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**AGENDA**  
**CUMBERLAND COUNTY BOARD OF COMMISSIONERS**  
**REGULAR AGENDA SESSION**  
**JUDGE E. MAURICE BRASWELL**  
**CUMBERLAND COUNTY COURTHOUSE- ROOM 564**  
**NOVEMBER 10, 2022**  
**1:00 PM**

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INVOCATION- Commissioner Charles Evans

PLEDGE OF ALLEGIANCE

1. APPROVAL OF AGENDA
2. APPROVAL OF MINUTES
3. PRESENTATIONS
  - A. Proposed 2023 (FY2024) Federal Legislative Agenda
  - B. Cumberland County Schools' Update Regarding ESSER Funds, Fund Balance, and Capital Projects
4. CONSIDERATION OF AGENDA ITEMS
  - A. Memorandum of Understanding between the Cumberland County Public Library and the City of Fayetteville for StoryWalk© Project at Lake Rim Park
  - B. Formal Bid Award for Law Enforcement Center Roof Recovering
  - C. Formal Bid Award for Crown Coliseum Sports Lighting, Parking Lot Lighting, Building Control Replacement
  - D. ARP Committee Recommendations
  - E. Crown Event Center Committee Recommendation on Construction Delivery Method
5. OTHER ITEMS
  - A. Competitive Grants Update
  - B. Deli Franchise Bid Tab Award
6. MONTHLY REPORTS
  - A. Financial Report
  - B. Health Insurance Update
  - C. Southern Health Partners, Inc. Quarterly Statistical Report on Inmate Health Care
  - D. ARPA Quarterly Project and Expenditure Report as of September 30, 2022
  - E. Project Updates

7. CLOSED SESSION: If Needed

**ADJOURN**

**AGENDA SESSION MEETINGS:**

**December 8, 2022 (Thursday) 1:00 PM**

**WATCH THE MEETING LIVE**

**THIS MEETING WILL BE STREAMED LIVE THROUGH THE COUNTY'S WEBSITE, [www.cumberlandcountync.gov](http://www.cumberlandcountync.gov). LOOK FOR THE LINK AT THE TOP OF THE HOMEPAGE.**

**THE MEETING WILL ALSO BE BROADCAST LIVE ON CCNC-TV SPECTRUM CHANNEL 5**



**ASSISTANT COUNTY MANAGER STRATEGIC MANAGEMENT/ GOVERNMENTAL  
AFFAIRS**

**MEMORANDUM FOR THE AGENDA OF THE NOVEMBER 10, 2022  
AGENDA SESSION**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: SALLY SHUTT, ASSISTANT COUNTY MANAGER**

**DATE: 11/4/2022**

**SUBJECT: PROPOSED 2023 (FY2024) FEDERAL LEGISLATIVE AGENDA**

**Requested by: AMY CANNON, COUNTY MANAGER**

**Presenter(s): SALLY SHUTT, ASSISTANT COUNTY MANAGER, AND RON HAMM,  
PRESIDENT OF THE HAMM CONSULTING GROUP**

**BACKGROUND**

Cumberland County has contracted with The Hamm Consulting Group for federal legislative lobbying services. The attached DRAFT 2023 (FY2024) Federal Legislative Agenda was developed with input from commissioners, Leadership Team members, City of Fayetteville staff and the Fayetteville Cumberland Economic Development Corporation during a series of virtual meetings in October.

Ron Hamm will present the agenda, which sets the priorities for federal advocacy and grant proposals.

**RECOMMENDATION / PROPOSED ACTION**

Consider the attached 2023 (FY2024) Federal Legislative Agenda and move to the Nov. 21, 2022, Regular Meeting Agenda.

**ATTACHMENTS:**

Description	Type
DRAFT 2023 Federal Legislative Agenda 11-10-22	Backup Material



# 2023 (FY2024) Federal Legislative Agenda

## DRAFT

**Infrastructure and Environmental** – Cumberland County has areas with contaminated water, aging sewer systems and stormwater drainage issues putting properties at risk for flooding. The County is planning for needed expansion and environmental upgrades at the landfill.

### Water and Sewer

- Water Utilities Infrastructure
- Contaminated Drinking Water Remediation
- Stormwater Management
- Flood Prevention and Drainage Improvements
- Debris and Sediment Removal from Waterways
- Increased funding from the U.S. Department of Agriculture for the N.C. Beaver Management Assistance Program

### Environmental

- Landfill Expansion - Support proposals that provide funding for creating new and modernizing existing solid waste related infrastructure, including organic waste processing facilities.
- Landfill Biofuel Project Improvements
- Electric Garbage Truck Fleet Conversion
- PFAS removal for leachate
- Support proposals that increase recycling capacity, including televisions and computer monitors that are toxic due to their lead content, by requiring manufacturers, retailers, and end users to help finance recycling costs.

