

Sussex County Council Public/Media Packet

**MEETING:
December 15, 2020**

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**Sussex County Council
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Georgetown, DE 19947
(302) 855-7743**

COUNTY COUNCIL

MICHAEL H. VINCENT, PRESIDENT
IRWIN G. BURTON III, VICE PRESIDENT
DOUGLAS B. HUDSON
JOHN L. RIELEY
SAMUEL R. WILSON JR.



Sussex County

DELAWARE
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SUSSEX COUNTY COUNCIL

A G E N D A

DECEMBER 15, 2020

10:00 A.M.

PLEASE REVIEW MEETING INSTRUCTIONS AT THE BOTTOM OF THE AGENDA

Call to Order

Approval of Agenda

Approval of Minutes – December 8, 2020

Reading of Correspondence

Public Comments

Recognition of Council Members Samuel R. Wilson, Jr. and Irwin G. Burton III

Presentation – Sussex County Land Trust

Todd Lawson, County Administrator

1. Recognition of Retiree – Martin Benjamin Gordy
2. Consideration of a Memorandum of Understanding (MOU) with DelDOT to establish the FAST Track Fund
3. Administrator's Report

Brandy Nauman, Housing Coordinator & Fair Housing Compliance Officer

1. Coastal Tide Agreement Execution



Hans Medlarz, County Engineer

1. Ellendale Water District, Project W20-17
 - A. Davis, Bowen & Friedel Amendment No. 1 – Additional Services
2. South Coastal RWF Treatment Process Upgrade No. 3 & Rehoboth Beach WTP Capital Improvement Program, Phase 2
 - A. Electrical Construction, Project C19-17, Revised Change Order No. 8
 - B. General Construction, Project C19-11, Change Order Nos. 6 & 7
3. Herring North Gravity Sewer and Force Main, Project S20-07
 - A. Change Order No. 1 – Recommendation to Issue
 - B. Modification of Easement on Parcel 234-17.12-15.00

Patrick Brown, Project Engineer

1. Chapter 96 Sussex Community Improvements Program - New Road Estates, Project T21-08
 - A. Project Election Results and Project Authorization

John Ashman, Director of Utility Planning

1. Briarwood Estates Annexation of the Sussex County Unified Sanitary Sewer District
 - A. Public Hearing Results
2. Collins Avenue Annexation of the Sussex County Unified Sanitary Sewer District
 - A. Public Hearing Results

Grant Requests

1. First State Community Action Agency for the Culinary Arts Program
2. CHEER, Inc. for their virtual programs

Introduction of Proposed Zoning Ordinances

Council Members' Comments

Executive Session –Personnel and Land Acquisition pursuant to 29 Del.C.§10004(b)

Possible action on Executive Session items

Adjourn

PLEASE REVIEW MEETING INSTRUCTIONS AT THE BOTTOM OF THE AGENDA.

In accordance with 29 Del.C. §10004(e)(2), this Agenda was posted on December 8, 2020 at 5:00 p.m., and at least seven (7) days in advance of the meeting.

This Agenda was prepared by the County Administrator and is subject to change to include the addition or deletion of items, including Executive Sessions, which arise at the time of the meeting.

Agenda items may be considered out of sequence.

Further meeting access instructions are listed below.

-MEETING INSTRUCTIONS-

The Sussex County Council is holding this meeting under the authority issued by Governor John C. Carney through Proclamation No. 17-3292.

The public is encouraged to view the meeting on-line. Any person attending in-person will be required to go through a wellness and security screening, including a no-touch temperature check. The public will be required to wear a facial mask.

Chambers seating capacity is limited and seating assignments will be enforced.

The meeting will be streamed live at <https://sussexcountye.gov/council-chamber-broadcast>.

The County is required to provide a dial-in number for the public to comment during the appropriate time of the meeting. **Note, the on-line stream experiences a 30-second delay.** Any person who dials in should listen to the teleconference audio to avoid the on-line stream delay.

To join the meeting via telephone, please dial:

Conference Number: 1-302-394-5036

Conference Code: 570176

Members of the public joining the meeting on the telephone will be provided an opportunity to make comments under the Public Comment section of the meeting and during the respective Public Hearing.

The Council meeting materials, including the “packet”, are electronically accessible on the County’s website at: <https://sussexcountye.gov/agendas-minutes/county-council>.

If any member of the public would like to submit comments electronically, please feel free to send them to rgriffith@sussexcountye.gov. All comments shall be submitted by 4:30 P.M. on Monday, December 14, 2020.

#

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, DECEMBER 8, 2020

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, December 8, 2020, at 10:00 a.m., in Council Chambers, with the following present:

Michael H. Vincent	President
Irwin G. Burton III	Vice President
Douglas B. Hudson	Councilman
John L. Rieley	Councilman
Samuel R. Wilson Jr.	Councilman
Todd F. Lawson	County Administrator
Gina A. Jennings	Finance Director
J. Everett Moore, Jr.	County Attorney

The Invocation and Pledge of Allegiance were led by Mr. Vincent.

**Call to
Order**

Mr. Vincent called the meeting to order.

**M 492 20
Amend
and
Approve
Agenda**

A Motion was made by Mr. Rieley, seconded by Mr. Wilson, to amend the Agenda by deleting “Introduction of Proposed Zoning Ordinances” and to approve the Agenda, as amended.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

Minutes

The minutes of December 1, 2020 were approved by consent.

**Corre-
spondence**

Mr. Moore read correspondence from the following: YMCA of Delaware and Delaware Lions Foundation.

**Public
Comments**

There were no public comments.

**Western
Sussex
Business
Campus**

Mr. Lawson presented for Council’s consideration the City of Seaford’s request for funding of the Western Sussex Business Campus. At the November 17, 2020 Council meeting, Seaford Mayor David Genshaw, Town Manager Charles Anderson and Economic Development Director Trish Newcomer presented the proposal. The City is asking the County to consider partnering with them to develop the Western Sussex Business Campus on property the City currently owns next to its existing Business Park. The City is in final negotiations with a regional business park developer to sell the property for the purpose of constructing a new business campus. For this proposal, the County would assist in the campus infrastructure construction by pledging to reimburse the City for the

Western
Sussex
Business
Campus
(continued)

expenses associated with Phase 1A of the contract, not to exceed \$1,889,291. The City would administer the construction contract for the business park expansion and the County would reimburse the eligible invoice expenditures.

M 493 20
Adopt
R 018 20

A Motion was made by Mr. Rieley, seconded by Mr. Hudson, to Adopt Resolution No. R 018 20 entitled “RESOLUTION GRANTING THE CITY OF SEAFORD FUNDING FOR THE DEVELOPMENT OF THE WESTERN SUSSEX BUSINESS CAMPUS”.

Motion Adopted: 4 Yeas, 1 Nay.

Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Nay; Mr. Burton, Yea;
Mr. Vincent, Yea

Adminis-
trator’s
Report

Mr. Lawson read the following information in his Administrator’s Report:

1. Projects Receiving Substantial Completion

Per the attached Engineering Department Fact Sheets, Americana Bayside – Weidman Parcel - Phase 2 (Construction Record), Bishop’s Landing (formerly Dover Landing) – Phase 2D, Frankford Business Park, and Governors – Phase 5 received Substantial Completion effective December 2nd.

[Attachments to the Administrator’s Report are not attached to the minutes.]

Public
Hearing/
Proposed
Ordinance
Relating
to Pension
Benefits

A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE TO AMEND CHAPTER 26 OF THE CODE OF SUSSEX COUNTY RELATING TO PENSION BENEFITS FOR SUSSEX COUNTY EMPLOYEES REGARDING EMPLOYEE ELIGIBILITY AND CONTRIBUTIONS AND TO BRING THE CODE INTO COMPLIANCE WITH THE UNITED STATES INTERNAL REVENUE CODE”.

Mrs. Jennings advised that the Proposed Ordinance achieves two goals: (1) ensures the County’s pension plan continues to be considered as a qualified pension plan under the Internal Revenue Service Code, and (2) requires employees hired after December 30, 2020 to pay a 5 percent contribution to their pension. Mrs. Jennings noted that none of the proposed revisions change the benefits that current employees are receiving today.

There were no public comments.

The Public Hearing and public record were closed.

**M 494 20
Adopt
Ordinance
No. 2760**

A Motion was made by Mr. Rieley, seconded by Mr. Wilson, to Adopt Ordinance No. 2760 entitled “AN ORDINANCE TO AMEND CHAPTER 26 OF THE CODE OF SUSSEX COUNTY RELATING TO PENSION BENEFITS FOR SUSSEX COUNTY EMPLOYEES REGARDING EMPLOYEE ELIGIBILITY AND CONTRIBUTIONS AND TO BRING THE CODE INTO COMPLIANCE WITH THE UNITED STATES INTERNAL REVENUE CODE”.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

**Western
Sussex
Trans-
mission
Facilities**

Hans Medlarz, County Engineer, presented Change Order No. 1 to Project S20-35, Western Sussex Transmission Facilities, Contract 6: Office/Garage Building. The Change Order, in the total amount of \$9,393.99, is for security cameras with a junction box, and a build-out for vehicle clearance.

**M 495 20
Approve
Change
Order/
Western
Sussex
Trans-
mission
Facilities
Project**

A Motion was made by Mr. Burton, seconded by Mr. Wilson, based upon the recommendation of the Sussex County Engineering Department, that Change Order No. 1 for Contract S20-35, Western Sussex Transmission Facilities, Contract 6, Office/Garage Building, be approved, increasing the Contract by \$9,393.99 for a new contract total of \$419,918.99.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

**Public
Hearing/
Assessment
Rolls/
Herring
Creek
Area/
SCUSSD**

A Public Hearing was held on the Assessment Rolls for the Herring Creek Area of the Unified Sanitary Sewer District.

Mr. Medlarz reported that the Assessment Rolls reflect the County’s records for equivalent dwelling units (EDUs) and billable front footage for the area. These records have been made available in the County’s Utility Division for public inspection and review.

There were no public comments.

The public record and Public Hearing were closed.

**M 496 20
Adopt
Assessment
Rolls/
Herring
Creek Area**

A Motion was made by Mr. Burton, seconded by Mr. Wilson, that the Sussex County Council adopts the Assessment Rolls for the Sussex County Unified Sanitary Sewer District for the Herring Creek Area for the period January 1, 2021 through June 30, 2021.

Motion Adopted: 5 Yeas.

**M 496 20
(continued)**

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

**Public
Hearing/
Proposed
Ordinance/
Assessment
Rates/
Herring
Creek
Area/
SCUSSD**

A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE ESTABLISHING THE ANNUAL ASSESSMENT RATES FOR THE HERRING CREEK AREA OF THE UNIFIED SEWER DISTRICT”.

Hans Medlarz, County Engineer, reported that the annual assessment rates for collection and transmission and/or treatment for the Herring Creek Area of the Unified Sewer District are as follows:

- A. For collection, an assessment rate per billable front foot: \$4.12; and**
- B. For transmission and/or treatment, an assessment rate per billable front foot: \$4.12**

Mr. Medlarz noted that the rates are for the remainder of the Budget Year 2021.

There were no public comments.

The Public Hearing and public record were closed.

**M 497 20
Adopt
Ordinance
No. 2761**

A Motion was made by Mr. Burton, seconded by Mr. Wilson, to Adopt Ordinance No. 2761 entitled “AN ORDINANCE ESTABLISHING THE ANNUAL ASSESSMENT RATES FOR THE HERRING CREEK AREA OF THE UNIFIED SEWER DISTRICT”.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

**Quarterly
Pension
Update**

Mrs. Jennings, along with Michael Shone of Marquette Associates, provided a Quarterly Pension Update, including a performance summary for the Pension and OPEB funds, an actuarial update, and a report on the November 19, 2020 Pension Committee meeting. They reported on the Pension Committee’s consideration of an option for the addition of private infrastructure to the County’s portfolio and recommendation to revise the Investment Policy Statements for the Pension and OPEB funds to decrease U.S. Equities by 1 percent, non-U.S. Equities by 1 percent, U.S. Fixed Income by 3 percent, and add a new asset classification of private infrastructure at 5 percent.

- M 498 20**
Revise
Investment
Policy
Statements/
Include New
Asset Classi-
fication of
Private
Infra-
structure
- A Motion was made by Mr. Rieley, seconded by Mr. Burton, that the Sussex County Council, based on the recommendation of the Pension Committee, decrease equities target from 65% to 63%, decrease fixed income target from 29% to 26%, and add an allocation to private infrastructure with a target of 5% for both the Pension and OPEB Funds.**
- Motion Adopted: 5 Yeas.**
- Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;**
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea
- Sussex**
County
Rental
Program/
Coastal
Tide
Apartments
- Brandy Nauman, Housing Coordinator & Fair Housing Compliance Officer, provided an update on Sussex County's Rental Program (SCRP). She reported that the first project under this Program is finally under construction and will be completed in early 2021; the project name is Coastal Tide Apartments, formerly known as Arbors of Cottagedale, located south of Five Points in Lewes. This project will consist of a total of 168 apartment units, 26 of those are reserved under the County's Affordable Rental Program. Also in attendance to discuss the project was Linda Smith of Your Place Property Management. They discussed the project details, tenant eligibility, the layout of the apartments, and the plan to hold a lottery for tenant applications to Coastal Tide SCRPs units. No action was taken on this matter.**
- Mass**
Annexation
of Individual
Parcels
- John Ashman, Director of Utility Planning, reported that, under the direction of the County Engineer and under his authority according to County Code, the Sussex County Engineering Department has been accepting annexation fees and connecting individual parcels on an as-needed basis. According to Code, the Engineer may grant connections to scattered parcels at the equivalent dwelling unit (EDU) density of the abutting property but cannot exceed 12 EDUs per acre. The connection of the scattered parcels must be determined to not overload the capacity in the existing sewer system taking into account the full development capacity of other parcels within the area. Mr. Ashman stated that this is an all encompassing annexation of parcels previously requesting annexation (meeting requirements and submitting the appropriate annexation fee), as follows: 234-12.00-213.00, 134-16.00-36.04, 234-23.00-116.10, 433-6.06-3.02, 134-16.00-35.00, 134-7.00-165.00, 134-16.00-36.02, 433-6.06-3.03, and 134-7.00-165.01. Approximately 50% are septic remediation projects and the majority were all able to be served by previously installed infrastructure or fairly simple lateral adjustments.**
- M 499 20**
Approve
Mass
Annexation
- A Motion was made by Mr. Burton, seconded by Mr. Hudson, based upon the recommendation of the Sussex County Engineering Department, that the Sussex County Council approves mass annexation, as presented on December 8, 2020, and gives permission to adjust the sewer tier maps accordingly.**

**M 499 20
(continued)**

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

**Discussion
and
Possible
Introduction
of a
Proposed
Ordinance
Relating to
Cluster
Subdivisions
in the
Coastal
Area**

Jamie Whitehouse, Planning and Zoning Director, and Vince Robertson, Assistant County Attorney, were in attendance to discuss a Proposed Ordinance regarding the Coastal Area.

Mr. Lawson noted that the Proposed Ordinance had to be updated in the December 8, 2020 packet online (on the County's website) to reflect the correct Coastal Area Ordinance.

Mr. Robertson provided a basic overview of the Proposed Ordinance stating that in the County Code, there are two separate approval processes for cluster subdivisions. This ordinance will address cluster subdivisions in the Coastal Area.

Mr. Robertson stated that this is a continuation of the previous ordinance that was introduced on October 27, 2020, noting that there was an apparent glitch in the publication/advertisement for the public hearings on the Proposed Ordinance, and therefore the County is restarting the process.

It was noted that the Planning and Zoning Commission did hold a public hearing on the Proposed Ordinance introduced on October 27th; however, the Commission has not yet made a recommendation to Council. At that public hearing, there was opposition, mostly regarding the yield plan portion of the prior ordinance. Although the Commission did not make a recommendation, they uniformly said that they were not in favor of the yield plan aspect of the ordinance.

