

DEPARTMENT OF COMMUNITY AFFAIRS
SMALL CITIES CDBG PROGRAM
ACTIVITY WORK PLANS

RECIPIENT Nassau County

DATE PREPARED June 13, 2001

CONTRACT NO. 01DB-79-04-55-01-E40

ACTIVITY BUDGET \$ 170,000.00
(for this activity only)

| | | | | | | | | | | | | |
|---|--|-------------|-----------|-------------|--------------|------------|------------|--|--------------|-----------|---------------------|----------------------|
| Activity Name <u>Sewer Facilities</u> Number <u>04b</u> Service Area # <u>N/A</u> | Number of Proposed Beneficiaries <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; border-bottom: 1px solid black;"><u>60</u></td> <td style="text-align: center; border-bottom: 1px solid black;"><u>33</u></td> <td style="text-align: center; border-bottom: 1px solid black;"><u> </u></td> </tr> <tr> <td style="text-align: center;">Total</td> <td style="text-align: center;">LMI</td> <td style="text-align: center;">VLI</td> </tr> </table> | <u>60</u> | <u>33</u> | <u> </u> | Total | LMI | VLI | Proposed Activity Units <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; border-bottom: 1px solid black;"><u>2,500</u></td> <td style="text-align: center; border-bottom: 1px solid black;"><u>LF</u></td> </tr> <tr> <td style="text-align: center;">No. of Units</td> <td style="text-align: center;">Type of Units</td> </tr> </table> | <u>2,500</u> | <u>LF</u> | No. of Units | Type of Units |
| <u>60</u> | <u>33</u> | <u> </u> | | | | | | | | | | |
| Total | LMI | VLI | | | | | | | | | | |
| <u>2,500</u> | <u>LF</u> | | | | | | | | | | | |
| No. of Units | Type of Units | | | | | | | | | | | |

| Date Start (month & year) | Date End (month & year) | Describe Proposed Action to be Undertaken or Contract Special Condition Clearance Documentation to be Submitted by "Date End" | # of Units to be Completed by "Date End" | Proposed \$\$ to be Requested by "Date End" |
|------------------------------|----------------------------|---|--|---|
| 06/01 | 07/01 | Submit Request for Release of Funds and Environmental Conditions | | |
| 06/01 | 07/01 | Submit documentation to clear Special Condition Numbers <u> </u> | | |
| | | Submit documentation to clear Special Condition Numbers <u> </u> | | |
| | | Professional Services Contract | | |
| | | Survey & Preliminary Design | | |
| | | Final Design & Permits | | |
| 07/01 | 08/01 | Bid Advertisement & Award | | |
| 08/01 | 09/01 | Construction 33% - Admin. & Observation | 833 LF | 51,000 |
| 09/01 | 10/01 | Construction 66% - Admin. & Observation | 833 LF | 51,000 |
| 10/01 | 11/01 | Construction 100% - Admin. & Observation | 834 LF | 51,000 |
| 11/01 | 12/01 | Construction Closeout | | 17,000 |
| 08/02 | 11/02 | Submit Administrative Closeout | | |
| | | | | |
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| | | | | |

Item 2A

ACTIVITY BUDGET TOTAL \$ 170,000.00

(must equal Activity Budget in the heading of this form)

DEPARTMENT OF COMMUNITY AFFAIRS
SMALL CITIES CDBG PROGRAM
ACTIVITY WORK PLANS

RECIPIENT Nassau County

DATE PREPARED June 13, 2001

CONTRACT NO. 01DB-79-04-55-01-E40

ACTIVITY BUDGET \$ 250,000.00
(for this activity only)

| | | | | | |
|-------------------------------------|---|------------|-------------|--------------------------------|----------------------|
| Activity | Number of Proposed Beneficiaries | | | Proposed Activity Units | |
| Name <u>Water Facilities</u> | | | | <u>5900</u> | <u>LF</u> |
| Number <u>04a</u> | | | | No. of Units | Type of Units |
| Service Area # <u>N/A</u> | <u>60</u> | <u>33</u> | <u> </u> | | |
| | Total | LMI | VLI | | |