### Economic and Workforce Development

#### Transportation

- Future I-685 route – Advocate for the proposed new Interstate Highway between Greensboro and Dunn to not bypass Cumberland County, instead adjust the route to connect with I-295 providing economic development opportunities.
- Passenger/Commuter Rail to Raleigh

#### Workforce

- Soldiers to Agriculture Workforce Transition Program – Seek funding sources for the program offered through Cooperative Extension/NC State.
- Job Skills Training to Advance Employment Opportunities in Trades
- Workforce Innovation and Opportunity Act (WIOA) Reauthorization – Support at least full authorized funding for WIOA programs, and other employment and training programs.

**Veterans, Health and Human Services** – Support funding for veterans' services, mental health, public health and social services.

#### Military and Veterans Affairs

- Advocate for additional Federal and State funding to provide critical resources to County Veterans Services. Advocate for the Commitment to Veteran Support and Outreach Act.
- Soldiers to Agriculture Program – Cooperative Extension
- Impact Aid – Increase Impact Aid to assist school systems in military counties





# 2023 (FY2024) Federal Legislative Agenda

## DRAFT

### Mental Health

- Substance Use Disorder and Mental Health – Support increased funding for Substance Abuse and Mental Health Services Administration (SAMHSA) grants, including substance use disorder and mental health block grants, the Children’s Mental Health Services Program, and other substance use disorder prevention and treatment, mental health and supportive services and training grants.
- Mental Health Crisis/Recovery Center
- Mental Health Court
- Mental Health professionals in 911 Call Center and social work professionals in public libraries

### Health and Human Services

- Medicaid for the Incarcerated - Counties are required to provide adequate health care to individuals who pass through jails each year, while federal statute prohibits Medicaid funds from paying for that care even if the individual is eligible and enrolled.
- Healthcare Related Emergency Preparedness
- Farmers Market/Food Security/Healthy Foods Access- Seek grant funding for farmers markets to address food insecurity and increase access to healthy foods.
- Affordable Childcare – Support proposals and seek funding to address the need for childcare facilities and trained workers following the impact of the COVID pandemic.
- Increased funding for the Aging – Support increased funding for Older Americans Act (OAA) programs and funding to support the Adult Protective Services program.
- Ex-Offender Re-entry Support
- Child Welfare

### Housing

- Affordable Housing
- Homelessness Funding and Support Services
- Housing Supportive Services (case management, counseling, transportation, childcare)

### Museum and Library Services

- Funding for social work professionals in libraries (More Social Workers in Libraries Act)
- Children’s Science Museum – Seek grant funding to expand library services with the creation of a science museum for children.

**Public Safety and Emergency Response** – Support continued federal investment in public safety and emergency programs and projects.

### Public Safety/Emergency Response

- Sheriff’s Office TDMA Radio Replacement
- Emergency Operations – Seek funding for 911 mobile unit backup system and Emergency Command Center
- DNA analysis tools - Seek grant and other funding for DNA analysis
- School Safety/Active Shooter Response
- Mental Health professionals in the 911 Call Center and schools
- Opioid Response including provision of NARCAN to First Responders
- Fire Prevention and Safety
- Emergency Back-up Power for Additional Community Disaster Shelters



**GENERAL MANAGER FINANCIAL SERVICES**

**MEMORANDUM FOR THE AGENDA OF THE NOVEMBER 10, 2022  
AGENDA SESSION**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: VICKI EVANS, FINANCE DIRECTOR**

**DATE: 11/1/2022**

**SUBJECT: CUMBERLAND COUNTY SCHOOLS' UPDATE REGARDING ESSER FUNDS, FUND BALANCE, AND CAPITAL PROJECTS**

**Requested by: AMY CANNON, COUNTY MANAGER**

**Presenter(s): JAY TOLAND, ASSOCIATE SUPERINTENDENT OF BUSINESS OPERATIONS**

**BACKGROUND**

Staff of Cumberland County Schools have requested to make a presentation to the Board of County Commissioners to provide updates on fund balance, Elementary and Secondary Schools Emergency Relief (ESSER) Funds, and other items. Jay Toland, Associate Superintendent of Business Operations, and Kevin Coleman, Associate Superintendent of Auxiliary Services will be making the presentation.

**RECOMMENDATION / PROPOSED ACTION**

For information only. No action needed.

**ATTACHMENTS:**

Description	Type
CCS presentation for 11-10-22	Backup Material



# Cumberland County Commissioners Capital Outlay Discussion

**Jay Toland, Associate Superintendent of Business Operations**  
**Kevin Coleman, Associate Superintendent of Auxiliary Services**

*Our Commitment: Every Student*  
Collaborative ★ Competitive ★ Successful

# Agenda County Commissioners

- ★ Introduction
- ★ Fund Balance
- ★ ESSER Summary
- ★ Capital Outlay Priorities
- ★ New School Cost
- ★ Next Steps