Mr. Robertson stated that, as a result of restarting the process and having to reintroduce the ordinance, it is proposed to reintroduce it without the yield plan. Mr. Robertson noted that the Proposed Ordinance included in the packet for this meeting is the version excluding the yield plan.

**Introduction
of Proposed
Ordinance**

Mr. Hudson introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 115, ARTICLE XXV, SECTION 115-194.3 OF THE CODE OF SUSSEX COUNTY REGARDING THE COASTAL AREA".

The Proposed Ordinance will be advertised for Public Hearing.

**Grant
Requests**

Mrs. Jennings presented grant requests for the Council's consideration.

**M 500 20
Grant**

A Motion was made by Mr. Burton, seconded by Mr. Hudson, to give \$5,000.00 from Mr. Burton's Councilmanic Grant Account to the Milton Fire Department for renovations/addition.

**M 500 20
(continued)**

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

**M 501 20
Grant**

A Motion was made by Mr. Wilson, seconded by Mr. Burton, to give \$3,000.00 from Mr. Wilson's Councilmanic Grant Account to Georgetown Little League for backstop replacement.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

**M 502 20
Go Into
Executive
Session**

At 12:01 p.m., a Motion was made by Mr. Hudson, seconded by Mr. Rieley, to recess the Regular Session and go into Executive Session to discuss matters relating to land acquisition and pending litigation.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

**Executive
Session**

At 12:10 p.m., an Executive Session of the Sussex County Council was held in the Basement Caucus Room for the purpose of discussing matters relating to land acquisition and pending litigation. The Executive Session concluded at 1:54 p.m.

**M 503 20
Reconvene
Regular
Session**

At 1:58 p.m., a Motion was made by Mr. Burton, seconded by Mr. Rieley, to come out of Executive Session and reconvene the Regular Session.

Motion Adopted: 4 Yeas, 1 Absent.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Absent; Mr. Burton, Yea;
Mr. Vincent, Yea**

**M 504 20
Authorize
Land
Acquisition**

A Motion was made by Mr. Rieley, seconded by Mr. Burton, to authorize the County Administrator to negotiate, enter into a contract, and to proceed to closing on a parcel of land identified as Land 2020-D.

Motion Adopted: 4 Yeas, 1 Absent.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Absent; Mr. Burton, Yea;
Mr. Vincent, Yea**

**M 505 20
Adjourn**

A Motion was made by Mr. Burton, seconded by Mr. Hudson, to adjourn at 1:59 p.m.

Motion Adopted: 4 Yeas, 1 Absent.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Absent; Mr. Burton, Yea;
Mr. Vincent, Yea**

Respectfully submitted,

**Robin A. Griffith
Clerk of the Council**

{An audio recording of this meeting is available on the County's website.}

BRANDY BENNETT NAUMAN
HOUSING COORDINATOR &
FAIR HOUSING COMPLIANCE OFFICER
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Sussex County
DELAWARE
sussexcountype.gov

MEMORANDUM

TO: Sussex County Council
The Honorable Michael H. Vincent, President
The Honorable Irwin G. Burton III, Vice President
The Honorable Douglas B. Hudson
The Honorable John L. Rieley
The Honorable Samuel R. Wilson, Jr.
Todd F. Lawson, County Administrator

FROM: Brandy B. Nauman, Housing Coordinator & Fair Housing Compliance Officer

RE: **Coastal Tide SCRCP Agreement Execution**

DATE: December 11, 2020

During last week's County Council meeting, I provided an update on Coastal Tide, the first affordable rental project under the Sussex County Rental Program (SCRCP). Since Tuesday, our Department and the Assistant County Attorney have finalized the Developer Agreement. The Agreement is the essential contractual obligation to participate in the SCRCP.

On Tuesday, I will be back before you to seek a motion to sign and enter into the Coastal Tide Agreement with the developer of Coastal Tide Apartments, CB Lewes, LLC.

Please do not hesitate to contact me with any questions. Thank you.

Attachment

CC: Brad Whaley, Director, CD&H



Tax Parcel No.: 3-34-6.00-504.02 and 504.09

**Prepared By: Parkowski, Guerke & Swayze, P.A.
& Return To: 19354C Miller Road
Rehoboth Beach, DE 19971**

COASTAL TIDE, F/K/A ARBORS OF COTTAGEDALE
AGREEMENT & RESTRICTIVE COVENANTS

This Agreement is made and entered into by and between **SUSSEX COUNTY**, hereafter referred to as “County”;

-AND-

THE DEPARTMENT OF COMMUNITY DEVELOPMENT AND HOUSING, hereafter referred to as “Department”;

-AND-

CB LEWES, LLC, hereafter referred to as “Developer”.

WHEREAS, Sussex County Council adopted Chapter 72 of the Code of Sussex County (hereinafter referred to as “Chapter 72”), relating to moderately priced housing units, to establish an affordably priced rental unit program known as the Sussex County Rental Program (“SCRP”); and

WHEREAS, MidAtlantic Development Ventures, LLC, hereafter referred to as “Applicant”, entered into an “Agreement to Enter The Sussex County Affordably Priced Rental Unit Program (SCRP)” hereafter referred to as the “Original SCR P Agreement” dated 2009, a copy of which is attached hereto as Exhibit A; and

WHEREAS, Sussex County has previously approved Applicants’ plan of a rental housing development that would provide for the development of at least 26 dwelling units on qualifying

land (as defined in Chapter 72) in a development formerly known as the Arbors at Cottagedale Apartments, and now known as “Coastal Tide”; and

WHEREAS, Developer has acquired all right, title and interest in Coastal Tide, and by operation of the Original SCRP Agreement and Chapter 72 is bound by the terms of both; and

WHEREAS, Coastal Tide consists of an 18.08 acre site situated in Lewes and Rehoboth Hundred, Sussex County and is further identified as Sussex County Tax Map and Parcel Numbers 3-34 6.00 504.02 and 504.09 (hereafter referred to as the “Development”). The legal description of the Development is attached hereto and incorporated herein as Exhibit **B**; and

WHEREAS, Both the original SCRP Agreement and Chapter 72 obligate the Developer to enter into an additional Agreement and to record certain Restrictive Covenants against the Development; and

WHEREAS, County and Developer execute this Agreement in order to comply with the requirements contained in the Original SCRP Agreement and Chapter 72 in order to obligate the Developer to construct the promised rental housing units within the Development in accordance with all of the terms and conditions of Chapter 72.

In consideration of the mutual covenants contained herein, the parties hereto covenant and agree as follows:

1. The parties incorporate by reference all of the terms and conditions of the Original SCRP Agreement (unless modified herein) and Chapter 72 establishing an affordably priced rental housing program.

2. A Final Site Plan for Coastal Tide was approved by the Sussex County Planning and Zoning Commission on August 13, 2015, with subsequent amendments approved in 2019 and

2020. The Final Site Plan is recorded in the Office of the Recorder of Deeds in and for Sussex County at Plot Book 219, Page 71. The Final Site Plan, as may be amended from time to time, is incorporated by reference herein as though fully set forth herein.

3. This Agreement governs the development of the property upon which Coastal Tide shall be developed, as shown on the Final Site Plan of the Development.

4. The Final Site Plan includes five (5) thirty (30) unit apartment buildings and one (1) eighteen (18) unit apartment building with a total of 168 apartments, consisting of a combination of 1, 2 and 3 bedroom units ranging in size from 784 square feet to 1,350 square feet. Within the Development there shall be 142 units set aside as market rate units and 26 units set aside as SCRP units. A schedule listing the proposed number of 1, 2 and 3 bedroom SCRP units at the time of lease-up and the square footage of each by building is attached hereto and incorporated herein as Exhibit C. The County and the Developer recognize that this schedule may be modified during initial lease-up as a result of factors including the family size of prospective eligible tenants at the time of initial lease-up. However, any modifications shall not affect the total number of SCRP units or their overall *pro rata* distribution throughout the entire development based on unit type. Exhibit C shall also include the schedule pursuant to which the units will be constructed, marketed and delivered and which explains the relationship between the delivery of market rate units and the delivery of SCRP units.

5. Like the Original SCRP Agreement, this Agreement applies to the entire Development, including both the market rate and SCRP units. If the Developer fails to build the SCRP units in accordance with the schedule set forth on Exhibit C, the County Administrator will withhold additional Building Permits and/or Certificates of Occupancy and refuse to release performance bonds and letters of credit required of the Developer until such time as the SCRP

units as proposed in the construction schedule are built and contributed to the SCRIP rental inventory to the satisfaction of the Department.

6. In the event the Developer transfers all or part of the ownership, possession or control of the Development to a legal entity other than the Developer, the Developer shall be obligated to notify the County and the Department of such transfer and the transferee will be bound by the terms of this Agreement. Partnerships, associations, corporations and other legal entities may not evade the requirements of this Agreement through voluntary dissolution, bankruptcy or the sale or transfer of the project site or the obligation to construct the SCRIP units.

7. All SCRIP units must be fully integrated into the community as to location and shall not be substantially different in appearance from non-SCRIP units. When they are part of a phased development, a proportionate number or percentage of said units shall be placed within each phase and/or constructed within each housing type appearing in the development. The planning and design of individual SCRIP units must be consistent with the planning and design of market-rate units within the same project. Aside from the SCRIP-specific terms, all leases for the SCRIP units must be substantially the same as those for non-SCRIP units.

8. SCRIP unit rental rates shall be 25% of the household income for 50% of the Area Median Income for Sussex County, adjusted by household size and unit size. All utilities and similar charges shall be paid by the tenant, unless said charges are included in the rent for the non-SCRIP units. Every SCRIP unit constructed under this Agreement must be offered to all eligible tenants for lease as the eligible tenant's principal or primary residence and such lease agreement shall be for a minimum period of one year, with an option to renew provided that the Tenant is not in default and still qualifies to occupy an SCRIP unit.

9. As required by Chapter 72 of the Code of Sussex County, the Developer's additional obligations as they relate to the SCRP units shall be as follows:

(1) The Developer shall abide by the requirements of the Sussex County Fair Housing Policy in its operation of the Development and its rental of both market-rate and SCRP units within the Development. A copy of the Sussex County Fair Housing Policy is attached hereto as Exhibit **D**.

(2) The Developer shall provide a copy of its form Lease Agreement for all SCRP units to the Department for review and approval. Any amendments to this Lease Agreement form shall be subject to the review and approval of the Department. No SCRP units shall be leased unless, and until, the Lease Agreement (or any modifications thereto) have been reviewed and approved by the Department.

(3) The Developer shall screen all eligible tenants in order from the randomized list of prequalified potential SCRP tenants generated by the County in accordance with Paragraph 10(3) below.

(4) The Initial Lease Agreement with any Tenant, or any Renewal Lease Agreement with any Tenant shall be provided to the Department within thirty (30) days of the Lease or a Renewal Lease being signed.

(5) The Developer shall provide the Department with regular information about SCRP Unit Availability for the Department's and County's website and advertise within sources including, but not limited to: DelawareHousingSearch.org. In addition, the Developer should affirmatively market the SCRP units to diverse populations.

(6) The Developer shall not refuse to rent to an eligible tenant without providing the Department with a written explanation of just cause for the refusal.

(7) A Certificate of Eligibility shall be issued to prospective tenants who qualify under the terms of this Agreement and Chapter. A copy of this Certificate of Eligibility shall be provided to the Department.

(8) The Developer shall ensure that the SCRP units are only occupied by tenants whose monthly income levels do not exceed the eligible income limit, as defined herein or in Chapter 72. Tenants shall not be permitted to sublet any SCRP unit.

(9) The Developer shall provide an Annual Report to the Department, which shall include (but is not limited to) the following:

- (a) A listing of all SCRP units, by bedroom count, within the Development during the prior year.
- (b) The monthly rents charged for each SCRP unit within the project during the prior year.
- (c) SCRP Unit Vacancy rates and any relevant supporting information for the Development during the prior year.
- (d) The tenant's name, household size and monthly income for SCRP Tenants in the Development during the prior year.
- (e) A statement that to the best of the Developer's information and knowledge, the tenants who are leasing the SCRP units meet the eligibility requirements.
- (f) A copy of each new or revised Annual Income Recertification and Recertification of Primary Residence received since the last annual report.

(10) The Department shall be notified by the Developer of the filing of pleadings in Justice of the Peace Court for collection of rent or eviction of a tenant of an SCRP

Unit. This notice shall be provided to the Department within three (3) business days of the filing of the pleadings in Justice of the Peace Court.

10. As required by Chapter 72, the County's additional obligations as they relate to the SCRP units shall be as follows:

(1) The County shall continue to abide by the requirements of the Sussex County Fair Housing Policy in its coordination with the Developer about this Development. A copy of the Sussex County Fair Housing Policy is attached hereto as Exhibit **D**.

(2) The Department shall annually provide updated income guidelines (as determined by HUD's annual update to the Area Median Income Limits For Sussex County, which take into account inflation) and rent formulas to the Developer for use in leasing the SCRP Units.

(3) The County shall develop a dedicated page within its official website (sussexcountyde.gov) that will create a lottery for all potential SCRP tenants. A software program will generate a randomized list of prequalified potential tenants.

11. As required by Chapter 72, the Tenant's additional obligations as they relate to the SCRP units shall be as follows:

(1) All prospective Tenants shall provide proof of citizenship.

(2) All prospective Tenants shall provide proof income eligibility pursuant to this Agreement and Chapter 72 to the Developer.

(3) All prospective Tenants shall provide proof of employment and residence in Sussex County of at least 1 year prior to the application to the Developer.

(4) All prospective Tenants shall provide proof of no felony convictions (provided that this is a requirement of all Tenants in the Development) to the Developer and/or the Department.

(5) All prospective Tenants shall provide proof that the unit will be the Tenant's primary residence to the Developer. This obligation shall continue as an annual requirement for all SCRP tenants and shall be a requirement of the lease.

12. The parties agree that in accordance with §72-28.D of Chapter 72, the Department is authorized to pursue any available remedy, legal or equitable in nature, to enforce the requirements of Chapter 72 and this Agreement and/or to prevent or abate a violation of Chapter 72 and/or this Agreement. Further, the Department may take legal action to stop or cancel any lease of a SCRP unit if the Tenant does not comply with all requirements of the program and may recover any funds improperly obtained from the rental of a SCRP unit in violation of Chapter 72 in this Agreement.

13. In the event of litigation brought by the County, the Department or the Developer to enforce the terms and conditions of Chapter 72 and/or of this Agreement, the prevailing party shall be entitled to an award of legal costs and fees incurred in that litigation.

14. This Agreement is binding upon the parties, their heirs, successors and assigns.

15. If any portion of this Agreement is held to be invalid, the remaining portions shall survive and remain in full force and effect.

16. Any litigation which may be brought relating to this Agreement shall occur within the State of Delaware and in a Court located in Sussex County, Delaware.

17. This Agreement shall be recorded in the Office of the Recorder of Deeds in and for Sussex County as a Restrictive Covenant that shall run with and bind the land upon which the

Development is situated. In furtherance thereof, this Agreement, as a Restrictive Covenant, shall be binding upon the Developer, any assignees, mortgagees, purchasers (including buyers of individual units) and all other parties that shall receive title to the Development. In the event any mortgagee acquires the Property through foreclosure or acceptance of a deed-in-lieu of foreclosure, the terms of this Agreement as a Restrictive Covenant shall continue in full force and effect and remain binding upon the Development. This Agreement as a Restrictive Covenant shall be senior to all mortgages, liens or other instruments securing debts or financing and as necessary, Developer shall obtain and provide County with Subordination Agreements confirming this obligation.

18. The Developer acknowledges that its principal officers are required to execute this Agreement both individually and on behalf of the entity pursuant to a duly adopted resolution of the entity and that such resolution has been adopted.