| Date Start (month & year) | Date End (month & year) | Describe Proposed Action to be Undertaken or Contract Special Condition Clearance Documentation to be Submitted by "Date End" | # of Units to be Completed by "Date End" | Proposed \$\$ to be Requested by "Date End" |
|------------------------------|----------------------------|---|--|---|
| 06/01 | 07/01 | Submit Request for Release of Funds and Environmental Conditions | | |
| 06/01 | 07/01 | Submit documentation to clear Special Condition Numbers ____ | | |
| | | Submit documentation to clear Special Condition Numbers ____ | | |
| | | Professional Services Contract | | |
| | | Survey & Preliminary Design | | |
| | | Final Design & Permits | | |
| 07/01 | 08/01 | Bid Advertisement & Award | | |
| 08/01 | 09/01 | Construction 33% - Admin. & Observation | 1977 LF | 75,000 |
| 09/01 | 10/01 | Construction 66% - Admin. & Observation | 1977 LF | 75,000 |
| 10/01 | 11/01 | Construction 100% - Admin. & Observation | 1946 LF | 75,000 |
| 11/01 | 12/01 | Construction Closeout | | 25,000 |
| 08/02 | 11/02 | Submit Administrative Closeout | | |
| | | | | |
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ACTIVITY BUDGET TOTAL \$ 250,000.00

(must equal Activity Budget in the heading of this form)

DEPARTMENT OF COMMUNITY AFFAIRS
SMALL CITIES CDBG PROGRAM
ACTIVITY WORK PLANS

RECIPIENT Nassau County

DATE PREPARED June 13, 2001

CONTRACT NO. 01DB-79-04-55-01-E40

ACTIVITY BUDGET \$ 150,000.00
(for this activity only)

| Activity | Number of Proposed Beneficiaries | | | Proposed Activity Units | |
|--|----------------------------------|------------|-------------|-------------------------|----------------------|
| Name <u>Street Improvements</u> | | | | <u>2,290</u> | <u>LF</u> |
| Number <u>005</u> | | | | No. of Units | Type of Units |
| Service Area # <u>N/A</u> | <u>60</u> | <u>33</u> | <u> </u> | | |
| | Total | LMI | VLI | | |

| Date Start (month & year) | Date End (month & year) | Describe Proposed Action to be Undertaken or Contract Special Condition Clearance Documentation to be Submitted by "Date End" | # of Units to be Completed by "Date End" | Proposed \$\$ to be Requested by "Date End" |
|------------------------------|----------------------------|---|--|---|
| 06/01 | 07/01 | Submit Request for Release of Funds and Environmental Conditions | | |
| 06/01 | 07/01 | Submit documentation to clear Special Condition Numbers ____ | | |
| | | Submit documentation to clear Special Condition Numbers ____ | | |
| | | Professional Services Contract | | |
| | | Survey & Preliminary Design | | |
| | | Final Design & Permits | | |
| 07/01 | 08/01 | Bid Advertisement & Award | | |
| 08/01 | 09/01 | Construction 33% - Admin. & Observation | 763 LF | 45,000 |
| 09/01 | 10/01 | Construction 66% - Admin. & Observation | 763 LF | 45,000 |
| 10/01 | 11/01 | Construction 100% - Admin. & Observation | 764 LF | 45,000 |
| 11/01 | 12/01 | Construction Closeout | | 15,000 |
| 08/02 | 11/02 | Submit Administrative Closeout | | |
| | | | | |
| | | | | |
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ACTIVITY BUDGET TOTAL \$ 150,000.00

(must equal Activity Budget in the heading of this form)

**CIVIL RIGHTS PROFILE
FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS
SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT**

RECIPIENT NAME: Nassau County

CONTRACT NUMBER 01DB-79-04-55-01-E40 DATE: June 13, 2001

DEMOGRAPHIC DATA

1. Total Number of Local Government Employees: 227 (Do NOT include constitutional officers)
2. Number of Employees who work on CDBG funded activities: 5
3. Total Number of Local Government Minority Employees: 21 (Do NOT include constitutional officers)
4. Number of Minority Employees who work on CDBG funded activities: 0
5. Local Government Population: 38,330 (Counties do NOT include populations of incorporated cities)
6. Local Government Minority Population: 5,244 (Counties do NOT include populations of incorporated cities)
7. Local Government Minority Population Percentage: 11.93% (Counties do NOT include populations of incorporated cities)
8. Percentage of Persons of Low and Moderate Income in the Local Government: 36.80% (Counties do NOT include populations of incorporated cities)

For Neighborhood Revitalization and Commercial Revitalization Only

9. Service Area Population: _____
10. Percentage of Persons of Low and Moderate Income in the Service Area: _____

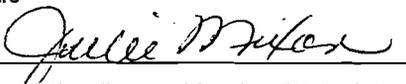
For civil rights compliance, this profile should be completed and filed to:
CDBG Program Administrator
Department of Community Affairs
255 Shumard Oak Blvd.
Tallahassee, Florida 32399-2100
Please file copy in the event that a CDBG field monitor wishes to review during a monitoring visit.