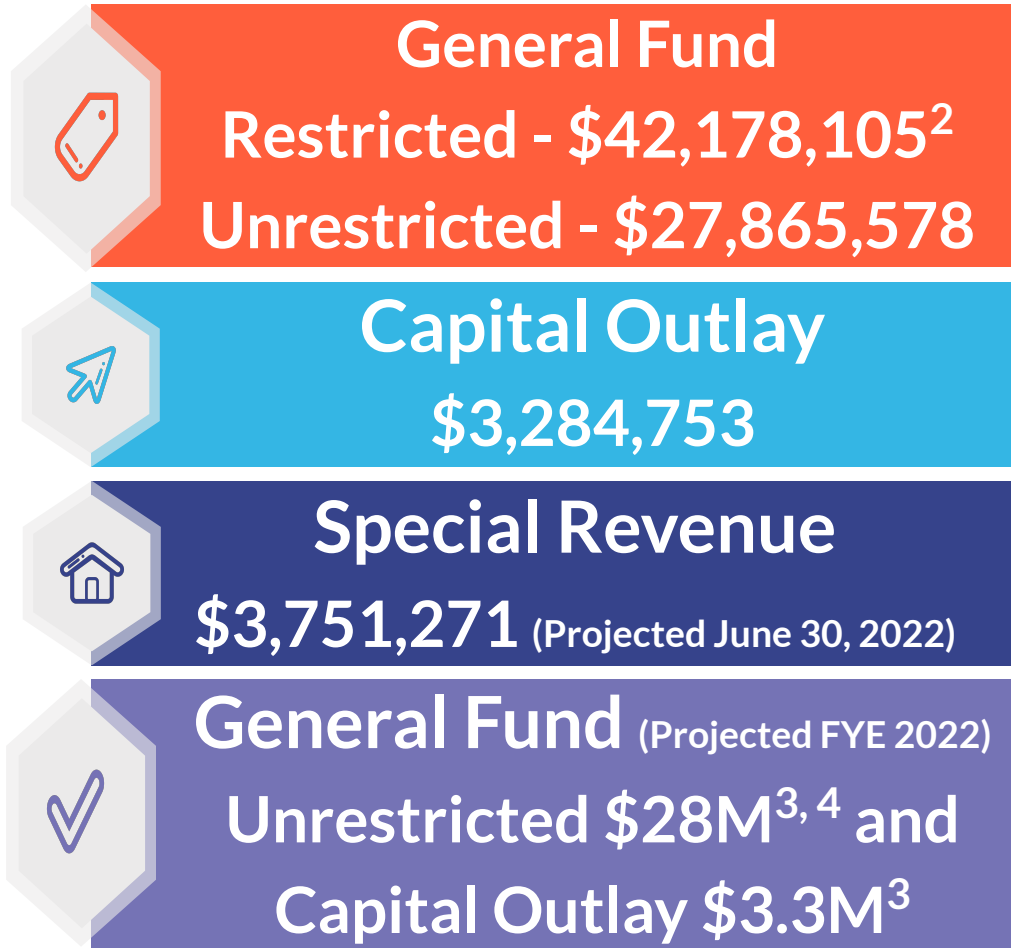
# Cumberland County Schools' ADM



## NC DPI School Allotment Section - Allotment Data

Fiscal Year	Allotted ADM	Change from Prior Year	% Change from Prior Year
2012-2013	51,890	-553	-1.05%
2013-2014	51,774	-116	-0.22%
2014-2015	52,002	228	0.44%
2015-2016	50,780	-1,222	-2.35%
2016-2017	50,459	-321	-0.63%
2017-2018	50,485	26	0.05%
2018-2019	50,093	-392	-0.78%
2019-2020	50,405	312	0.62%
2020-2021	50,341	-64	-0.13%
2021-2022	49,930	-411	-0.82%
2022-2023	48,705	-1,225	-2.45%





# Fund Balance

As of June 30, 2021<sup>1</sup>

1. Most recent completed audit
2. Amounts included in restricted but not unrestricted \$8,135,876 to balance FYE 22 Budget / \$3,087,675 for stabilization by state statute / \$3,198,642 for risk management
3. Projection only – FYE 22 Audit is in the beginning stages
4. Amount of \$8.7M used in Fund Balance to balance the General Fund Budget



# ESSER



- ★ During the last CCS Budget/Finance Committee meeting:
  - a budget of \$197M with \$123M remaining in the budget
  - Representing ESSER II and III
  - \$77M Spent as of June 30, 2022, ESSER I, II, and III
- ★ Dates of liquidation for ESSER I, II, and III
- ★ Effects on Fund Balance