19. The Developer, the Department, and the Developer's Rental Agent/Property Manager shall execute a Memorandum of Understanding setting forth the internal procedures for implementing the requirements of this Agreement.

20. This Agreement shall remain in effect for a period of thirty (30) years from the date the first SCRP unit lease agreement is executed by an eligible tenant.

IN WITNESS WHEREOF, the parties have set their hands and seals on the respective dates as set forth below.

SUSSEX COUNTY

By: _____ (SEAL)
Michael Vincent, President

**DEPARTMENT OF COMMUNITY
DEVELOPMENT AND HOUSING**

By: _____ (SEAL)
Brad Whaley, Director

CB LEWES, LLC

By: _____ (SEAL)
, Managing Member

By: _____ (SEAL)
, Individually

STATE OF DELAWARE :
: ss.
COUNTY OF SUSSEX :

BE IT REMEMBERED, that on this ____ day of _____, A.D. 2020, personally appeared before me, a Notary Public for the State and County aforesaid, **MICHAEL VINCENT**, President of Sussex County, party to this Agreement and Restrictive Covenants, the said undersigned being known to me personally to be such, and he did acknowledge this Indenture to be his act and deed and the act and deed of Sussex County; and that the signature of said President is in his own proper handwriting; and that his act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by a resolution of Sussex County.

GIVEN under my Hand and Seal of Office, the day and year aforesaid.

NOTARY PUBLIC
Commission Expiration Date: _____

STATE OF DELAWARE :
: ss.
COUNTY OF SUSSEX :

BE IT REMEMBERED, that on this ____ day of _____, A.D. 2020, personally appeared before me, a Notary Public for the State and County aforesaid, **BRAD WHALEY**, Director of Department of Community Development and Housing, party to this Agreement and Restrictive Covenants, the said undersigned being known to me personally to be such, and he did acknowledge this Indenture to be his act and deed and the act and deed of Department of Community Development and Housing; and that the signature of said Director is in his own proper handwriting; and that his act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by a resolution of Department of Community Development and Housing.

GIVEN under my Hand and Seal of Office, the day and year aforesaid.

NOTARY PUBLIC

Commission Expiration Date:_____

STATE OF DELAWARE :
: ss.
COUNTY OF SUSSEX :

BE IT REMEMBERED, that on this ____ day of _____, A.D. 2020, personally appeared before me, a Notary Public for the State and County aforesaid, _____, Managing Member of CB Lewes, LLC, a Delaware limited liability corporation, party to this Agreement and Restrictive Covenants, the said undersigned being known to me personally to be such, and he did acknowledge this Indenture to be his act and deed and the act and deed of CB Lewes, LLC; and that the signature of said Managing Member is in his own proper handwriting; and that his act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by a resolution of CB Lewes, LLC.

GIVEN under my Hand and Seal of Office, the day and year aforesaid.

NOTARY PUBLIC

Commission Expiration Date:_____

STATE OF DELAWARE :
: ss.
COUNTY OF SUSSEX :

BE IT REMEMBERED, that on this ____ day of _____, A.D. 2020, personally appeared before me, a Notary Public for the State and County aforesaid, _____, individually, party to this Agreement and Restrictive Covenants, the said undersigned being known to me personally to be such, and he did acknowledge this Indenture to be his act and deed.

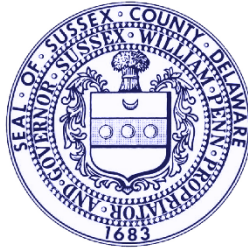
GIVEN under my Hand and Seal of Office, the day and year aforesaid.

NOTARY PUBLIC

Commission Expiration Date:_____

ENGINEERING DEPARTMENT

ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
PUBLIC WORKS	(302) 855-7703
RECORDS MANAGEMENT	(302) 854-5033
UTILITY ENGINEERING	(302) 855-7717
UTILITY PERMITS	(302) 855-7719
UTILITY PLANNING	(302) 855-1299
FAX	(302) 855-7799



Sussex County

DELAWARE
sussexcountyde.gov

HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

MEMORANDUM

TO: Sussex County Council
The Honorable Michael H. Vincent, President
The Honorable Irwin G. Burton III, Vice President
The Honorable Douglas B. Hudson
The Honorable John L. Rieley
The Honorable Samuel R. Wilson, Jr.

FROM: Hans Medlarz, P.E., County Engineer

RE: ***Ellendale Water District, Project W20-17***
A. Davis, Bowen & Friedel, Inc. Amendment No. 1 – Additional Services

DATE: December 15, 2020

As per Del. Code, enough petitions requesting the creation of a water district in the greater Ellendale area were submitted in 2017. A potential district boundary was established in conjunction with the Town of Ellendale. County Council accepted Resolution No. R 024 17, approving the boundary on September 19, 2017, and a referendum was held on November 4, 2017. However, it did not receive sufficient votes to proceed.

Residents in favor of the formation of a district regrouped and in conjunction with the Engineering Department optimized the boundary, including only areas of greatest need and resubmitted the required number of petitions. On June 26, 2018, Council approved Resolution No. R 009 18, establishing the revised boundary of the Ellendale Water District. A referendum was held on September 15, 2018, with the final count revealing the eligible voters to be in favor of the project.

Based on the affirmative results of the election, and in accordance with Title 9 Delaware Code Section 6507, County Council approved the Ellendale Water District on October 2, 2018 through Resolution No. R 015 18. Subsequently, the Engineering Department submitted a State Drinking Water SRF capital funding package which made it on the State's Project Priority List with the highest ranking. The application reflected Artesian Water Company as the water supplier at rates and terms necessary to meet the referendum approved maximum annual user rate of \$430.00 for the average residential account within the District.

On January 29, 2019 Council approved the Ellendale Water District Agreement with the Artesian Water Company. In addition to creating the water district in accordance with Del Code Title 9, the County had to also obtain a Certificate of Public Convenience and Necessity as per Del Code Title 26 to serve the area. This certificate was issued by the State's Public Service Commission on August 6, 2019.



Due to the project's extraordinarily important priority under the Governor's initiative, the Department of Health and Social Services (DHSS) requested funding under the FY20 & FY21 State Bond Bills. The Legislature approved a total of \$5.75 million for the Ellendale Water District project over these two fiscal years. The State's as well as the County's efforts will also focus on improving plumbing of the project area, thereby reducing unintentional water consumption and its associated cost.

On May 14, 2019, Council had approved the selection of three (3) consulting engineering firms to provide professional services: Davis, Bowen & Friedel (DBF); George Miles and Buhr (GMB); and KCI Technologies, Inc. (KCI). DBF previously worked on behalf of Artesian on the Ingram Village portion of the Ellendale water system and therefore has substantial data already assembled, reducing the system design cost. Therefore, the Engineering Department solicited a stand-alone agreement from DBF for design, permitting and bidding, including survey, geotechnical work & wetlands delineation as needed.

On November 5, 2019, Council approved the DBF proposal by authorization of the stand-alone agreement for professional services in the amount of \$ 185,000.00. Design of Sussex County Project W20-17 immediately commenced.

In recent months as the design and permitting efforts neared completion it was determined, in coordination with Artesian, a hydropneumatic water storage tank with building should be included into the project to optimize the water system. The Engineering Department determined the bidding phase was best suited with these additional improvements incorporated under a single project advertisement and construction contract, and as such directed DBF to expand their original scope, and revise or update their design and permitting tasks, to include the proposed tank and building.

As requested, DBF has provided an estimated fee increase associated with the additional scope and professional services requested by the Department. Amendment No. 1 reflects increased services including but not limited to field survey, mapping, easement acquisition support, and design and permitting revisions as related to the proposed hydropneumatic water storage tank and building. The Engineering Department requests authorization of Amendment No. 1, increasing the professional services agreement with DBF by \$35,000.00 for a not-to-exceed total value of \$ 220,000.00.

DBF's design and permitting efforts are substantially complete and the Engineering Department intends to advertise the water project for construction bids before the end of 2020.

This is **EXHIBIT K**, consisting of [2] pages, referred to in and part of the **Agreement between Owner and Engineer for Professional Services** dated [November 5, 2019].

**AMENDMENT TO OWNER-ENGINEER AGREEMENT
Amendment No. 1**

The Effective Date of this Amendment is: December 15, 2020.

Background Data

Effective Date of Owner-Engineer Agreement: **November 5, 2019**

Owner: **Sussex County**

Engineer: **Davis, Bowen & Friedel**

Project: **Ellendale Water District, Project W20-17**

Nature of Amendment:

- Additional Services to be performed by Engineer
- Modifications to services of Engineer
- Modifications to responsibilities of Owner
- Modifications of payment to Engineer
- Modifications to time(s) for rendering services
- Modifications to other terms and conditions of the Agreement

Description of Modifications:

Perform additional work as requested by Owner to incorporate a hydropneumatic storage tank with building and related appurtenances into the design project, including but not limited to increased Basic Services described by Exhibit A, as follows:

A1.1 – Survey: Provide additional survey and mapping for the tank and building site; develop easement acquisition materials and related documents;

A1.4 – Construction Document Preparation: Prepare, revise, and/or produce construction plans and specifications for the project incorporating the proposed storage tank and building into contract bid documents;

A1.5 – Permitting: Prepare, revise, and/or produce documents as related to permitting and/or re-permitting the project incorporating the proposed storage tank and building;

Agreement Summary:

Original agreement amount:	\$ <u>185,000.00</u>
Net change for prior amendments:	\$ <u>0.00</u>
This amendment amount:	\$ <u>35,000.00</u>
Adjusted Agreement amount:	\$ <u>220,000.00</u>

Change in time for services (days or date, as applicable): N/A

The foregoing Agreement Summary is for reference only and does not alter the terms of the Agreement, including those set forth in Exhibit C.

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect.

OWNER:

ENGINEER:

By: _____
Print name: _____

By: _____
Print name: Jason P. Loar, P.E.

Title: _____

Title: _____

Date Signed: _____

December 10, 2020
Date Signed: _____

PREVIOUSLY APPROVED FORM

ENGINEERING DEPARTMENT

ADMINISTRATION (302) 855-7718
AIRPORT & INDUSTRIAL PARK (302) 855-7774
ENVIRONMENTAL SERVICES (302) 855-7730
PUBLIC WORKS (302) 855-7703
RECORDS MANAGEMENT (302) 854-5033
UTILITY ENGINEERING (302) 855-7717
UTILITY PERMITS (302) 855-7719
UTILITY PLANNING (302) 855-1299
FAX (302) 853-5881



Sussex County

DELAWARE
sussexcountyde.gov

HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

Memorandum

TO: Sussex County Council
The Honorable Michael H. Vincent, President
The Honorable I.G. Burton, III, Vice President
The Honorable Douglas B. Hudson
The Honorable John L. Rieley
The Honorable Samuel R. Wilson, Jr.

FROM: Hans Medlarz, P.E., County Engineer

RE: ***South Coastal WRF Treatment Process Upgrade No.3 & Rehoboth Beach WTP Capital Improvement Program, Phase 2***
A. Electrical Construction, Project C19-17, Revised Change Order 8
B. General Construction, Project C19-11 Change Order Nos. 6 & 7

DATE: December 15, 2020

Intergovernmental Background:

No changes since County Council approved the updated Agreement with the Town of Selbyville on November 10, 2020.

Professional Services Background:

No changes since County Council approved GHD, Inc's Amendment No. 20 on February 4, 2020.

Overall South Coastal Project Summary:

In summary, the South Coastal WRF Treatment Process Upgrade No.3 encompasses the following components and statuses:

- a. Effluent Forcemain Relocation/Replacement; Completed in 2019.
- b. Influent Forcemain Consolidation; Completed in May of 2020.
- c. Drainage Network Rerouting;
The construction was not included in the base bid. After cost comparison between the General Labor & Equipment Contract versus a change order under



Ronca's general construction contract; Council awarded the stand alone Change Order Request 554-001 to Ronca & Sons, Inc. in the amount of \$104,592.96 on March 10, 2020. The construction was completed in July 2020.

- d. General Construction Project C19-11; awarded on December 17, 2019 to M.F. Ronca & Sons, Inc.

On March 10, 2020 Council awarded Change Order No.1 in the net amount of \$97,294.31 for deletion of the record drawing requirement and the modification of the RBWTF influent forcemains.

On May 12, 2020 Council authorized credit Change Order No. 2 in the amount of (\$12,705.00) eliminating an explosion proof motor requirement.

On July 28, 2020 Council approved credit Change Order No. 3 in the combined amount (\$9,764.30) for use of surplus materials from other County projects.

Change Order No.4 in the amount of \$871,000.00 for the repairs of partial failures at the two City of Rehoboth's wastewater treatment plant oxidation ditch systems was also approved on July 28, 2020. Since then M.F. Ronca & Sons, Inc. completed steel framing repairs in the first oxidation ditch on a time & material basis. Data at this time indicates the total cost will be approximately \$10,500.00. This is in addition to the concrete repairs which are being conducted per the awarded contingent unit price schedules. Once complete they will be brought forward as a unit quantity adjustment change order. For now, the Engineering Department requests approval of Change Order No. 6 for the steel framing repairs in an amount of \$10,500.00.

On September 22, 2020 Council approved Change Order No.5 in the combined amount of \$32,991.66 covering the aeration tank drain modifications and the headworks piping modifications at South Coastal. Since then, the Environmental Services Team has been considering how to contain a spill in the case of pipe damage. GHD issued RFP-031 and M.F. Ronca & Sons, Inc. the installation of plug valves on each of the 12-inch recycle influent pipes to be connected to the existing Aeration Tank Nos. 1-4 and to the new Aeration Tank Nos. 7-8. The Engineering Department request approval of Change Order No. 7 for the additional shut off valves in the amount of \$31,974.51.

- e. Electrical Construction Project C19-17; awarded on December 17, 2019 to BW Electric, Inc.

On February 4, 2020 Council awarded Change Order No.1 in the credit amount of (\$759,374.80) mostly for changes to the conduit materials. A second credit

change order was approved on March 10, 2020 in the amount of (\$6,800.00) for ductbank modifications.

On April 7, 2020 Council approved Change Order No.3 in the not to exceed amount of \$235,637.33 for DP&L requested changes to the utility power service entrance location at the RBWTP.

On May 12, 2020 Council authorized Change Order No.4 in the amount of \$11,350.00 for reconstruction of the original electrical equipment in South Coastal's sludge handling building electrical room accommodating a longer motor control center.

On July 28, 2020 Council approved Change Order No.5 in the combined amount of \$37,830.00 for the removal of an existing electrical handhole and duct bank and the modification of the duct bank between the DP&L utility switching pedestal and the transformer.

On September 22, 2020 Council approved Change Order No.6 in the amount of \$16,550.00 for the change of the sewer service for the Return Sludge Building No. 2 from a gravity drain to a pumped approach.

On September 22, 2020 Council also approved Change Order No. 7 in the not to exceed amount of \$307,300.00 for the City of Rehoboth's oxidation ditch complete electrical equipment replacement. This change order had an allowance for sensor replacements which proved too low and required an increase of \$6,582.80. Council approved the modification to Change Order No. 7 on November 10, 2020.

On November 10, 2020 Council also approved Change Order No. 8 in the aggregate amount of \$2,249.00 covering RFP-027, RFP-028, RFP-029 & RFP-030. GHD has concluded that RFP-029 can be rescinded in its entirety. Therefore, the scope of work in the Sludge Building reverts to the Drawings, as modified by Change Order No. 4 associated with RFP-016. The Engineering Department recommends acceptance of the modification reducing Change Order No. 8 by \$9,040.00 for a modified net total credit of (\$6,791.00).