Item 2B

**SIGNATURE AUTHORITY FORM
INDIVIDUALS AUTHORIZED TO SUBMIT REQUESTS FOR PAYMENTS
SUBMIT THREE ORIGINAL COPIES FOR EACH CONTRACT**

| | |
|---|------------------------------------|
| Recipient Nassau County | Contract # 01DB-79-04-55-01-E40 |
| Mailing Address (Street or Post Office Box) Post Office Box 1010 | |
| City, State and Zip Code Fernandina Beach, Florida 32035-1010 | |
| Contact Person J. M. "Chip" Oxley, Jr. | Telephone # (904) 321-5800 |

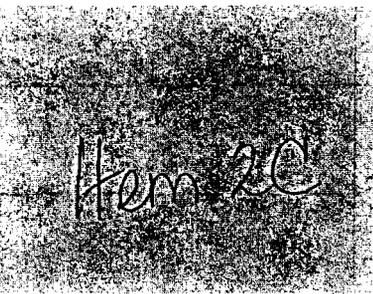
Requests for funds from the Florida Small Cities CDBG Program (Department of Community Affairs) require (check one) **one signature** [] **two signatures** of individuals authorized below.

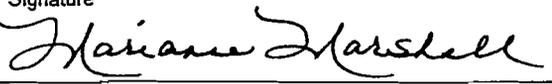
| | | |
|--|----------------|---|
| Typed Name J. M. "Chip" Oxley, Jr. Ex-Officio Clerk | Date 6/4/01 | Signature  |
| Typed Name Ted Selby Financial Services Department Head | Date 6/4/01 | Signature  |
| Typed Name Mary N. Potochnik Financial Services Supervisor | Date 6/4/01 | Signature  |
| Typed Name Julie Mixon Financial Services Supervisor | Date 6/4/01 | Signature  |

A non-interest bearing account has been established at the financial institution (insured by the FDIC) listed below for the deposit of CDBG funds. In the case of an escrow account, the account is interest bearing. **All signatures on this account must be bonded.**

| | |
|--|------------------------------------|
| Name of Financial Institution First Union National Bank | Account Number 2137476732666 |
| Street Address or Post Office Box 1860 South 8th Street | Telephone Number (904) 277-1930 |
| City, State and Zip Code Fernandina Beach, FL 32034 | |

For local governments receiving Electronic Fund Transfer (EFT), please identify the person to which notification of the deposit should be directed. Please note that if your local government is currently receiving EFT for any State funds, CDBG payments will also be made in this manner to your local government's general account. **Complete this section only if your local government is receiving EFT.**

| | |
|---|---|
| Mailing Address (Street or Post Office Box) Post Office Box 4000 |  |
| City, State, Zip Code Fernandina Beach, Florida 32035-4000 | |
| Contact Person Finance Division | |
| I certify, as the recipient's Chief Elected Official, that the above signatures are of the individuals authorized to sign requests for funds from the Small Cities Community Development Block Grant. | |

| | | |
|---|-----------------|---|
| Typed Name Marianne Marshall Chairman, Nassau County Board of Commissioners | Date 6/11/01 | Signature  |
|---|-----------------|---|

APPLICANT/GRANTEE/RECIPIENT DISCLOSURE CERTIFICATION

See attached instructions.

PART I. APPLICANT/GRANTEE/RECIPIENT INFORMATION

Indicate whether this is an Initial Report X or and Update Report

A. Applicant/Grantee Name, Address, and Telephone (include area code)

Nassau County (904) 321-5782
 P. O. Box 1010
 Fernandina Beach, FL 32034

B. Participating Party Name, Address, and Telephone (include area code) (for economic development component only)

Compass Group
 1890 S. 14th St. Bldg. 100, Suite 102
 Amelia Island, FL 32034

C. Project Location Address

within the corporate limits of Nassau County on A1A on the south side just after crossing the intercoastal waterway

| D. Type of Assistance Requested/Provided | Amount of Assistance Requested/Provided |
|--|---|
|--|---|

| | |
|-------------------------------|------------------------------------|
| State of FL Small Cities CDBG | Requested 750,000/Provided 570,000 |
|-------------------------------|------------------------------------|

PART II. THRESHOLD DETERMINATION (Applicant/Grantee only)

Have you received, or can you reasonably expect to receive (including this CDBG contract), an aggregate amount of CDBG funds in excess of \$200,000 for the time period July 1, 2000 to June 30, 2001. Yes No X
 If "yes", Parts III through V must also be completed.