**Cumberland County Schools**  
**Elementary and Secondary Schools Emergency Relief (ESSER)**  
**Summary Report**

	<u>August 31</u>	<u>2022</u>				
	<u>PRC</u>	<u>Budget</u>	<u>Expenditures</u>	<u>Encumbrances</u>	<u>Remaining</u>	<u>Expires</u>
ESSER II - K-12 Emergency Relief	171	\$56,608,233.00	\$21,553,652.98	\$2,855,524.96	\$32,199,055.06	9/30/2023
ESSER II - Contracted Health Support	173	\$321,237.00	\$0.00	\$0.00	\$321,237.00	9/30/2023
ESSER II - School Nutrition COVID Support	174	\$346,831.00	\$297,467.11	\$0.00	\$49,363.89	9/30/2023
ESSER II - Summer Learning Loss Funding	176	\$1,379,779.00	\$352,839.48	\$0.00	\$1,026,939.52	9/30/2023
ESSER II - Summer Career Accel. Program	177	\$884,115.00	\$476,349.84	\$0.00	\$407,765.16	9/30/2023
ESSER II - Competency Based Assessment	178	\$292,709.00	\$0.00	\$0.00	\$292,709.00	9/30/2023
ESSER III - K-12 Emergency Relief Fund	181	\$127,035,165.00	\$41,947,027.54	\$2,269,307.65	\$82,818,829.81	9/30/2024
ESSER III - EDU For Homeless I	183	\$120,000.00	\$0.00	\$0.00	\$120,000.00	9/30/2024
ESSER III - Homeless II Funding	184	\$442,010.00	\$0.00	\$0.00	\$442,010.00	9/30/2024
ESSER III - IDEA/ 611 Grant	185	\$2,827,812.00	\$227,502.62	\$38,372.73	\$2,561,936.65	27-months
ESSER III - IDEA/ Preschool Grant	186	\$201,504.00	\$21,399.93	\$63,326.88	\$116,777.19	27-months
ESSER III - Summer Career Accelerator	188	\$1,145,744.00	\$0.00	\$0.00	\$1,145,744.00	27-months
ESSER III - Math Enrichment Programs	189	\$1,158,637.00	\$0.00	\$0.00	\$1,158,637.00	27-months
ESSER III - ID & Locate Missing	191	\$127,433.00	\$0.00	\$0.00	\$127,433.00	27-months
ESSER III - Cyberbullying & Suicide	192	\$516,170.00	\$0.00	\$0.00	\$516,170.00	27-months
ESSER III - Gaggle Grants	193	\$161,303.00	\$0.00	\$0.00	\$161,303.00	27-months
ESSER III - CTE Hospitality	194	\$15,760.00	\$0.00	\$0.00	\$15,760.00	27-months
ESSER III - Premium Pay Bonus	203	\$3,685,994.00	\$3,685,993.26	\$0.00	\$0.74	27-months
ESSER III - Driver Training	205	\$13,352.00	\$0.00	\$0.00	\$13,352.00	27-months
<b>Grand Total</b>		<b>\$197,283,788.00</b>	<b>\$68,562,232.76</b>	<b>\$5,226,532.22</b>	<b>\$123,495,023.02</b>	

Note: This represents cumulative activity for the life of the grant.



# Priorities

**Facility  
Condition Index  
70%**

Life Cycle  
Needs/School  
Replacement  
Cost

**Utilization  
15%**

Ranked by  
Overcrowding  
and Under  
Enrollment

**Performance  
15%**

Based on  
Annual  
Performance  
Composite

	a/o 10/14/20	Perf Ranking	Util Ranking	FCI ranking				
		15%	15%	70%		School SF	Cumulative	
440	Sunnyside	13	6	9	9.15	35967	35967	
344	J. W. Coon	44	12	4	11.20	45546	81513	
316	Lillian Black	28	31	5	12.35	36972		
412	Raleigh Road	75	3	1	12.40	27927	109440	
352	Cumberland Road	34	23	8	14.15	53678	163118	
444	Teresa C. Berrien	4	30	15	15.60	48806		
432	Stedman Primary	80	18	2	16.10	33273	196391	FY23
425	South View Middle	21	25	16	18.10	112691	309082	
426	Sherwood Park	11	27	18	18.30	53343	362425	
374	Alger B. Wilkins	1	43	17	18.50	42220	404645	FY24
361	Ferguson~Easley	12	15	23	20.15	51453	456098	
308	Ashley	39	11	20	21.50	40715	496813	
410	Ponderosa	34	51	13	21.85	50335	547148	
312	Beaver Dam	85	33	6	21.90	14527	561675	
413	Howard Learning	3	86	14	23.15	31006	592681	FY25
400	Montclair	31	83	12	25.50	56423	649104	
452	Westarea	19	64	19	25.75	62706	711810	
448	Vanstory Hills	73	69	7	26.20	65905	777715	
404	William H. Owen	38	39	21	26.25	58731	836446	FY26