- f. Mobile Belt Filter Press; awarded on January 7, 2020 Council to Kershner Environmental Technologies. The unit was deployed at the Inland Bays RWF reducing legacy lagoon solids accumulation.
- g. DP&L expenses; on February 4, 2020 Council approved the electric utility service relocation contract.
- h. The Rehoboth Beach WTP was built on a municipal landfill and the design anticipated removal, but the actual amount trash encountered exceeded expectations. Therefore, Council approved a stand-alone purchase order to Melvin L. Joseph Construction Company, Inc. for material hauling & screening

on July 14, 2020. The work is complete, and the screening was effective reducing the cost by over 60%.

The updated expenses associated with the South Coastal WRF Treatment Process Upgrade No.3 & Rehoboth Beach WTP Capital Improvement Program, Phase 2 are summarized in the attached spreadsheet.



**SUSSEX COUNTY
CHANGE ORDER REQUEST**

A. ADMINISTRATIVE:

1. Project Name: **SCRWF Treatment Process Upgrade No. 3 & RBWTP Capital Improvement Program, Phase 2 – Electrical Construction**
2. Sussex County Project No. C19-17
3. **Revised** Change Order No. 8
4. Date Change Order Initiated - 12/15/20
5.
 - a. Original Contract Sum \$22,178,674.00
 - b. Net Change by Previous Change Orders (\$691,613.00)
 - c. Contract Sum Prior to Change Order \$21,794,361.00
 - d. Requested Change (\$9,040.00)
 - e. Net Change (No. of days) 0
 - f. New Contract Amount \$21,785,321.00
6. Contact Person: Hans Medlarz, P.E.
Telephone No. (302) 855-7718

B. REASON FOR CHANGE ORDER (CHECK ONE)

1. Differing Site Conditions
2. Errors and Omissions in Construction Drawings and Specifications
3. Changes Instituted by Regulatory Requirements
4. Design Change
5. Overrun/Underrun in Quantity

Kaycee Widen

From: Hans Medlarz
Sent: Friday, December 11, 2020 9:36 AM
To: Kaycee Widen
Subject: RFP-029 -- Removal

From: Steven Clark <Steven.Clark@ghd.com>
Sent: Friday, December 4, 2020 3:56 PM
To: Hans Medlarz <hans.medlarz@sussexcountyde.gov>; BW Electric Office <office@bwelectricinc.com>; Bryon Warren <bryon@bwelectricinc.com>; Jason Walters <jason@bwelectricinc.com>
Cc: Dave Murray <Dave.Murray@ghd.com>; Nathan Irvin <nathan.irvin@sussexcountyde.gov>
Subject: RE: RFP-029 -- PAUSE

BW, Hans,

I can confirm that RFP-029 can be rescinded in its entirety. BW's scope of work in the Sludge Building reverts back to what is shown in the Drawings, as modified by the CO associated with RFP-016.

I understand no physical work has been completed for RFP-029 – i.e. BW has not yet

- Modified the existing panelboard RP
- Fabricated the replacement panelboard GPSLB2
- Demolished the existing receptacle
- Installed new conduit, or
- Installed new conductors

I suggest that Hans and Bryon can decide on how to manage the administration, including whether to issue a counter CO, or use this amount for to cover a future scope addition of similar magnitude.

Regards,

STEVEN CLARK
P.E., BCEE
Project Manager

GHD
Proudly employee-owned | ghd.com
16701 Melford Boulevard Suite 330 Bowie MD 20715 USA
D +1 240 206 6865 M +1 443 875 5061 E steven.clark@ghd.com



**SUSSEX COUNTY
CHANGE ORDER REQUEST**

A. ADMINISTRATIVE:

1. Project Name: **SCRWF Treatment Process Upgrade No. 3 & RBWTP Capital Improvement Program, Phase 2 – General Construction**
2. Sussex County Project No. C19-11
3. Change Order No. 6
4. Date Change Order Initiated - 12/15/20
5.
 - a. Original Contract Sum \$39,526,400.00
 - b. Net Change by Previous Change Orders \$1,078,159.63
 - c. Contract Sum Prior to Change Order \$40,604,559.63
 - d. Requested Change \$10,500.00
 - e. Net Change (No. of days) 0
 - f. New Contract Amount \$40,615,059.63
6. Contact Person: Hans Medlarz, P.E.
Telephone No. (302) 855-7718

B. REASON FOR CHANGE ORDER (CHECK ONE)

1. Differing Site Conditions
2. Errors and Omissions in Construction Drawings and Specifications
3. Changes Instituted by Regulatory Requirements
4. Design Change
5. Overrun/Underrun in Quantity

6. Factors Affecting Time of Completion

 7. Other (explain below):

C. BRIEF DESCRIPTION OF CHANGE ORDER:

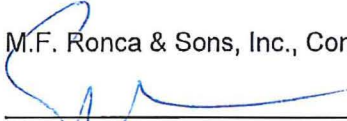
Steel framing repairs.

D. JUSTIFICATION FOR CHANGE ORDER INCLUDED?

Yes X No

E. APPROVALS

1. M.F. Ronca & Sons, Inc., Contractor


Signature _____ Date 12/11/20
SCOTT WACHINSKI - PROJECT MANAGER
Representative's Name in Block Letters

2. Sussex County Engineer


Signature _____ Date 12/11/20

3. Sussex County Council President

Signature _____ Date



TELEPHONE 610/759-5100
FACSIMILE 610/746-0974

179 Mikron Road, Bethlehem, PA 18020

November 30, 2020

Mr. Steven Clark, P.E.
GHD
16701 Melford Boulevard, Suite 330
Bowie, MD 20715

Re: Sussex County
SCRWF-RBWTP CIP Phase 2 Upgrades
Proposed Change Order Request No. 554-007
RBWTP Ox. Ditch Structural Steel Resurfacing

Dear Mr. Clark:

Please consider this writing to be Michael F. Ronca & Sons, Inc.'s formal change order request for performance of the above referenced work, in the amount of Five Thousand Sixteen Dollars and 95 Cents.....(\$5,016.95).

Enclosed for your review is a corresponding breakdown of costs.

Should this change order request be acceptable as provided, please prepare the appropriate change order documentation and forward the same to our office for further processing. Until then, should you have any questions, or require additional information, please do not hesitate to contact me.

Regards,

Scott Wachinski

Project Manger

cc: HO file 554
Hans M. Medlarz, P.E. – Sussex Co.
David A. Ronca – M.F. Ronca

Sussex County - SCRWF-RBWWTP CIP Phase 2 Upgrades

PCOR 554-007 RBWWTP Ox. Ditch Structural Steel Resurfacing

11/30/2020

CHANGE ORDER SUMMARY

Item 1 T&M Resurfacing of RBWWTP Ox. Ditch Corroded Structural Steel Per GHD's 11.18.20 Email Directive. Work completed on 11/19, 11/20, 11/23 & 11/24.

Labor	\$0.00
Materials	\$0.00
Equipment	\$0.00
Subcontract	\$4,778.05
Subtotal	\$4,778.05
Contractor Overhead & Profit @ 15%	\$0.00
Contr. Overhead & Profit on Subcontr. @ 5%	\$238.90
Item Total	\$5,016.95
Change Order Total	\$5,016.95

Sussex County - SCRWF-RBWWTP CIP Phase 2 Upgrades

PCOR 554-007 RBWWTP Ox. Ditch Structural Steel Resurfacing

11/30/2020

<u>Item</u>	<u>Description</u>						
Item 1	T&M Resurfacing of RBWWTP Ox. Ditch Corroded Structural Steel Per GHD's 11.18.20 Email Directive. Work completed on 11/19, 11/20, 11/23 & 11/24.						
	Labor:	<u>Qty</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total</u>		
				\$0.00	\$0.00	Labor Total:	\$0.00
	Materials:	<u>Qty</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total</u>		
				\$0.00	\$0.00	Material Total:	\$0.00
	Equipment:	<u>Qty</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total</u>		
				\$0.00	\$0.00	Equipment Total:	\$0.00
	Subcontract:	<u>Qty</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total</u>		
	Coatings Subcontractor	1.00	LS	\$4,778.05	\$4,778.05	Subcontract Total:	\$4,778.05
						Item Total:	\$4,778.05



**SUSSEX COUNTY
CHANGE ORDER REQUEST**

A. ADMINISTRATIVE:

1. Project Name: **SCRWF Treatment Process Upgrade No. 3 & RBWTP Capital Improvement Program, Phase 2 – General Construction**
2. Sussex County Project No. C19-11
3. Change Order No. 7
4. Date Change Order Initiated - 12/15/20
5.
 - a. Original Contract Sum \$39,526,400.00
 - b. Net Change by Previous Change Orders \$1,088,659.63
 - c. Contract Sum Prior to Change Order \$40,615,059.63
 - d. Requested Change \$31,974.51
 - e. Net Change (No. of days) 0
 - f. New Contract Amount \$40,647,034.14
6. Contact Person: Hans Medlarz, P.E.
Telephone No. (302) 855-7718

B. REASON FOR CHANGE ORDER (CHECK ONE)

1. Differing Site Conditions
2. Errors and Omissions in Construction Drawings and Specifications
3. Changes Instituted by Regulatory Requirements
4. Design Change
5. Overrun/Underrun in Quantity

- 6. Factors Affecting Time of Completion
- 7. Other (explain below):

C. **BRIEF DESCRIPTION OF CHANGE ORDER:**
Additional shut off valves for pipes connecting to aeration tanks.

D. **JUSTIFICATION FOR CHANGE ORDER INCLUDED?**

Yes No


E. **APPROVALS**

1. M.F. Ronca & Sons, Inc., Contractor


Signature 12/11/20
Date

SCOTT WACHINSKI - PROJECT MANAGER
Representative's Name in Block Letters

2. Sussex County Engineer


Signature 12/11/20
Date

3. Sussex County Council President

Signature Date



TELEPHONE 610/759-5100
FACSIMILE 610/746-0974

179 Mikron Road, Bethlehem, PA 18020

December 7, 2020

Mr. Steven Clark, P.E.
GHD
16701 Melford Boulevard, Suite 330
Bowie, MD 20715

Re: Sussex County
SCRWF-RBWWTP CIP Phase 2 Upgrades
Proposed Change Order Request No. 554-008
SCRWF Aer. Tank Recycle Valves

Dear Mr. Clark:

Please consider this writing to be Michael F. Ronca & Sons, Inc.'s formal change order request for performance of the above referenced work, in the amount of Thirty One Thousand Nine Hundred Seventy Four and 51 Cents.....(\$31,974.51).

Enclosed for your review is a corresponding breakdown of costs.

Should this change order request be acceptable as provided, please prepare the appropriate change order documentation and forward the same to our office for further processing. Until then, should you have any questions, or require additional information, please do not hesitate to contact me.

Regards,

Scott Wachinski

Project Manger

cc: HO file 554
Hans M. Medlarz, P.E. – Sussex Co.
David A. Ronca – M.F. Ronca

Sussex County - SCRWF-RBWWTP CIP Phase 2 Upgrades

PCOR 554-008 SCRWF Aer. Tank Recycle Valves

12/7/2020

CHANGE ORDER SUMMARY

Item 1 Addition of 12" Plug Valves to Aer. Tank Recycle Lines for Tanks 1-4 & 7-8 in Accordance with GHD RFP-031 to Include Valve Boxes, Hand Wheel Operators w/Stems, etc.

Labor	\$2,322.00
Materials	\$25,294.00
Equipment	\$187.92
Subcontract	\$0.00
Subtotal	\$27,803.92
Contractor Overhead & Profit @ 15%	\$4,170.59
Contr. Overhead & Profit on Subcontr. @ 5%	\$0.00
Item Total	\$31,974.51
Change Order Total	\$31,974.51

Sussex County - SCRWF-RBWWTP CIP Phase 2 Upgrades

PCOR 554-008 SCRWF Aer. Tank Recycle Valves

12/7/2020

<u>Item</u>	<u>Description</u>					
Item 1	Addition of 12" Plug Valves to Aer. Tank Recycle Lines for Tanks 1-4 & 7-8 in Accordance with GHD RFP-031 to Include Valve Boxes, Hand Wheel Operators w/Stems, etc.					
	Labor:	<u>Qty</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total</u>	
	Mechanic/Fitter	12.00	MH	\$122.18	\$1,466.16	
	Laborer	12.00	MH	\$71.32	\$855.84	Labor Total: \$2,322.00
	Materials:	<u>Qty</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total</u>	
	6 EA 12" Plug Valves	1.00	LS	\$23,734.00	\$23,734.00	
	12" MJ Access, Flg Access. Valve Boxes, Etc.	1.00	LS	\$1,560.00	\$1,560.00	Material Total: \$25,294.00
	Equipment:	<u>Qty</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total</u>	
	STS	12.00	HR	\$15.66	\$187.92	Equipment Total: \$187.92
	Subcontract:	<u>Qty</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total</u>	
				\$0.00	\$0.00	Subcontract Total: \$0.00
						Item Total: \$27,803.92

Project Title	SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2		
Owner	Sussex County, Delaware		
Contract No.	C19-11: General Construction	GHD Project No.	11121182
Contractor is requested to provide a Change Proposal for the following proposed modifications to the Work. This request alone neither directs nor approves any change to the Work nor any adjustments to the Contract Price or Contract Times. Contractor's proposal shall be submitted to Engineer for review and shall adhere to all requirements of the Contract Documents. If found acceptable to Owner and Engineer, Contractor's Change Proposal will be incorporated into the Work via Change Order.			
RFP No.	031		
RFP Subject	Aeration Tank Recycle Influent Valves		
Issued By	E. Bose	Issue Date	Dec. 1, 2020

Description of proposed changes:

Please provide a cost proposal to install a plug valve on each of the 12" recycle influent pipes to be connected to the existing Aeration Tank Nos. 1-4 and to the new Aeration Tank Nos. 7-8. The plug valves shall be full port and provided with gear boxes to allow 12 turn open/close operation. All of the valves shall be provided with handwheel operators and custom stems to place each handwheel 2 feet above grade. A total of six (6) plug valves shall be provided. Each valve shall be located near the wall penetration for the corresponding aeration tank.

For the installation of the valves at Aeration Tanks 1-4, the valve shall be provided with restrained joint connections. The downstream end of the valve (adjacent to the tank wall) shall connect to the short pipe length that will penetrate the wall through core-drilled holes. The upstream end of the valve, and the remaining piping back to the Recycle Distribution Box, shall be connected using restrained joints as submitted and shown in the Contract Drawings. Aeration Tank Nos. 1 and 4 shall be provided with a valve box to encase the below grade portion of the handwheel operator stem. Aeration Tank Nos. 2 and 3 shall be provided with handwheel operators and no valve box. See additional details for Aeration Tank Nos. 1-4 provided in the markup figures below.

The valve to be installed at Aeration Tank No. 7, shall be provided with flanged connections. The downstream flange of the plug valve shall be connected directly to the aeration tank wall pipe. This valve shall be provided with a handwheel operator with no valve box. For Aeration Tank No. 8 provide a small pipe section between the aeration tank wall pipe to provide at least 18" of pipe length between the wall and new valve. The valve for Aeration Tank 8 shall be provided with restrained joint connections and shall be provided with a valve box to encase the below grade portion of the handwheel operator stem. Similar to Aeration Tank Nos. 1-4, the remaining piping upstream of the valves servicing Tank 7 and 8 shall be connected using restrained joints as submitted and shown in the Contract Drawings. See additional details for Aeration Nos. Tanks 7 and 8 provided in the markup figures below.