All applicants must certify that the information provided is true by signing below.

Nassau County
 Printed Name of Applicant/Grantee/Recipient

Maraine Marshall
 Signature of Chief Elected Official

June 11, 2001
 Date

Chairman, Board of County Commissioners
 Printed Name and Title of Chief Elected Official

Item 2D

Community Development Block Grant
Participating Parties Agreement



This Participating Parties Agreement (hereinafter referred to as "Agreement"), is made this 11th day of June, 2001, by and between **BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA**, a political subdivision of the State of Florida, (hereinafter referred to as "County"), and **COMPASS GROUP, INC.**, a Florida corporation, (hereinafter referred to as "Compass").

WITNESSETH

WHEREAS, the County is applying for Small Cities Community Development Block Grant ("CDBG") funds from the State of Florida Department of Community Affairs ("DCA"); and

WHEREAS, Compass will develop Gateway to Amelia complex within the corporate limits of Nassau County; and

WHEREAS, upon completion of this complex, it will create 60 new employment positions of which 33 will be low and moderate income jobs; and

WHEREAS, the County is desirous of promoting such employment for low to moderate income persons and recognizes that construction of this complex is desirable to the County; and

WHEREAS, there are no water or sewer facilities available to the proposed site; and

WHEREAS, the County is committed to providing water and sewer funding through CDBG funds; and

WHEREAS, the proposed infrastructure improvements include approximately 6,000 LF of water main, approximately 2,500 LF of sewer; and

WHEREAS, there are certain street improvements and associated drainage in conjunction with the development of Gateway to Amelia; and

WHEREAS, the County is committed to providing street improvements for the development of Gateway to Amelia; and

WHEREAS, the proposed infrastructure improvements will include 2,290 LF of street improvements and the associated drainage; and

WHEREAS, it is critical to the construction of the complex that the proposed infrastructure improvements be installed;

WHEREAS, the County intends to use CDBG funds to provide construction of the above-referenced infrastructure improvements; and

WHEREAS, DCA has imposed certain conditions and circumstances which are set forth herein for the receipt and use of CDBG funds; and

WHEREAS, it is necessary that there be certain agreements and understandings between the County and Compass with respect to Compass' duties and responsibilities; and

NOW THEREFORE, in consideration of the mutual promises, covenants, and representations given between the parties, one to the other, and other good and valuable consideration as herein provided, the parties and each of them agree as follows:

Obligations of the County

The County shall construct the infrastructure improvements described herein, including offsite roadway improvements, caused by said development, and associated drainage, approximately 6,000 LF of water main, approximately 2,500 LF of sewer using CDBG funds, and thereby provide central water and sewer services to the Compass site.

Obligations of Compass

- (1) Compass shall develop the Gateway to Amelia to provide facilities for two restaurants and a hotel to create and satisfactorily document the creation of at least 60 full-time equivalent permanent net new jobs, of which 33 full-time equivalent permanent net new jobs are to be made available to members of low or moderate income families as specified in the Application. If more than 60 full-time equivalent permanent net new jobs are created and/or retained, fifty-one percent (51%) of all permanent net new jobs on an aggregate basis shall be made available to members of low and moderate income families. These jobs shall be created and or retained no later than the termination date of this Agreement, as it may be amended. Documentation shall be the Florida Small Cities CDBG Program Household Income Survey Form for each job created and/or retained. The requirement for documentation of the creation and or retention of these jobs shall survive the term of this Agreement.
- (2) Failure of Compass to construct facilities to create or cause to be created and/or retained or to satisfactorily document the creation and/or retention of the agreed upon number of jobs to be made available to members of low or moderate income families, or to expend or satisfactorily document the expenditure of the full amount of equity dollars agreed upon in the Application, shall be an act of default under the Compass Participating Party Agreement.
- (3) Except as may be otherwise required or limited by law, Compass shall provide or cause to be provided such training to members of families of low and moderate income as may equip them with the skills required for them to obtain and retain the jobs to be created and/or retained.
- (4) Compass shall expend, prior to or during the term of this Agreement, a minimum of