<b>5 Year Capital Plan</b>	<b>2022-2023</b>	<b>2023-2024</b>	<b>2024-2025</b>	<b>2025-2026</b>	<b>2026-2027</b>
	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
<b>Renovation/Replacements</b>	<b>\$ 6,130,996</b>	<b>\$ 80,428,548</b>	<b>\$ 73,143,839</b>	<b>\$ 85,921,932</b>	<b>\$ 90,695,010</b>
Cumberland Road/Walker Spivey	\$ 2,700,000	\$ 31,900,000			
Sunnyside/Seabrook	\$ 2,700,000	\$ 31,900,000			
W. H. Owen	\$ 730,996	\$ 11,714,717			
Raleigh Road/North ES		\$ 2,754,000	\$ 32,538,000		
Ponderosa		\$ 1,230,373	\$ 18,551,333		
A. B. Wilkins		\$ 929,458	\$ 15,621,683		
Ferguson Easley/Loucile Souders			\$ 2,809,080	\$ 33,188,760	
J. W. Coon/Sherwood			\$ 2,809,080	\$ 33,188,760	
Howard Learning			\$ 814,663	\$ 13,210,177	
Stedman Primary/Stedman ES/Beaver Dam				\$ 2,865,262	\$ 33,852,535
Westarea				\$ 1,463,643	\$ 22,373,057
South View MS				\$ 2,005,331	\$ 28,946,718
Ashley/Glendale					\$ 2,922,567
Montclair					\$ 1,115,540
Vanstory Hills					\$ 1,484,593
<b>Program Contingency (3%)</b>	<b>\$ 183,930</b>	<b>\$ 2,412,856</b>	<b>\$ 2,194,315</b>	<b>\$ 2,577,658</b>	<b>\$ 2,720,850</b>
<b>Program Management (3%)</b>	<b>\$ 183,930</b>	<b>\$ 2,412,856</b>	<b>\$ 2,194,315</b>	<b>\$ 2,577,658</b>	<b>\$ 2,720,850</b>
<b>Recurring</b>	<b>\$ 18,519,120</b>	<b>\$ 18,889,502</b>	<b>\$ 19,267,292</b>	<b>\$ 19,652,638</b>	<b>\$ 20,045,691</b>
School Capital Outlay I (Buildings/Land)	\$ 13,525,200	\$ 13,795,704	\$ 14,071,618	\$ 14,353,050	\$ 14,640,111
School Capital Outlay II (Furniture/Equipment)	\$ 4,577,760	\$ 4,669,315	\$ 4,762,702	\$ 4,857,956	\$ 4,955,115
School Capital Outlay III (Vehicles)	\$ 416,160	\$ 424,483	\$ 432,973	\$ 441,632	\$ 450,465
<b>CIP Yearly Total</b>	<b>\$ 25,017,976</b>	<b>\$ 104,143,764</b>	<b>\$ 96,799,761</b>	<b>\$110,729,887</b>	<b>\$ 116,182,402</b>
<b>CIP Facilities Only</b>	<b>\$ 19,656,196</b>	<b>\$ 94,224,252</b>	<b>\$ 87,215,457</b>	<b>\$100,274,983</b>	<b>\$ 105,335,122</b>
<b>CIP Total</b>					<b>\$ 452,873,789</b>
<b>CIP Facilities Only Total</b>					<b>\$ 406,706,010</b>
<b>Total Schools Renovated/Replaced</b>					<b>18</b>
<b>Total New Schools</b>					<b>6</b>

# 5 Year Capital Improvement Plan

# New School Cost – Per DPI 5 Year Survey

School	Capacity	Acreage	Sq. Foot	Cost
Elementary	700	17	110,000	\$31.4 M
Middle	800	23	140,000	\$40 M
High	1,600	56	255,000	\$72.3 M

\* prices based on estimate of \$285 per square foot

# Moving Forward

- ★ Clarify proposed Capital Improvement Plan with clear prioritization based on need
- ★ Provide a comprehensive, detailed description of all needs throughout the system
- ★ Base all estimates on condition of equipment and facilities instead of only life cycle
- ★ Update all dollar amounts based on current pricing

# Questions?

Jay Toland, Associate Superintendent of Business Operations

[jaytoland@ccs.k12.nc.us](mailto:jaytoland@ccs.k12.nc.us)

Kevin Coleman, Associate Superintendent of Auxiliary Services

[kevincoleman@ccs.k12.nc.us](mailto:kevincoleman@ccs.k12.nc.us)



**PUBLIC LIBRARY AND INFORMATION CENTER**

**MEMORANDUM FOR THE AGENDA OF THE NOVEMBER 10, 2022**  
**AGENDA SESSION**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: FAITH B. PHILLIPS, LIBRARY DIRECTOR**

**DATE: 11/4/2022**

**SUBJECT: MEMORANDUM OF UNDERSTANDING BETWEEN THE  
CUMBERLAND COUNTY PUBLIC LIBRARY AND THE CITY OF  
FAYETTEVILLE FOR STORYWALK© PROJECT AT LAKE RIM PARK**

**Requested by: SALLY SHUTT, ASSISTANT COUNTY MANAGER**

**Presenter(s): FAITH B. PHILLIPS, LIBRARY DIRECTOR**

**BACKGROUND**

The library has been awarded State Library of North Carolina Bright Ideas Grant for a StoryWalk© at Lake Rim Park. Similarly, to the StoryWalk© installed at Clark Park, it is an innovative way for community members to enjoy reading and the outdoors at the same time. Specifically designed pages from children's books are attached to displays that are installed along an outdoor path at the park. As readers walk down the trail, they are directed to the next page in the story. The project combines literature, nature and physical activity to provide families and citizens of all ages with an enriching experience.