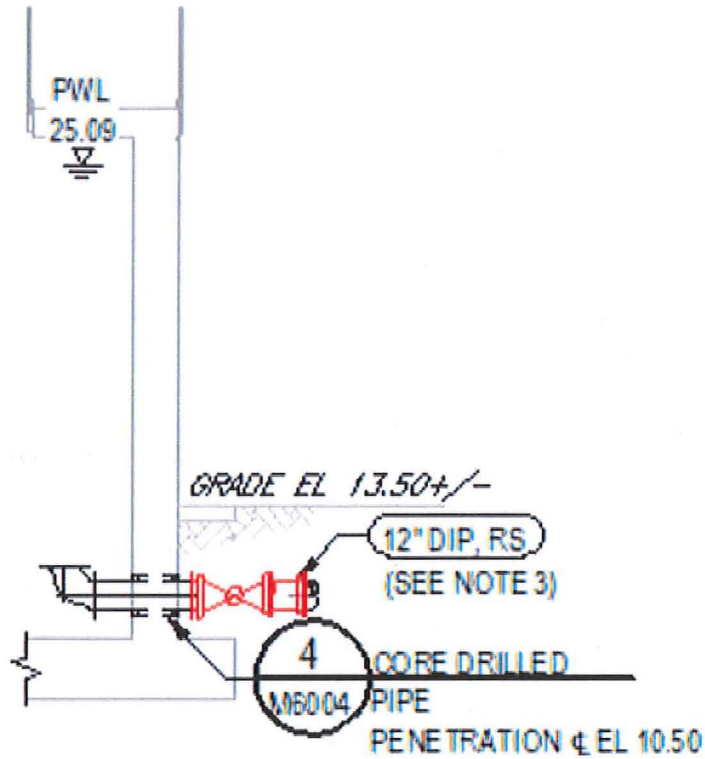
GHD

16701 Melford Boulevard Suite 330 Bowie Maryland 20715 USA
T 240 206 6810 F 240 206 6811 W www.ghd.com





AERATION BASINS 1 & 4



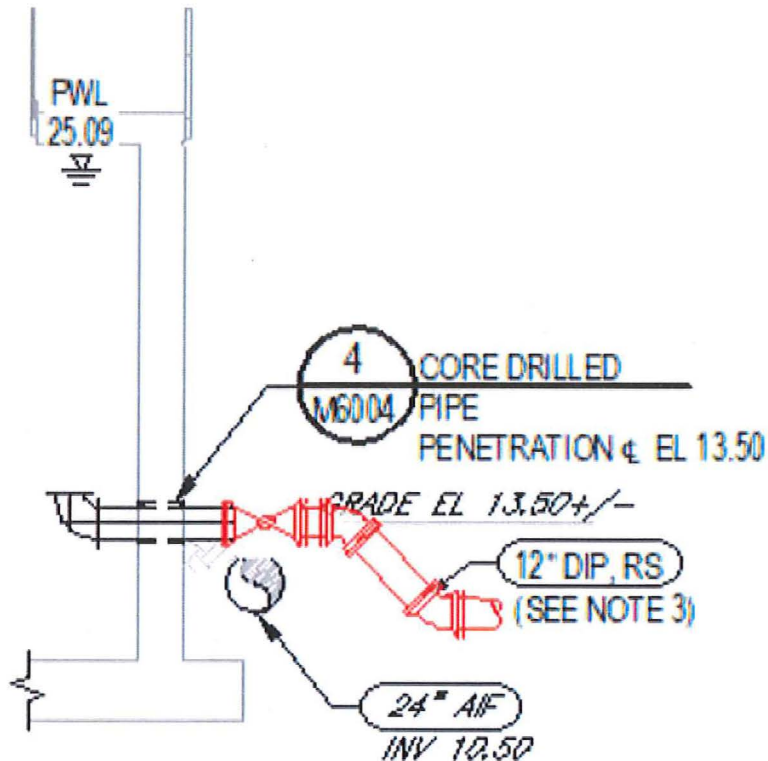
PARTIAL SECTION

SCALE: 1/8"=1'-0"

1. INSTALL PLUG VALVE AT LEAST 1.5' FROM AERATION BASIN WALL.
2. PROVIDE VALVE BOX AND CONCRETE TOPPING IN ACCORDANCE WITH DETAIL 13 ON CONTRACT DRAWING SC-C6002. CONCRETE TOPPING SHALL BUTT UP TO THE EXISTING AERATION BASIN WALL WITH AN ISOLATION JOINT.



AERATION BASINS 2 & 3

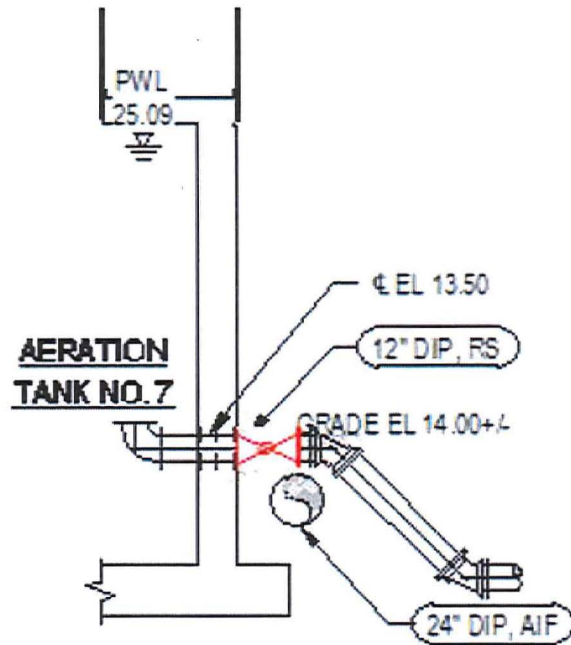


E PARTIAL SECTION

M0302 SCALE: 1/8"=1'-0"

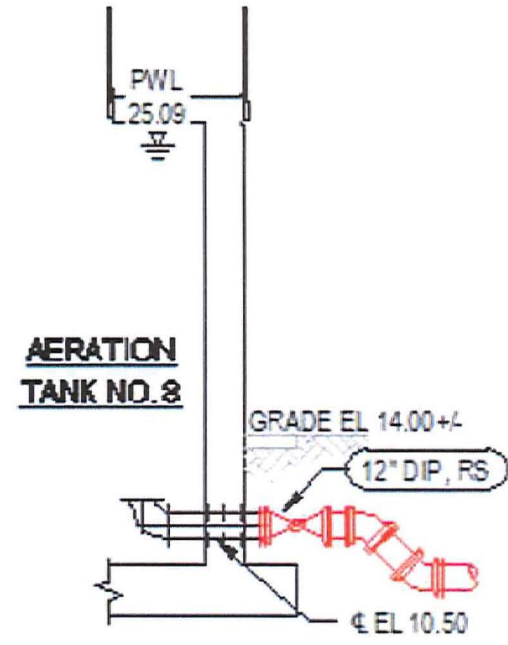
1. PROVIDE STONE AT GRADE SURROUNDING VALVE 1' IN ALL DIRECTIONS AND EXTENDING TO THE AERATION BASIN WALL.
2. ENSURE 6" MINIMUM CLEARANCE IS PROVIDED BETWEEN THE HANDWHEEL OPERATOR AND THE AERATION BASIN WALL.

AERATION BASINS 7 & 8



F PARTIAL SECTION
M0305

1. PROVIDE STONE AT GRADE SURROUNDING VALVE 1' IN ALL DIRECTIONS AND EXTENDING TO THE AERATION BASIN WALL.
2. ENSURE 6" CLEARANCE IS PROVIDED BETWEEN THE HANDWHEEL OPERATOR AND THE AERATION BASIN WALL.



G PARTIAL SECTION
M0305

1. INSTALL PLUG VALVE AT LEAST 1.5' FROM AERATION BASIN WALL.
2. PROVIDE VALVE BOX AND CONCRETE TOPPING IN ACCORDANCE WITH DETAIL 13 ON CONTRACT DRAWING SC-C6002. CONCRETE TOPPING SHALL BUTT UP TO THE EXISTING AERATION BASIN WALL WITH AN ISOLATION JOINT.

GHD

16701 Melford Boulevard Suite 330 Bowie Maryland 20715 USA
T 240 206 6810 F 240 206 6811 W www.ghd.com

N:\US\Bowie\Projects\1111\1121182 South Coastal Expansion\TECH\Construction\Work Changes\Request for Proposals\RFP-031 Aeration Tank Recycle Influent Valves\RFP-031 Aeration Tank Recycle Influent Valves.docx

ISO 9001
ENGINEERING DESIGN

South Coastal RWF & Rehoboth Beach WTF Upgrade

12/11/2020

Vendor/Contract	Description	Contract Value
Michael F. Ronca & Sons, Inc.	SCRWF/RBWWTP General Construction	40,647,034.14
BW Electric Inc.	SCRWF/RBWWTP Electrical Construction	21,785,321.00
BW Electric Inc. CO#3	DP&L Service Entrance Modification Conduit System	235,637.33
BW P.O.	Soil Screening @ Rehoboth Plant	4,504.50
GHD	Amd 11 - SCRWF Expansion to 10mgd - Planning & Concept	241,938.68
	Amd 12 - SCRWF Expansion Construction Docs	2,240,280.73
	Amd 13 - Value Engineering	95,080.15
	Amd 14 - Rehoboth WTP Capital Improvement Program Upgrade Phase 2/Joint Project with SCRWF Expansion	398,410.63
	Amd 16 - Ocean Outfall Discharge Modeling & Wetlands Delineation for SCRWF and Add'l Design Services for Rehoboth WTP Capital Improvement Program	181,089.72
	Amd 18 - RBWTP CIP Upgrade Phase 2 - Add'l Design	172,153.01
	Amd 19 - SCRWF Upgrade 3 Add'l Design	108,073.71
	Amd 20 - SCRWF Upgrade 3/RBWTP Upgrade Phase 2 Construction Engineering	6,589,558.49
Core & Main	Influent FM Consolidation Materials	339,944.59
Core & Main	Effluent FM Pipeline Materials	227,603.39
Delmarva Power	Improve service entrances for both projects	175,000.00
G&L	FM Consolidation & Influent Consolidation Phase II	973,229.04
G&L Work- Effluent Relocation		316,635.20
G&L Work - RB Treatment Plant	Parking Lot Repavement	
Kershner Environmental Technologies	Belt Press	295,000.00
Melvin Joseph	Material Screening	14,000.00
DSWA	Loading, Hauling & Disposal of Debris	7,000.00

Totals		75,047,494.31
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ENGINEERING DEPARTMENT

ADMINISTRATION (302) 855-7718
AIRPORT & INDUSTRIAL PARK (302) 855-7774
ENVIRONMENTAL SERVICES (302) 855-7730
PUBLIC WORKS (302) 855-7703
RECORDS MANAGEMENT (302) 854-5033
UTILITY ENGINEERING (302) 855-7717
UTILITY PERMITS (302) 855-7719
UTILITY PLANNING (302) 855-1299
FAX (302) 853-5881



Sussex County

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sussexcountyde.gov

HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

Memorandum

TO: Sussex County Council
The Honorable Michael H. Vincent, President
The Honorable Irwin G. Burton III, Vice President
The Honorable Douglas B. Hudson
The Honorable John L. Rieley
The Honorable Samuel R. Wilson, Jr.

FROM: Hans Medlarz, P.E., County Engineer

RE: ***Herring Creek Sanitary Sewer District: North Gravity Sewer and Force Main, Project S20-07***
A. Change Order No. 1, Recommendation to Issue
B. Modification of Easement, Parcel 234-17.12-15.00

DATE: December 15, 2020

On August 2, 2016, County Council created the Herring Creek Area Expansion of the Sussex County Unified Sewer District. On October 2, 2018, County Council approved WRA Associates, Inc.'s professional services Amendment No. 1 under the Herring Creek base contract for the final design followed by an approval on November 19, 2019 for the contract administration and inspection of Project S20-06 exclusively. The Department is still in negotiations with the consultants on the scope of services required during construction for Project S20-07.

On March 20, 2017, the Finance Department filed an overall funding application for approximately \$20,500,000 with USDA/Rural Development, Rural Utility Service. Ultimately USDA funding was obligated over three (3) funding cycles. Due to the size of the project USDA requested a phasing plan. Phase 1 encompasses the pump stations and pressure mains, Phase 2 provides the sewer collection system off Sloan Road, Phase 3 provides the collection system for all minor and major subdivisions off Banks Road and Phase 4 includes the collection system in the Winding Creek Village subdivision.

On October 8, 2019, the Herring Creek Sanitary Sewer District Phase I project was awarded to Chesapeake Turf, LLC in the amount of \$5,256,760.00.

On June 25, 2020, bids for the North Gravity Sewer and Force Main, Project S20-07 were publicly advertised, forwarded directly to contractors and made available on the County



website. On July 23, 2020, eight (8) bids were received. JJID, Inc, of Bear, Delaware submitted the low base bid of \$5,091,000.00. The low bid was within the pre-bid cost estimate and the overall project cost numbers were adjusted accordingly. All four Herring Creek projects phases have some built in contingencies, but most likely some supplemental federal funding will be required for the final phase. On August 11, 2020 County Council awarded the project to JJID, Inc. in the amount of \$5,091,000.00, contingent upon USDA concurrence. Said concurrence was issued by the agency on October 14, 2020 and the project is now under construction.

Herring Creek Sanitary Sewer District, South Gravity Sewer & Force Main, Project S20-08 in the Banks Road area is currently under permit review. It has been delayed due to extensive DelDOT interaction with regards to the restoration in the State maintained Banks Road. This component of the project had to be broken out separately for DelDOT permitting. This project also includes the directionally drilled forcemain under Hopkins Prong which ties to a manhole included in the North Gravity Sewer & Force Main, Project S20-07. In order to bring the sequencing back in line the Engineering Department requested a change order proposal to move the directional drill and its associated interconnections into Project S20-07.

Project S20-07 already contains a number of directionally drilled components which JJID, Inc. subcontracted to Drill Tech, Inc. JJID, Inc. responded with a unit cost proposal which was reviewed by the Engineering Department and compared to the directional drill under the Lewes-Rehoboth Canal of the same size which was completed under the County's General Labor & Equipment contract. Said unit cost comparison was favorable and we proposed a lump sum approach in the amount of \$259,900.00 which JJID, Inc. accepted. The Engineering Department requests Council's concurrence to issuance of Change Order No.1 contingent upon USDA concurrence.

In order to accomplish the directional drill, easements were needed on both sides of Hopkins Prong. The County secured an easement parallel with the western property line of Parcel 234-17.12-15.00. This alignment created a compound curve which is difficult to drill. Drill Tech, Inc communicated that the curved alignment alternate would increase their price by 20% without markup. Therefore, the Engineering Department approached the grantors of the original easement for consideration of a revised easement parallel with the eastern property line. They agreed to rerecord the revised document for "cost of appraisal" in the amount of \$1,500.00. The Engineering Department recommends acceptance.

