in the original workload stated in the application to justify the request. Or else, write "N/A".

N/A

5. The proposed non-construction amount stays within the maximum cap of activity fees: ☒ Yes ☐ No
(See CDBG Application Guidelines Steps 4 & 5 for Maximum Allowable Costs)

6. Check box(es) to confirm the submission of relevant documents to support the amendment:

☐ Signed Contract

☐ Letter from Engineer/Architect

☐ Contract Change Order(s)

☐ Survey Tabulation Sheet (for LMI through Survey)

☐ Subrecipient's Financial Statement or Budget

☒ Other Invoices, Receipts, or Documents

7. ☒ By checking this box, I confirm that the request for additional CDBG funds is not replacing matching funds committed to the project.

8. ☒ By checking this box, I confirm that all project expenditures meet the standards of Reasonable, Allowable, and Allocable under 2 CFR 200.403 through 2 CFR 200.405.

FOR STATE USE ONLY:

This amendment shall be effective on _____.

All other terms and conditions of the contract, or any amendments thereto, shall remain unchanged.

IN WITNESS WHEREOF, the parties hereto execute this agreement.

GRANT SUBRECIPIENT

Larry Milton, Mayor of Branson

Subrecipient's Authorizing Person: Name and Title

Authorized Signature

DEPARTMENT OF ECONOMIC DEVELOPMENT

CDBG Program Manager

Date

Please list all activities (as shown in Funding Approval) even if they are not included as part of the amended amounts.								
PROGRAM ACTIVITY	ACTIVITY NO.	FUNDING YEAR	CDBG-FUNDED BUDGET	MATCHING FUNDS		LEVERAGE		MATCH RATIO
				Cash Match	In-kind	Private	Other State/Fed	
DB-Water Distribution	280	2019	\$ 286,667.00					
					Enter existing budget			
			\$ 415,154.04					
					Enter requested budget			
			\$ 128,487.04	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
					Amount Change			
DB-Sanitary Sewer Collection	268	2019	\$ 286,667.00					
					Enter existing budget			
			\$ 945,181.28					
					Enter requested budget			
			\$ 658,514.28	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
					Amount Change			
DB-Storm Sewers	275	2019	\$ 129,666.00					
					Enter existing budget			
			\$ 426,185.17					
					Enter requested budget			
			\$ 296,519.17	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
					Amount Change			
DB-Streets (or Roads)	277	2019	\$ 182,000.00					
					Enter existing budget			
			\$ 177,803.43					
					Enter requested budget			
			(\$ 4,196.57)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
					Amount Change			
DB-Lighting	243	2019	\$ 50,000.00					
					Enter existing budget			
			\$ 50,000.00					
					Enter requested budget			
			\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
					Amount Change			
DB-Sidewalks	272	2019	\$ 100,000.00					
					Enter existing budget			
			\$ 60,726.83					
					Enter requested budget			
			(\$ 39,273.17)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
					Amount Change			
DB-Site Preparations	273	2019	\$ 300,000.00					
					Enter existing budget			
			\$ 221,296.75					
					Enter requested budget			
			(\$ 78,703.25)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
					Amount Change			
DB-Security Fencing	269	2019	\$ 100,000.00					
					Enter existing budget			
			\$ 100,000.00					
					Enter requested budget			
			\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
					Amount Change			
DB-Electrical Distribution Lines	225	2019	\$ 250,000.00					
					Enter existing budget			
			\$ 250,000.00					
					Enter requested budget			
			\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
					Amount Change			
TOTAL			\$ 1,398,333.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	
					EXISTING BUDGET			
			\$ 2,231,193.46	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	
					REQUESTED BUDGET			
			\$ 961,347.50	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
					AMOUNT CHANGE			
Grand Totals			Original: \$ 1,685,000.00			Revised: \$ 2,611,347.49		

Please list all activities (as shown in Funding Approval) even if they are not included as part of the amended amounts.								
PROGRAM ACTIVITY	ACTIVITY NO.	FUNDING YEAR	CDBG-FUNDED BUDGET	MATCHING FUNDS		LEVERAGE		MATCH RATIO
				Cash Match	In-kind	Private	Other State/Fed	
DB-Clearance and Demolition	216	2019	\$ 100,000.00					0.00%
					Enter existing budget			
			\$ 988,521.36					0.00%
					Enter requested budget			
			\$ 888,521.36	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
					Amount Change			
Engineering/Arc hitectural Design	227	2019	\$ 155,000.00	\$ 50,000.00				24.39%
					Enter existing budget			
			\$ 155,000.00	\$ 50,000.00				24.39%
					Enter requested budget			
			\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
					Amount Change			
Other Professional Services	247	N/A		\$ 5,150.00				100.00%
					Enter existing budget			
				\$ 5,150.00				100.00%
					Enter requested budget			
			\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
					Amount Change			
Affordable Rental Housing	207	N/A		\$ 2,220,000.00				100.00%
					Enter existing budget			
				\$ 2,220,000.00				100.00%
					Enter requested budget			
			\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
					Amount Change			
Community Facilities	219	N/A		\$ 2,450,000.00				100.00%
					Enter existing budget			
				\$ 2,450,000.00				100.00%
					Enter requested budget			
			\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
					Amount Change			
								0.00%
					Enter existing budget			
								0.00%
					Enter requested budget			
			\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
					Amount Change			
								0.00%
					Enter existing budget			
								0.00%
					Enter requested budget			
			\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
					Amount Change			
								0.00%
					Enter existing budget			
								0.00%
					Enter requested budget			
			\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
					Amount Change			
Total amounts from prev. page	--	N/A	\$ 1,685,000.00					0.00%
					Enter existing budget			
			\$ 2,646,347.50					0.00%
					Enter requested budget			
			\$ 961,347.50	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
					Amount Change			
TOTAL			\$ 1,940,000.00	\$ 4,725,150.00	\$ 0.00	\$ 0.00	\$ 0.00	70.89%
					EXISTING BUDGET			
			\$ 3,789,868.86	\$ 4,725,150.00	\$ 0.00	\$ 0.00	\$ 0.00	55.49%
					REQUESTED BUDGET			
			\$ 1,849,868.86	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	-15.40%
					AMOUNT CHANGE			
Grand Totals			Original: \$ 6,665,150.00			Revised: \$ 8,515,018.86		

May 1, 2024

Missouri Department of Economic Development
Office of the Director
301 West High Street
PO Box 118
Jefferson City, MO 65101

RE: Procurement Waiver for CDBG Project #2019-DP-04

Director Kost,

The City of Branson, Missouri would like to request a procurement waiver for the Elevate Community Village Project 2019-DP-04. The City provided an adequate effort to provide fair and open competition, directly solicited nearly 2,000 professional construction contractors, and published the request for bids in the local newspaper, on the Southwest Missouri Council of Governments' website, the City of Branson's website, and Elevate Branson's website. Bids were due on April 30, 2024 by 3 PM. The City received one (1) bid for the project and is comfortable awarding the contract to the sole bidder, Emery Sapp and Sons. The bid provided by Emery Sapp and Sons was higher than CDBG funds allocated to these activities and will require increases in the corresponding construction budget lines. However, the City is confident in the ability of the firm and would like to request a procurement waiver so the project can move forward.

Sincerely,

Larry Milton, Mayor

Date