Library staff, and specifically Division Manager for Programs Carla Brooks, saw the opportunity to expand the StoryWalk© program within the community and applied for and received the Bright Ideas Grant from the State Library within a span of roughly two weeks. The Division Manager has coordinated with Parks & Recreation officials for placement of the storyboards. The library will assume ownership of the storyboards, plan for ongoing maintenance, and will provide programming that will enhance the use of the project.

Library staff have contacted the staff at Lake Rim Park to provide space for the panels of the installation. Panels will be paced several yards apart and will include suggestions for movements to accompany the story.

A Memorandum of Understanding (MOU) between the County of Cumberland, through the Cumberland County Public Library and the City of Fayetteville will help provide for collaboration and delineation of responsibilities regarding the StoryWalk©. The MOU facilitates an ongoing partnership with the staff at Lake Rim Park in the provision of programs related to the StoryWalk© by library staff.

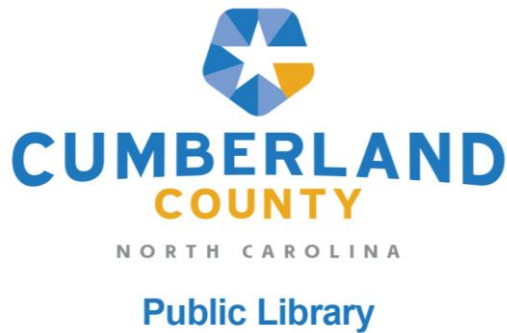
**RECOMMENDATION / PROPOSED ACTION**

Consider the attached Memorandum of Understanding between the County of Cumberland and the City of Fayetteville for the StoryWalk© project and move the item to the November 21, 2022 Board of County Commissioners Agenda. If unanimous, place it on the Consent Agenda.

**ATTACHMENTS:**

Description	Type
Memo Lake Rim StoryWalk	Backup Material
Lake Rim StoryWalk MOU	Backup Material





To: Board of County Commissioners  
From: Faith B. Phillips, Library Director  
Date: 11/10/2022  
Subject: Memorandum of Understanding between the Cumberland County Public Library and the City of Fayetteville for StoryWalk© Project at Lake Rim Park

### **Background**

The library has been awarded State Library of North Carolina Bright Ideas Grant for a StoryWalk© at Lake Rim Park. Similarly, to the StoryWalk© installed at Clark Park, it is an innovative way for community members to enjoy reading and the outdoors at the same time. Specifically designed pages from children's books are attached to displays that are installed along an outdoor path at the park. As readers walk down the trail, they are directed to the next page in the story. The project combines literature, nature and physical activity to provide families and citizens of all ages with an enriching experience.

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A Memorandum of Understanding (MOU) between the County of Cumberland, through the Cumberland County Public Library and the City of Fayetteville will help provide for collaboration and delineation of responsibilities regarding the StoryWalk©. The MOU facilitates an ongoing partnership with the staff at Lake Rim in the provision of programs related to the StoryWalk© by library staff.

### **Recommendation/Proposed Action**

Consider the attached Memorandum of Understanding between the County of Cumberland and the City of Fayetteville for the StoryWalk© project and move the item to the November 21, 2022 Board of County Commissioners Agenda. If unanimous, place it on the Consent Agenda.



## Memorandum of Understanding

### Between

### City of Fayetteville and

### Cumberland County Public Library

The **Cumberland County Public Library (CCPL)** and the City of Fayetteville, by and through **Fayetteville-Cumberland Parks and Recreation** (the City) hereby voluntarily enters this Memorandum of Understanding effective upon signing for the purpose of providing a StoryWalk® literacy, nature, and physical fitness experience at Lake Rim Park. This Memorandum of Understanding describes the purpose of **StoryWalk®** and the partnership between CCPL and the City in the delivery of services.

Purpose: The StoryWalk® is designed to encourage children and caregivers to read, participate in physical activity, and explore nature together. StoryWalk® consists of pages of a picture book laminated and displayed along a walking trail so adult and child can read the book together. The experience also provides opportunities for early literacy and nature-themed programming by the project's central two partners plus additional users and approved guest sponsors. The StoryWalk® can also deliver partner-approved messaging to readers from sponsors willing to pay for the graphic formatting and licensing of fresh stories.

**The City** commits to installing the 18 StoryWalk® display frames on its property near the children's playground. The City commits to monitoring the condition of the displays. If repair is needed, Lake Rim Park personnel will notify the library. Library staff will consult with the County Maintenance staff to determine the extent of damage and possible repair costs. Minor repairs (under \$1,000) will be paid for by the County. For damages greater than \$1,000, three bids will be obtained, and the lowest bid will be split by City and County. County Recreation District Tax Revenue cannot be used for this purpose.