Date of Issuance: 12/15/20	Effective Date: 12/15/20
Owner: Sussex County	Owner's Contract No.: S20-07
Contractor: JJID, Inc.	Contractor's Project No.:
Engineer: Whitman, Requardt & Associates	Engineer's Project No.:
Project: Herring Creek Sanitary Sewer District: North Gravity Sewer & Force Main	Contract Name:

The Contract is modified as follows upon execution of this Change Order:

Attachments:

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: <u>\$ 5,091,000.00</u>	Original Contract Times: Substantial Completion: _____ Ready for Final Payment: _____ 365 calendar days
Increase from previously approved Change Orders No. to No. ____: <u>\$ 0</u>	Increase from previously approved Change Orders No. <u>N/A</u> to No. ____: Substantial Completion: _____ Ready for Final Payment: _____ 365 calendar days
Contract Price prior to this Change Order: <u>\$ 5,091,000.00</u>	Contract Times prior to this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ 365 calendar days
Increase of this Change Order: <u>\$ 259,900.00</u>	[Increase] [Decrease] of this Change Order: 0 days Substantial Completion: _____ Ready for Final Payment: _____ 365 calendar days
Contract Price incorporating this Change Order: <u>\$ 5,350,900.00</u>	Contract Times with all approved Change Orders: Substantial Completion: _____ Ready for Final Payment: _____ 365 calendar days

RECOMMENDED: By: <u>[Signature]</u> Engineer (if required)	ACCEPTED: By: _____ Owner (Authorized Signature)	ACCEPTED: By: <u>[Signature]</u> Contractor (Authorized Signature)
Title: <u>COUNTY ENGINEER</u>	Title: _____	Title: <u>President</u>
Date: <u>12/10/2020</u>	Date: _____	Date: <u>12/9/20</u>

Approved by Funding Agency (if applicable)

By: _____ Date: _____
Title: _____

Hans Medlarz

From: Jim J. Julian <jjjulian@JJID.com>
Sent: Friday, December 4, 2020 3:52 PM
To: Hans Medlarz
Cc: Joe Volk; Chris Craig; Patrick Russell; Project
Subject: RE: Hopkins Prong: Directional Drill, straight alignment alternate 1367

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Hans

As discussed today with S/County and Drill Tech, JJID is good with the \$259,900 lump sum for the work detailed below

Please forward change order

Thanks

Jim Julian/JJID

From: Jim J. Julian
Sent: Wednesday, November 25, 2020 9:58 AM
To: 'Hans Medlarz' <hans.medlarz@sussexcountyde.gov>
Cc: Joe Volk <jvolk@jjid.com>; Chris Craig <ccraig@JJID.com>; Patrick Russell <prussell@JJID.com>; Project <Project@JJID.com>
Subject: FW: Hopkins Prong: Directional Drill, straight alignment alternate 1367

Hans

I talked again last evening to Drill Tech

Appreciate the below reply

Will review and reply again with Drill Tech

Thanks

Jim Julian/JJID

From: Hans Medlarz <hans.medlarz@sussexcountyde.gov>
Sent: Wednesday, November 25, 2020 9:25 AM
To: Jim J. Julian <jjjulian@JJID.com>
Subject: Hopkins Prong: Directional Drill, straight alignment alternate

Greetings Jim:

We have reviewed the comparison unit cost data and are ready to proceed under a lump sum as outlined below. You stated Mike Kalvaitis, owner of Drill Tech, Inc, visited the location and provided all-inclusive subcontractor costs for the 1150 feet, measured planometrically, of 8" DR 11 IPS alternate straight alignment. I expanded on the item descriptions to include activities not mentioned by you or Mike but needed for a complete job as follows:

- **\$140.00** per foot of drilling with remote wireline guidance across Hopkins Prong including drilling materials and hauling of mud for circulation;
- **\$7.50** per foot for pipe fusion including two (2) MJ adaptor and thrust anchors;
- **\$15.00** per foot material cost for 8" DR 11 IPS pipe, MJ adaptors and thrust anchors including deliveries;
- **\$10.50** per foot for Drill Tech's mobilization of a 140,000 LBS drill rig, recycler, 5,000 gallon vacuum truck, etc. (This equipment being different than their directional drill equipment to be used on the rest of the project.)

\$34.00 per foot for JJID's **direct** support costs including clearing, removal of spoils from bore, water supply, reinforced concrete thrust collars, tie-ins to the northern manhole as well as the southern pump station and restoration of both sites.

The contract, per the supplemental general conditions, allows 10% markup for any direct work of the prime, but only 5% markup on the sub. In order to gain RUS' approval JJID could mark up Drill Tech's number to \$190.30 and your direct costs to \$35.70 for a total compensation of \$226.00 per foot.

We propose to issue a **lump sum change order for \$259,900.00**. Please indicate your acceptance and we will request County Council's conditional approval pending RUS' concurrence.

Have a great Thanksgiving, Hans

Hans M. Medlarz, P.E.
 Sussex County Engineer
 2 The Circle | PO Box 589
 Georgetown, DE 19947
hans.medlarz@sussexcountype.gov
 (302) 855-7728

From: Jim J. Julian <jj Julian@JJID.com>
Sent: Friday, November 20, 2020 2:57 PM
To: Joe Volk <jvolk@jjid.com>; Patrick Russell <prussell@JJID.com>; Joel Christman <jchristman@jjid.com>; Hans Medlarz <hans.medlarz@sussexcountype.gov>; Hinz, Will <whinz@wrallp.com>
Cc: Project <Project@JJID.com>; 'jacobb43@hotmail.com' <jacobb43@hotmail.com>; Matthew Armiger <marmiger@JJID.com>
Subject: RE: Herring Creek: Directional Drill of the Prong 1367 Pricing for 1150 lf of directional drill for 8"DR 11 IP straight alignment alternate

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Hans/Will

Drill Tech, Inc is JJID subcontractor for directional drilling at Herring Creek

Mike Kalvaitis, Owner of Drill Tech, Inc, visited the location on 11/19/20 to provide the following pricing for the 1150 lf of 8" DR 11 IPS alternate with the straight alignment

\$ 140 per foot of drilling with remote wireline guidance for 8" DR 11 IPS

Pipe fusion would be \$7.50 per foot.

Supply of 8" DR 11 IPS is \$15 per foot including delivery

Drill Tech Mobilization is \$10.50/lf which includes a 140,000 LBS drill, Large recycler, 5000 gallon vacuum truck, etc which is different equipment than the Drill Tech directional drill to be used on the project

Drill Tech cost without markup is \$173/lf

JJID Drill Tech support costs include brush/tree clearing on drill side and exit side, removal of spoils from bore, water for the bore, and restoration of the drill and exit sides

JJID tie in costs include a tie in to a manhole and a tie in to the wye next to the station

JJID cost without markup to support and tie in is \$34/lf

Drill Tech and JJID costs without markup is \$207/lf

15% markup for overhead and profit on that cost would be \$238/lf or \$273,700 for 1150 lf

JJID can formalize quote on JJID letterhead if requested

Drill Tech, Inc communicated that the curved alignment alternate would increase the Drill Tech price without markup to \$250/lf which would increase the total price with JJID costs and 15% markup to \$327/lf for the 1150 lf.

Thanks

Jim Julian/JJID

ENGINEERING DEPARTMENT

ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
PUBLIC WORKS	(302) 855-7703
RECORDS MANAGEMENT	(302) 854-5033
UTILITY ENGINEERING	(302) 855-7717
UTILITY PERMITS	(302) 855-7719
UTILITY PLANNING	(302) 855-1299
FAX	(302) 855-7799



Sussex County

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sussexcountyde.gov

HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

Memorandum

TO: Sussex County Council
The Honorable Michael H. Vincent, President
The Honorable Irwin G. Burton III, Vice President
The Honorable Samuel R. Wilson, Jr.
The Honorable John L. Rieley
The Honorable Douglas B. Hudson

FROM: Patrick Brown, P.E., Project Engineer III

RE: ***CHAPTER 96 SUSSEX COMMUNITY IMPROVEMENTS PROGRAM
NEW ROAD ESTATES, PROJECT T21-08
A. PROJECT ELECTION RESULTS & PROJECT AUTHORIZATION***

DATE: December 15, 2020

New Road Estates is a small subdivision of 9 residential parcels located along New Lane, a private street and cul-de-sac owned and maintained by the community Homeowners Association (HOA). The community is accessed from New Road, a DelDOT roadway. The Lewes area subdivision contains approximately 685 LF of paved roadway in fair condition.

In July of 2019 the Community requested assistance from the County to repair and resurface their existing roads through the Sussex Community Improvement Program as provided under Chapter 96 of Sussex County Code.

In accordance with Chapter 96, the Engineering Department determined the community met eligibility criteria; petitioned all assessable property owners within the Community; provided a cost estimate for pavement overlay; provided approximate costs to each property owner in both lump sum and 10-year repayment options; and provided notification and held a public meeting within the community.

Resolution R 010 19 was presented and approved at the March 17, 2020 Council meeting. The resolution accepted the subdivision into the Chapter 96 program and established an Election to determine if the project and estimated cost was or was not favorable to the New Road Estates property owners. The Election was held in accordance with Code and the Resolution on November 18, 2020 at the Engineering Administration office; Election results were certified shortly thereafter.



In summary, a total of six (6) votes were cast in-person and by absentee ballot. All six votes were “YES” votes, with zero (0) “NO” votes cast, indicating property owners are in favor of the project. Vote totals indicate a 67% owner participation in the Election, which is determined by actual votes cast in the Election.

Based on the affirmative results of the Election, the Engineering Department recommends approval of the Resolution provided, authorizing the County Engineer to proceed with improvements and authorizing the County Finance Director and County Engineer to determine a uniform billing rate based on actual costs after substantial completion of the New Road Estates project.

Enclosures: Proposed Resolution
Certified Election Results
Affidavit for Posting Notices

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE SUSSEX COUNTY ENGINEER TO PERFORM IMPROVEMENTS, AND THE SUSSEX COUNTY ENGINEER AND FINANCE DIRECTOR TO DETERMINE A UNIFORM ASSESSMENT RATE FOR BILLING, UPON SUBSTANTIAL COMPLETION OF THE IMPROVEMENTS, FOR THE NEW ROAD ESTATES CHAPTER 96 SUSSEX COMMUNITY IMPROVEMENT PROJECT.

WHEREAS, Sussex County Council authorized the Sussex County Engineering Department to proceed with an Election for the subdivision of New Road Estates on March 17, 2020 in Resolution No. R 006 20; and

WHEREAS, Sussex County Engineering Department held an Election for a New Road Estates Chapter 96 project in accordance with Sussex County Code, Chapter 96 on November 18, 2020 from 10:00 am until 3:00 pm; and

WHEREAS, the results of this November 18, 2020 Election were certified by Patrick J. Brown, judge of the election, as being favorable in proceeding with the project. There were six (6) total votes cast. Of the six (6) total, six (6) "Yes" votes were cast and zero (0) "No" votes were cast. The number of "Yes" votes cast represents the majority of votes cast, as required in Sussex County Code, § 96-6(B).

NOW THEREFORE,

BE IT RESOLVED that the Sussex County Council confirms and authorizes the Sussex County Engineering Department to proceed with the design and construction of the specified improvements for New Road Estates Chapter 96 Sussex Community Improvement project; and

BE IT FURTHER RESOLVED that Sussex County Council authorizes the Sussex County Engineer and the Sussex County Finance Director to complete the improvements, and to compile a final cost accounting to determine a uniform rate of assessment for all assessable properties within the New Road Estates Chapter 96 project, upon substantial completion, as specified in Sussex County Code, Chapter 96.

Patrick J. Brown, P.E.
Project Engineer III

Presented on: December 15, 2020



Certified Election Results
New Road Estates
Proposed Chapter 96 Sussex Community Improvement Project

The voting results for the New Road Estates Proposed Chapter 96 Sussex Community Improvement Project Election, held on Wednesday, November 18, 2020, in accordance with Sussex County Council Resolution # R 006 20, were as follows:

	<u>Yes Votes</u>	<u>No Votes</u>	=		
Votes cast in-person	<u>2</u>	<u>0</u>	=	<u>2</u>	total votes in-person
Votes by absentee ballot	<u>4</u>	<u>0</u>	=	<u>4</u>	total votes by absentee ballot
TOTAL	<u>6</u>	<u>0</u>	=	<u>6</u>	total votes cast

The New Road Estates proposed project was voted (in favor of) / (~~against~~) proceeding 6 - 0.

Results Certified by:

Patrick J. Brown, P.E.

Sussex County Appointed Judge of Election

December 1, 2020

SHARON E. SMITH
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires on 6/14/22




**NEW ROAD ESTATES
PROPOSED CHAPTER 96
SUSSEX COMMUNITY IMPROVEMENT PROJECT
AFFIDAVIT FOR POSTING OF NOTICES**

I, Patrick J. Brown, hereby certify that copies of the Notice of Election for the New Road Estates Proposed Chapter 96 Project were posted at the following locations in New Road Estates on October 26, 2020:

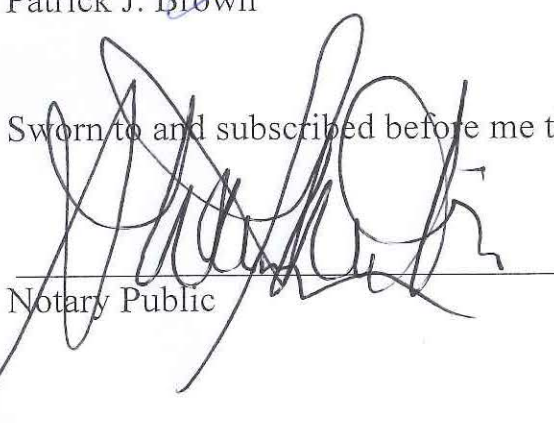
LOCATION

1. On inbound side of New Lane, in community right-of-way, at the subdivision entrance from New Road, on posting stakes.
2. On outbound side of New Lane, in community right-of-way, at the subdivision exit onto New Road, on posting stakes.



Patrick J. Brown

Sworn to and subscribed before me this 26th day of October, AD, 2020.



Notary Public

**SHARON E. SMITH
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires on 6/14/22**



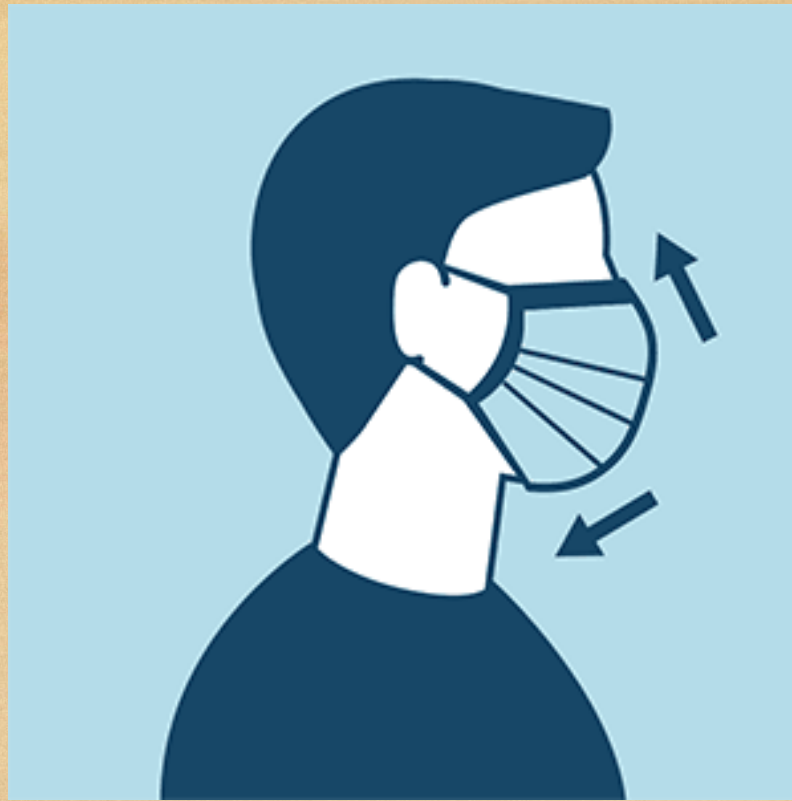


Sussex County Engineering Department

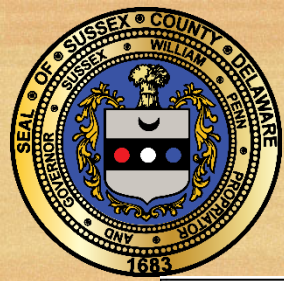
Proposed Briarwood Estates Expansion of the Sussex County Unified Sanitary Sewer District (West Rehoboth Area)