Participating Party Agreement
Page Three

\$1,500,000 (One Million Five Hundred Thousand Dollars), on building construction, capital equipment, and fixtures for private leverage, and furnish documentation of its expenditures as claimed for leverage points in the Application, the Program Budget and Scope of Work, and the Work Plans. The County shall require that each Participating Party certify to the total project costs expended during the term of the grant as reflected on Form CDBG-E-3 of the Application. This documentation shall be provided to the County in a Participating Party Agreement form and content satisfactory to the Department that allows accurate ready comparison between expenditures and related activities as defined on Form CDBG-E-3. This documentation shall be provided to the County as expenditures occur.

(5) Compass shall construct or cause to be constructed one or more buildings which shall accommodate at a minimum the complex described in the Application (two restaurants/one hotel). The buildings, equipment, furniture, and fixtures shall remain titled in the name of Compass or its affiliate under common control until such time as all requirements in paragraph 4 of this Agreement have been satisfied.

(6) If requested by the County, Compass shall provide to the County or its agents such reasonable information concerning the project as the County may reasonably require.

(7) Compass shall begin construction and furnish to the County evidence of Compass commencement of construction on the complex within a time frame to be negotiated between Compass and the County;

(8) Compass shall connect to CDBG funded water lines and sewer lines within thirty (30) days of the acceptance of the water lines and sewer lines for the purpose of ownership and maintenance by the appropriate utility.

(9) Compass shall permit the State of Florida Department of Community Affairs (or its agents) to furnish or cause to be furnished to the County the total number of persons employed by the complex on the date of the execution of the Participating Party Agreement by name, job title, date hired, race ethnicity, gender and handicapped status. However, nothing herein shall be construed as requiring Compass to violate any laws or lawful hiring practices.

(10) Compass shall, at its own expense, maintain builder's risk and fire and casualty insurance with respect to the material used and to be used on the complex, and, upon completion, with respect to the buildings and contents in the greater of its full replacement cost or \$1,500,000.

INDEMNIFICATION

Compass agrees to hold harmless the County for any damages or project delays, unless unreasonably caused by arbitrariness or capriciousness, for interruptions incurred by Compass which are related to the construction of the infrastructure described herein and the provision of water and sewer services and hereby waives all claims against the County relating to such damages, interruptions or delays, except as may be caused by arbitrariness or capriciousness.

NO WAIVER

The waiver of any breach of the provision of this agreement by Compass or the County shall not constitute waiver or waiver of any subsequent breach by Compass or the County either of the same or of another provision of this agreement.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

WITNESSES:

Joyce T. Bradley
Print Name: Joyce T. Bradley
Joni J. Branan
Print Name: Joni J. Branan

COMPASS GROUP, INC.
By: [Signature]
Print Name and Title: RON V. FLICK, PRESIDENT

State of Florida
County of Nassau

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared RON FLICK, who is personally known to me, who is the PRESIDENT of Compass Group, Inc., a Florida Corporation, who acknowledged that he executed the same freely and voluntarily under authority duly vested in him by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

My Commission Expires:

[Signature]
Notary Public Signature

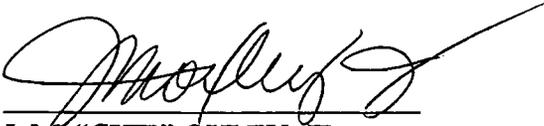


CONNIE H. ARTHUR
Notary Public, State of Florida
Comm. expires Dec. 19, 2003
Comm. No. CC 896505

COUNTY OF NASSAU
BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

[Signature]
MARIANNE MARSHALL
Its: Chairman

ATTEST:



J. M. "CHIP" OXLEY, JR.
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney



MICHAEL S. MULLIN

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared Marianne Marshall, who is personally known to me and, who is Chairman of the Board of County Commissioners, of Nassau County, a municipal corporation in the State of Florida, who separately acknowledged that he executed the same freely and voluntarily under authority duly vested in them and that the seal affixed thereto is the true seal of Nassau County.

My Commission Expires: 12/19/03



Notary Public Signature

CONNIE H. ARTHUR
Notary Public, State of Florida
My comm. expires Dec. 19, 2003
Comm. No. CC 896505