The City will work together with CCPL to switch out the story four times annually during the initial grant year of 2022/2023. The City will offer space on the grounds/building for StoryWalk® programming, when it is available. The City will provide the venue for the kick-off celebration, which will be planned, promoted and executed by both partners. The City will promote StoryWalk® as an element of Lake Rim Park. The City commits to meeting with CCPL in 2023 to plan for the continued use of StoryWalk® after the initial grant period.

The **Cumberland County Public Library** will store the printed story panels. The City will work together with CCPL to switch out the story four times annually during the initial grant period. The Cumberland County Public Library commits to utilizing the Lake Rim Park to provide early literacy programs to children participating in day cares and schools impacted by poverty. The Cumberland County Public Library commits to plan, promote and execute the program's kickoff presentation in conjunction with the City. The Cumberland County Public Library commits to meeting with the City in 2023 to plan for the continued use of StoryWalk®. CCPL commits to working with vendors providing StoryWalk®, such as Banacom Signs, on any future book collaborations due to copyright restrictions and to preserve the integrity of the design. CCPL selects all StoryWalk® content. CCPL will support printing of future story panels beyond the initial grant period.

Memorandum of Understanding: This Memorandum of Understanding will become effective upon approval by designated officials of the City and Cumberland County. The Memorandum of Understanding shall be revised to reflect a plan for the operation of the StoryWalk® beyond the initial grant period of 2022/2023.

We the undersigned representatives of the parties agree to and understand the above statements.

**For the City of Fayetteville:**

\_\_\_\_\_  
Doug Hewett  
City Manager, ICMA-CM

\_\_\_\_\_  
(Date)

**ATTESTED TO:**

\_\_\_\_\_  
Pamela Megill  
City Clerk

\_\_\_\_\_  
(Date)

**For the County of Cumberland:**

\_\_\_\_\_  
Amy Cannon  
County Manager

\_\_\_\_\_  
(Date)

**ATTESTED TO:**

\_\_\_\_\_  
Candice White  
County Clerk

\_\_\_\_\_  
(Date)

**For the Cumberland County Public Library**

\_\_\_\_\_  
Faith Phillips, Library Director

\_\_\_\_\_  
(Date)



**ENGINEERING AND INFRASTRUCTURE DEPARTMENT**

**MEMORANDUM FOR THE AGENDA OF THE NOVEMBER 10, 2022  
AGENDA SESSION**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: JERMAINE WALKER, DIRECTOR OF ENGINEERING AND  
INFRASTRUCTURE**

**DATE: 11/4/2022**

**SUBJECT: FORMAL BID AWARD FOR LAW ENFORCEMENT CENTER ROOF  
RECOVERING**

**Requested by: AMY CANNON, COUNTY MANAGER**

**Presenter(s): JERMAINE WALKER, DIRECTOR OF ENGINEERING AND  
INFRASTRUCTURE**

**BACKGROUND**

On August 4, 2022, the County solicited bids for the Cumberland County Law Enforcement Center Roof Recovering. The bid period closed on September 13, 2022, with seven respondents.

The lowest responsive and responsible bid was AAR of North Carolina, Inc., at \$312K. The validity, limitation, and classification of the apparent low bidder's NC roofing contractors license have been verified with the NC Licensing Board for General Contractors.

This project was approved for funding as a Fiscal Year 23 capital improvement project and has sufficient funding to execute the project.

**RECOMMENDATION / PROPOSED ACTION**

Staff recommends the following actions be moved to the November 21, 2022, Board of Commissioner's Meeting as a Consent Agenda Item:

1. Approval of bid award for the Cumberland County Law Enforcement Center Roof Recovering Project to AAR of North Carolina, Incorporated, based on the lowest responsive, and responsible bid.
2. Authorize the Chairman to execute the agreement once the contract has been approved for legal sufficiency.

**ATTACHMENTS:**

Description

Type

Project Bid Tab

Backup Material



FLEMING & ASSOCIATES, PA  
STRUCTURAL ENGINEERING • BUILDING ENCLOSURES

Principals: Stephen Fleming, PE, RBEC ■ J. Ben Rogers, PE ■ Sarah Duncan, PE ■ John Kells, PE, SE

September 26, 2022

Jermaine Walker, Director of Engineering and Infrastructure  
Cumberland County  
130 Gillespie St.  
Fayetteville, NC 28301

Re: Law Enforcement Center Roof Membrane Re-Cover  
Our Job No.: 22-49

Dear Mr. Walker,

Enclosed you will find a revised certified Bid Tabulation Form for the above referenced project that replaces our certified Bid Tabulation Form dated September 15, 2022.

After a discussion with your office and further review of the licensing requirements for roofing in the State of North Carolina, our office has concluded that an S(Roofing) license is acceptable for this project. We, therefore, rescind our earlier recommendation that Cumberland County enter into a construction contract with Curtis Construction Company, Inc. (the second lowest bidder) and instead enter into a construction contract with AAR of North Carolina, Inc. (the low bidder) for a contract sum of \$312,175.00 (base bid plus alternate #2).

Please let me know if you have any questions or comments or would like to discuss our recommendations personally.