Public Hearing

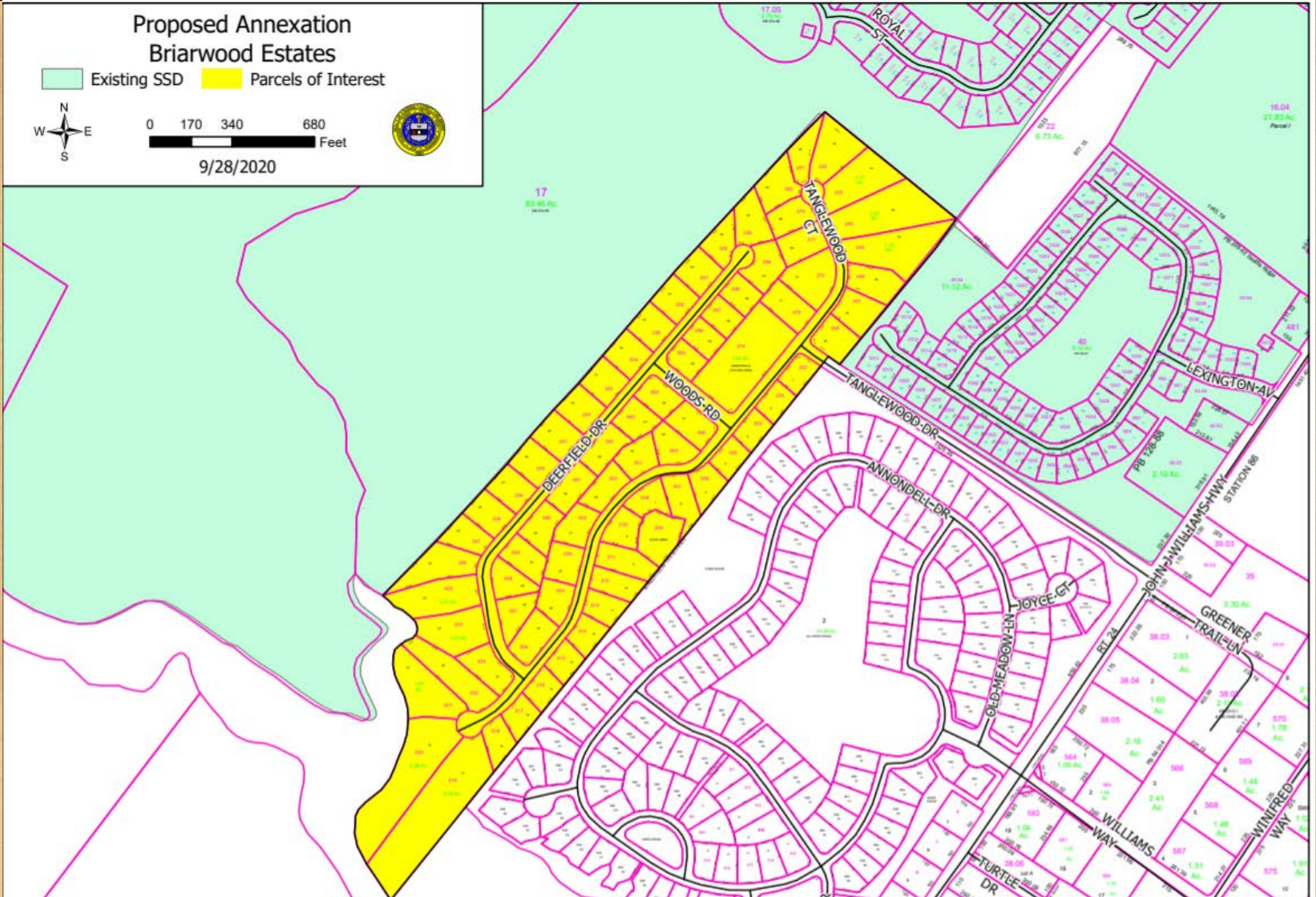
Conley's United Methodist Church
Jolyns Way Lewes DE
December 11, 2020 @ 5:30 PM

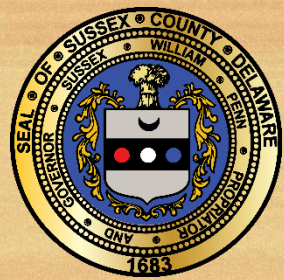


MASKS MUST BE WORN
AT ALL TIMES
WHILE INSIDE THE FACILITY



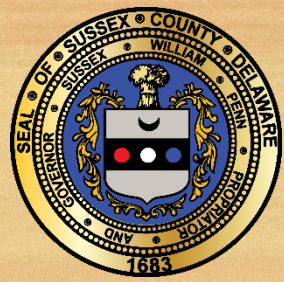
Proposed Boundary





Project Background/Information

1. The Engineering Department received a request to make a presentation to the Briarwood Estates Homeowners Association.
2. After that presentation we were asked to develop a polling letter to be distributed to all property owners in the community.
3. The first letter sent in May of 2019 did not produce enough responses for the department to move forward.
4. A second letter sent in October of 2019 was distributed to those who did not respond to the first mailing.
5. After the second mailing we have a total of 48 out of the possible 72 parcels (66%)
6. Those received were 37 in support of sewer and 11 opposed.
7. The Department presented the results to County Council on October 20, 2020 for permission to prepare and post notices for a public hearing, County Council approved the motion.
8. As part of the sewer concept planning and construction drawing review for the Saddle Ridge project sewer was extended to the ROW of the Briarwood Estates entrance road in order to provide a future connection.



Estimated Rates

Current Annual Service Charge:

\$292.00/year per EDU (Equivalent Dwelling Unit); billed quarterly to connected customers (subject to change during the annual budget process).

Annual EDU based Sewer Assessment Charge:

\$800.00 (fixed for the term of the financing)

System Connection Charge (SCC):

\$0.00 for existing homes the one-time SCC fee will be included in the financing. Any future connection will be charged the SCC fee in effect at that time.

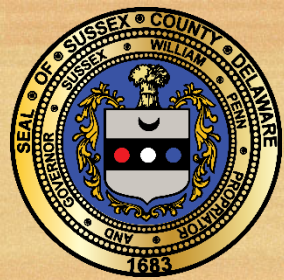
Estimated Annual Charge:

\$292.00 (service charge) + \$800.00 (EDU) = **\$1092.00****

Estimated Connection Expense:

Plumbing costs between \$2,000-\$2,500 based on complexity and \$100.00 Permit Fee to Sussex County.

** Based on federal recommendations that the total annual charge not to exceed 1.5% of Median Household Income (MHI) as reported in the latest available Sussex County wide Census Data.



Questions / Comments

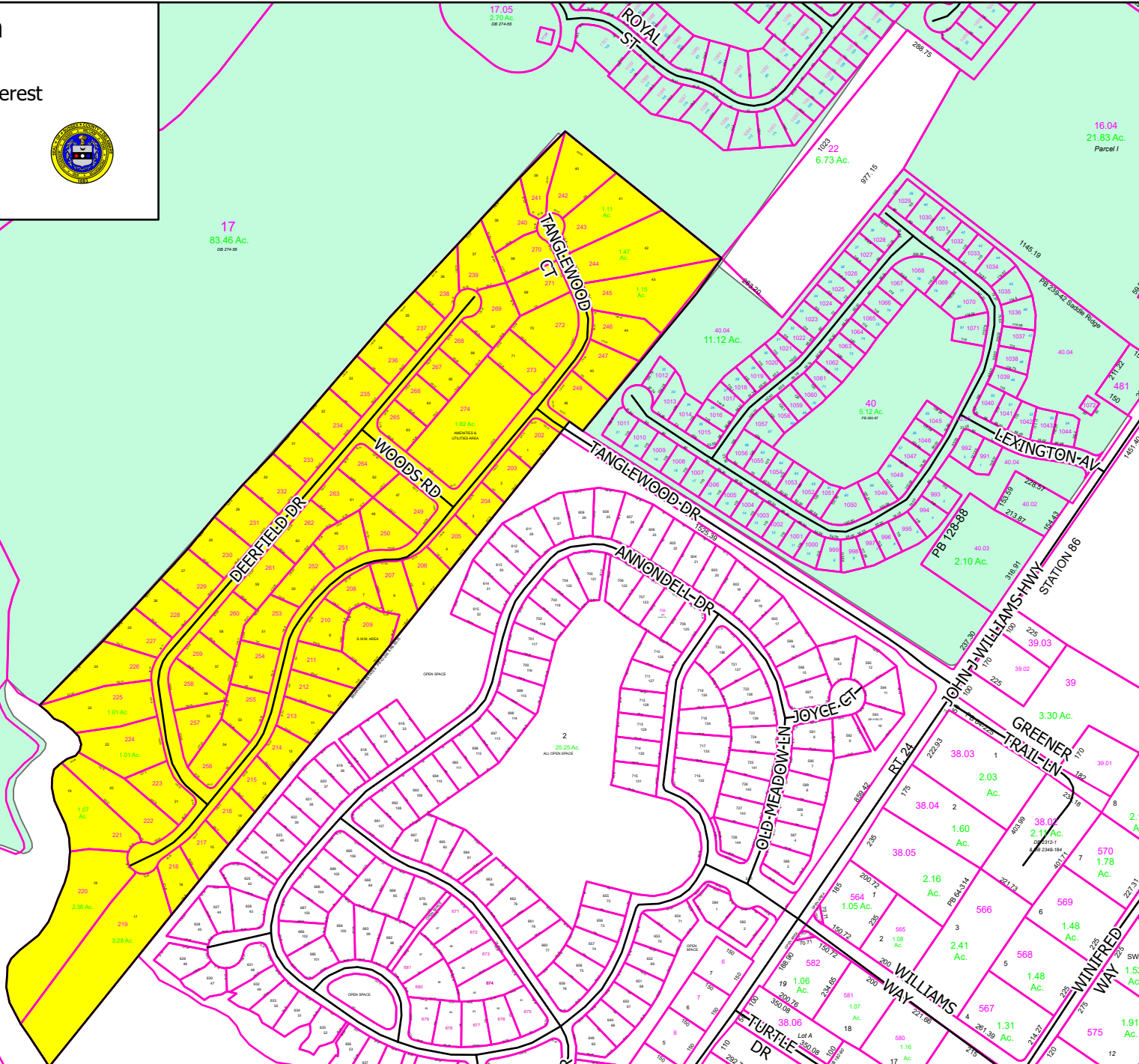
Proposed Annexation Briarwood Estates

Existing SSD Parcels of Interest



0 170 340 680
Feet

9/28/2020



The proposed annexation is scheduled to be discussed XX, 2020 at XX at the
Sussex County Council Chambers, 2 The Circle, Georgetown, DE 19947
For more information please visit: <https://www.sussexcountyde.gov/legal-notice/sewer-water>
Or call Sussex County Utility Planning at 302-855-1299



Sussex County Engineering Department

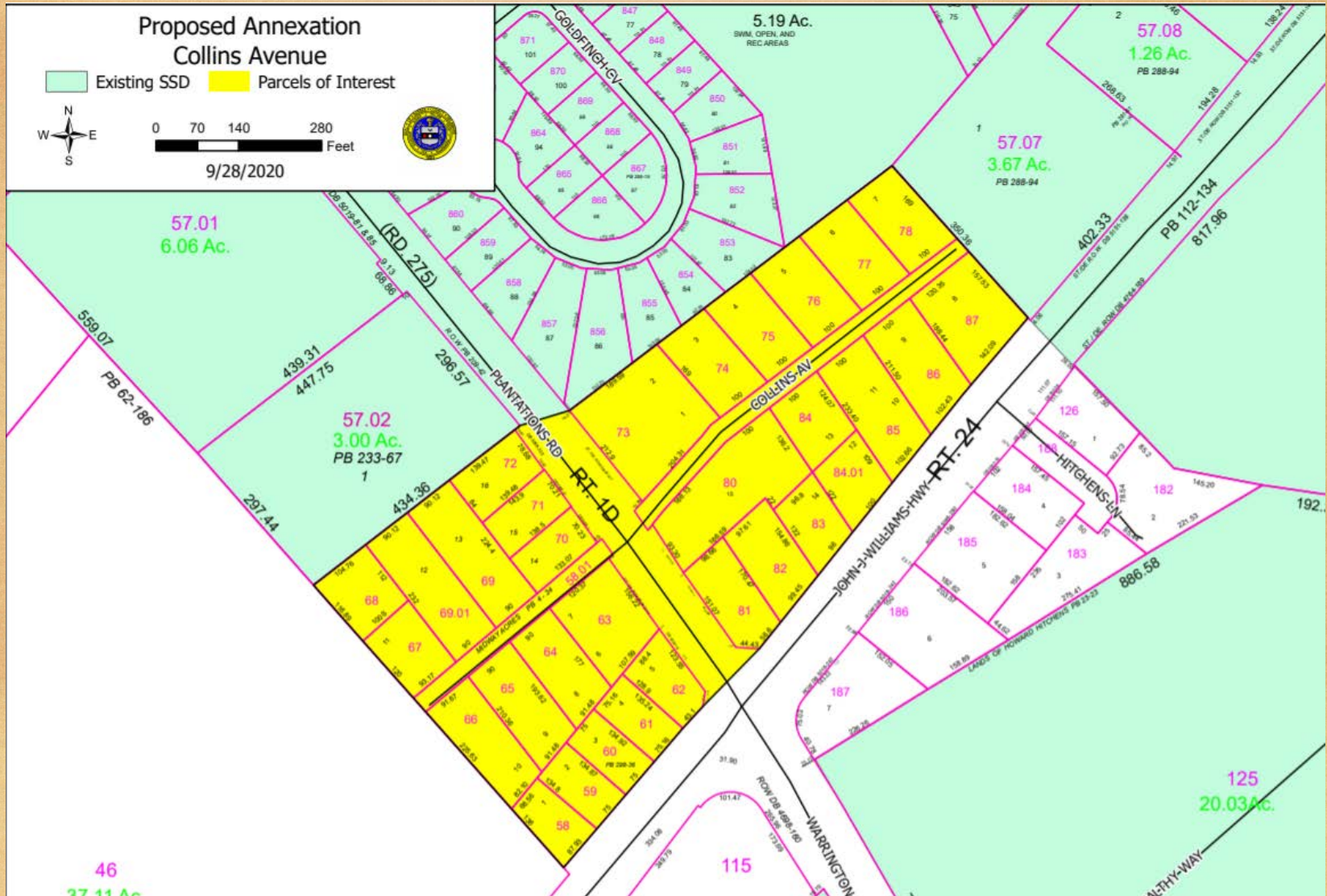
Proposed Collins Avenue Expansion of the Sussex County Unified Sanitary Sewer District (West Rehoboth Area)

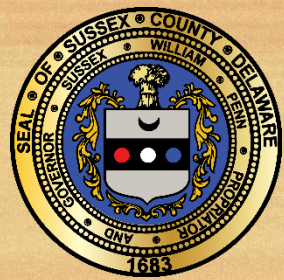
Public Hearing

Conley's United Methodist Church
Jolyns Way Lewes DE
December 3, 2020 @ 5:30 PM



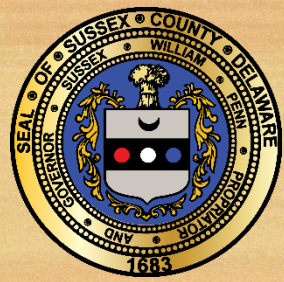
Proposed Boundary





Project Background/Information

1. The Engineering Department received several calls concerning sewer service for the Collin's Avenue area.
2. The calls prompted the department to send a polling letter to all parcel owners in the area.
3. The polling letters were sent in June 2020 and a total of 21 out of the possible 32 parcels (65%).
4. Those received were 12 in support of sewer and 9 opposed.
5. The Department presented the results to County Council on October 20, 2020 for permission to prepare and post notices for a public hearing, County Council approved the motion.
6. As part of the sewer concept planning and construction drawing review for the hotel project east of Collin's Avenue sewer was extended to the property line of the hotel and the end of Collin's Avenue for a potential future connection.



Estimated Rates Based on Polling Letters (State/Federal Funding Required)

Current Annual Service Charge:

\$292.00/year per EDU (Equivalent Dwelling Unit); billed quarterly to connected customers (subject to change during the annual budget process).

Annual Front Foot based Sewer Assessment Charge:

\$2.32 per front foot

There is a 40-foot minimum (\$92.80) and a cap at 100 feet (\$232.00) for parcels with existing homes.

Unimproved parcels will pay full front foot assessment, no cap

System Connection Charge (SCC):

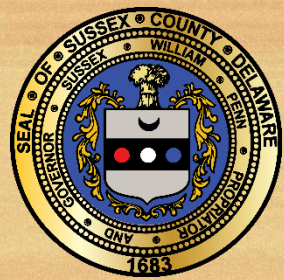
\$6,360.00 per EDU (Equivalent Dwelling Unit)

Estimated Annual Charge:

\$292.00 (service charge) + \$92.80 to \$232.00 (Annual Assessment Charge) = \$384.80 to \$524.00

Estimated Connection Expense:

Plumbing costs between \$2,000-\$2,500 based on complexity and \$100.00 Permit Fee to Sussex County.



Estimated Rates if State or Federal Funding is not approved

Current Annual Service Charge:

\$292.00/year per EDU (Equivalent Dwelling Unit); billed quarterly to connected customers (subject to change during the annual budget process).

Annual EDU based Sewer Assessment Charge:

\$800.00 (fixed for the term of the financing)

System Connection Charge (SCC):

\$6,360.00 per EDU (Equivalent Dwelling Unit)

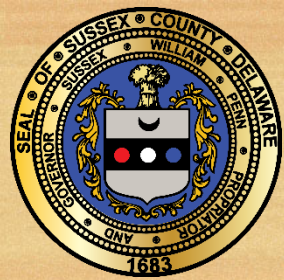
Estimated Annual Charge:

\$292.00 (service charge) + \$800.00 (EDU) = **\$1,092.00****

Estimated Connection Expense:

Plumbing costs between \$2,000-\$2,500 based on complexity and \$100.00 Permit Fee to Sussex County.

** Based on federal recommendations that the total annual charge not to exceed 1.5% of Median Household Income (MHI) as reported in the latest available Sussex County wide Census Data.



Questions / Comments

Proposed Annexation Collins Avenue

Existing SSD Parcels of Interest



0 70 140 280
Feet

9/28/2020



5.19 Ac.
SWM, OPEN, AND
REC AREAS

57.08
1.26 Ac.
PB 288-94

57.07
3.67 Ac.
PB 288-94

57.01
6.06 Ac.

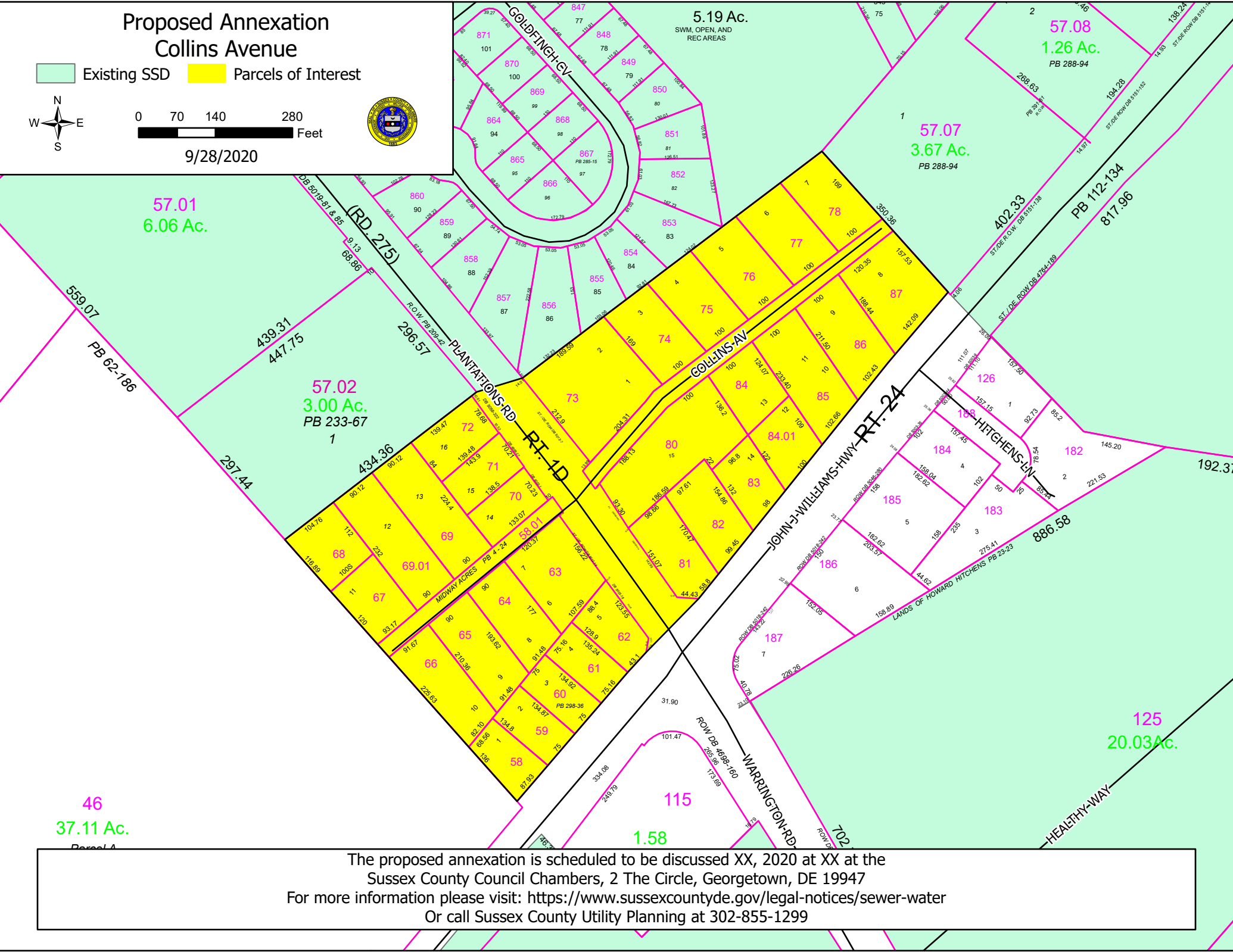
57.02
3.00 Ac.
PB 233-67

46
37.11 Ac.

1.58

125
20.03 Ac.

The proposed annexation is scheduled to be discussed XX, 2020 at XX at the
Sussex County Council Chambers, 2 The Circle, Georgetown, DE 19947
For more information please visit: <https://www.sussexcountyde.gov/legal-notices/sewer-water>
Or call Sussex County Utility Planning at 302-855-1299



Nancy Cordrey *Burton-OK*

From: Gina Jennings
Sent: Thursday, December 10, 2020 12:30 PM
To: Nancy Cordrey; Bobbi Albright
Subject: FW: Form submission from: Council Grant Form

From: Sussex County DE <webmaster@sussexcountyde.gov>
Sent: Thursday, December 10, 2020 12:05 PM
To: Gina Jennings <gjennings@sussexcountyde.gov>
Subject: Form submission from: Council Grant Form

Council Grant Form	
Legal Name of Agency/Organization	First State Community Action Agency
Project Name	Adult Culinary Arts Training Program
Federal Tax ID	510104704 <i>OK</i>
Non-Profit	Yes
Does your organization or its parent organization have a religious affiliation? (If yes, fill out Section 3B.)	No
Organization's Mission	To work towards the elimination of poverty and lessen the effects of poverty on people of low-income.
Address	308 N Railroad Avenue
Address 2	
City	Georgetown

State	DE
Zip Code	19947-1252
Contact Person	Bernice Edwards
Contact Title	Executive Director
Contact Phone Number	3028567761
Contact Email Address	bedwards@firststatecaa.org
Total Funding Request	\$5,000.00
Has your organization received other grant funds from Sussex County Government in the last year?	Yes
If YES, how much was received in the last 12 months?	3750
Are you seeking other sources of funding other than Sussex County Council?	Yes
If YES, approximately what percentage of the project's funding does the Council grant represent?	16
Program Category (choose all that apply)	Educational

Program Category Other	
Primary Beneficiary Category	Low to Moderate Income
Beneficiary Category Other	
Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program	10
Scope	<p>The overall purpose for providing individuals with this type of training is to cultivate their skills in the area of culinary arts and to work toward full-time employment. Also the training allows them to earn two certifications (ServeSafe & ABC) as well as obtaining employment in the Foodservice Industry at higher than entry level wages. Entering the industry at higher than entry level wages will boost the potential for career advancement and economic growth. Our target population include adults (18 and over) who are unemployed, under-employed, disabled, moving from welfare, or displaced workers.</p> <p>Funding this project will support the financial aspect of paying for a) classroom instruction, b) ServeSafe Certification, and c) food for classroom demonstrations. The Culinary Arts and Training program operates for 12-14 weeks per session and 2 sessions are completed annually.</p>
Religious Components	N/A
Please enter the current support your organization receives for this project (not	23,326.00

entire organization
revenue if not
applicable to request)

Description Salaries

Amount 14,547.00

Description Food

Amount 4,600.00

Description Classroom Material/Supplies

Amount 595.00

Description Advertising

Amount 350.00

Description Supportive Services

Amount 3,919.00

Description Office Supplies

Amount 600.00

Description Enrollee Wages

Amount 4,000.00

Description Utilities/Propane

Amount 1,898.00

**TOTAL
EXPENDITURES** 30,509.00

TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-7,183.00
Name of Organization	First State Community Action Agency
Applicant/Authorized Official	Bernice Edwards
Date	12/10/2020
Affidavit Acknowledgement	Yes

Mark as Spam in D3 Forms. Please do not mark as spam in your email client, as it will result in you no longer receiving D3 Forms notifications. Feel free to email info@d3forms.com with any questions.

Nancy Cordrey

From: Gina Jennings
Sent: Monday, December 7, 2020 3:25 PM
To: Nancy Cordrey
Subject: FW: Form submission from: Council Grant Form

Sam has approved

From: Sussex County DE <webmaster@sussexcountyde.gov>
Sent: Monday, December 7, 2020 3:04 PM
To: Gina Jennings <gjennings@sussexcountyde.gov>
Subject: Form submission from: Council Grant Form

Council Grant Form

Legal Name of Agency/Organization

CHEER, INC

Project Name

CHEER Virtual Programs

Federal Tax ID

51-0112599 OK

Non-Profit

Yes

Does your organization or its parent organization have a religious affiliation? (If yes, fill out Section 3B.)

No

Organization's Mission

CHEER's mission statement is to "promote and maintain the highest quality of life and independence by developing and providing services and programs that meet the continuing need of seniors 50+ living in Sussex County"

Address

546 S. Bedford Street

Address 2

City	Georgetown
State	DE
Zip Code	19947
Contact Person	Ken Moore
Contact Title	Development Manager
Contact Phone Number	13025153065
Contact Email Address	kmoore@cheerde.com
Total Funding Request	\$9,833.23
Has your organization received other grant funds from Sussex County Government in the last year?	Yes
If YES, how much was received in the last 12 months?	66000
Are you seeking other sources of funding other than Sussex County Council?	Yes
If YES, approximately what percentage of the project's funding does the Council grant represent?	23
Program Category (choose all that apply)	Health and Human Services

Program Category
Other

Primary Beneficiary Category Elderly Persons (62 +)

Beneficiary Category
Other

Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program 4500

Scope

CHEER senior centers serve as gateways connecting Sussex County Senior Citizens to their Communities. Through these centers, over 4,500 separate individuals participated in nutrition, education, health, recreation and socialization programs last year alone. For many, CHEER senior centers represent the hub of their social world that connects to friends and family and contributes to the physical, mental, emotional, spiritual, economic wellbeing of our members. Nationwide, more than $\frac{3}{4}$ of all senior center members attend their senior center at least once per week and they spend on average 3.3 hours in the center per each visit. Countless studies have documented that seniors who regularly attend local senior centers experience significantly higher quality of life and longer life while experiencing less or more mild less incidents of chronic disease.

Throughout the current course of this COVID Pandemic, many of Sussex County's most vulnerable elderly citizens have found themselves isolated in their home as CHEER has had to suspend or greatly restrict activities in our senior centers. CHEER has established telephone contact programs and expanded / restructured our home delivered meals programs to continue serving as many people as possible, but it does not replace the face to face interaction with friends.

Over the past 9 months CHEER has purchased dozens of electronic tablets and internet access for our members in an

effort to help them with the means to remain connected with their community. We have provided training and a curriculum of daily on line virtual CHEER programs. As this pandemic has and continues to drag on, virtual programming will continue to become more important / essential in the lives of our seniors, just as it has for students involved in remote learning and people working remotely from home.

We are requesting funding to purchase equipment and pay some limited fees for local entertainers to be able to upgrade our virtual programming offerings in an effort to (1) reach more Sussex County Seniors and (2) increase the frequency and duration of their participation in CHEER on-line virtual offerings. Specifically our goal would be to reach up to 10% of our pre-COVID daily congregate attendance through virtual programming and for each of those virtual participants to remain engaged virtually for a minimum of 1 hour per day. These participation rates can be traced electronically by monitoring the numbers of individuals that would be monitoring our specific offerings on lines. Some examples of weekly on-line offerings would be:

- Nutrition education
- Chronic diseases management programs
- Sussex Seniors News You Can Use
- Bible Study and Book Club groups
- Healthy Recipe simple cooking (CHEER can deliver ingredients)
- Home crafting projects for the seasons (CHEER can deliver materials)
- Entertainment shows involving local performers who used to perform in the centers

Religious Components

Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)

33,546.00

Description	Equipment
Amount	19,144.67
Description	Contractual
Amount	16,766.56
Description	Wages & Benefits
Amount	7,468.00
Description	
Amount	
Description	
Amount	
Description	
Amount	
Description	
Amount	
Description	
Amount	
TOTAL EXPENDITURES	43,379.23
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-9,833.23
Name of Organization	CHEER, Inc.

Applicant/Authorized Official	Ken Moore
Date	12/07/2020
Affidavit Acknowledgement	Yes

Mark as Spam in D3 Forms. Please do not mark as spam in your email client, as it will result in you no longer receiving D3 Forms notifications. Feel free to email info@d3forms.com with any questions.

To Be Introduced

**Council District 4 - Hudson
Tax I.D. No. 134-16.00-382.00
911 Address: None Available**

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR MULTI-FAMILY (19 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 3.93 ACRES, MORE OR LESS

WHEREAS, on the 26th day of October 2020, a conditional use application, denominated Conditional Use No. 2248 was filed on behalf of Gulfstream Development, LLC; and

WHEREAS, on the ____ day of _____ 2021, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 2248 be _____; and

WHEREAS, on the ____ day of _____ 2021, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsection 115-39, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2248 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, Delaware, and lying on the northwest corner of Parker House Road (S.C.R 362) and Muddy Neck Road (S.C.R 361) and being more particularly described in the attached legal description prepared by Parsons & Robinson, P.A., said parcel containing 3.93 acres, more or less.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

To Be Introduced

**Council District 2 - Wilson
Tax I.D. No. 530-13.00-10.00
911 Address: None Available**

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT AND AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A 35.4 ACRE SOLAR FIELD TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NORTHWEST FORK HUNDRED, SUSSEX COUNTY, CONTAINING 142.80 ACRES, MORE OR LESS

WHEREAS, on the 12th day of November 2020, a conditional use application, denominated Conditional Use No. 2251 was filed on behalf of Heimlich Solar Partners, LLC; and

WHEREAS, on the ____ day of _____ 2021, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 2251 be _____; and

WHEREAS, on the ____ day of _____ 2021, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsections 115-22 and 115-39, of the Code of Sussex County, be amended by adding the designation of Conditional Use No. 2251 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land, lying and being situate in Northwest Fork Hundred, Sussex County, Delaware, and lying on east side of Mile Stretch Road (S.C.R 590) approximately 0.49 mile southeast of Scotts Store Road (Route 36) and being more particularly described in the attached legal description prepared by Smith O'Donnell Procino & Berl, LLP, said parcel containing 142.80 acres, more or less.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.