Sincerely,

Fleming & Associates, PA

Stephen Fleming, PE, RBEC

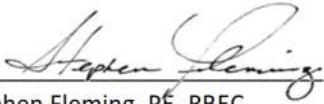


### Bid Tabulation Form

Law Enforcement Center Roof Membrane Re-Cover  
 Cumberland County  
 Bid Opening Date and Time: September 13, 2022 at 2pm  
 Engineer's Project Number: 22-49

Contractor	Addendum #1	Base Bid	Alternate 01	Alternate 02	Base Bid plus Alternate 02	Unit Prices Form	IMBP	MBE Affidavit	Bid Security
			Modified Bitumen	FiberTite Single Ply					
<b>AAR of North Carolina, Inc. License # 21667 - S(Roofing)</b>	<b>Acknowledged</b>	<b>\$298,175.00</b>	<b>\$25,715.00</b>	<b>\$14,000.00</b>	<b>\$312,175.00</b>	<b>Included</b>	<b>Included</b>	<b>Affidavit A</b>	<b>Included</b>
Curtis Construction Company, Inc. License # 3529 - Building	Acknowledged	\$316,000.00	\$37,300.00	\$1,800.00	\$317,800.00	Included	Included	Affidavit B	Included
DLT Roofing, Inc. License # 71227 - S(Roofing)	Acknowledged	\$366,770.00	\$27,697.00	\$11,370.00	\$378,140.00	Included	Included	Affidavit A	Included
Highland Roofing Company License # 67180 - S(Roofing)	Acknowledged	\$346,900.00	\$3,927.00	\$5,449.00	\$352,349.00	Included	Included	Affidavit B	Included
Industrial Contract Service Corp. License # 34060 - S(Roofing)	Acknowledged	\$452,063.00	\$95,722.00	\$37,487.00	\$489,550.00	Included	Not included	Not included	Included
Owens Roofing, Inc. License # 24442 - Building	Acknowledged	\$343,365.00	\$90,239.00	\$60,972.00	\$404,337.00	Included	Included	Affidavit A	Included
Triangle Roofing Services, Inc. License # 49606 - Building	Acknowledged	\$374,600.00	\$54,300.00	-\$4,300.00	\$370,300.00	Included	Included	Affidavit B	Included

I certify that the above bids were submitted properly and are accurate as received.

  
 \_\_\_\_\_  
 Stephen Fleming, PE, RBEC

9/26/22  
 \_\_\_\_\_  
 Date

**Boldface** type indicates the apparent lowest responsive bidder.



**ENGINEERING AND INFRASTRUCTURE DEPARTMENT**

**MEMORANDUM FOR THE AGENDA OF THE NOVEMBER 10, 2022  
AGENDA SESSION**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: JERMAINE WALKER, DIRECTOR OF ENGINEERING AND  
INFRASTRUCTURE**

**DATE: 11/4/2022**

**SUBJECT: FORMAL BID AWARD FOR CROWN COLISEUM SPORTS LIGHTING,  
PARKING LOT LIGHTING, BUILDING CONTROL REPLACEMENT**

**Requested by: AMY CANNON, COUNTY MANAGER**

**Presenter(s): JERMAINE WALKER, DIRECTOR OF ENGINEERING AND  
INFRASTRUCTURE**

**BACKGROUND**

This project was solicited for bid on August 2, 2022, August 29, 2022, and September 13, 2022.

The intent of this turn-key project is to provide a new network lighting system consisting of new LED sports lighting fixtures, LED Parking Lot Lights and the integration of existing LED and non-LED light sources onto the new system, to add dimming and agile control functions to designated light sources and to replace the existing legacy building lighting control system with a fully integrated lighting control and monitoring network.

NGU Sports Lighting submitted a qualifying bid of \$711K. This project was approved for funding as a Fiscal Year 23 capital improvement project and has sufficient funding to complete the project.

**RECOMMENDATION / PROPOSED ACTION**

Staff recommends the following actions be moved to the November 21, 2022, Board of Commissioner's Meeting as a Consent Agenda Item:



1. Approval of bid award for the Crown Coliseum Sports Lighting, Parking Lot Lighting, Building Control Replacement project based on NGU Sports Lighting's qualifying bid.
2. Authorize the Chairman to execute the agreement once the contract has been approved for legal sufficiency.

**ATTACHMENTS:**

Description

Project Bid Tab

Type

Backup Material

CUMBERLAND COUNTY  
Crown Coliseum Sports Lighting, Parking Lot Lightng, Building Control Replacement  
BID OPENING - September 20, 2022 2:00pm

[illegible]



## **AMERICAN RESCUE PLAN**

### **MEMORANDUM FOR THE AGENDA OF THE NOVEMBER 10, 2022 AGENDA SESSION**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: TYE VAUGHT, CHIEF OF STAFF**

**DATE: 11/4/2022**

**SUBJECT: ARP COMMITTEE RECOMMENDATIONS**

**Requested by: ARP COMMITTEE**

**Presenter(s): ARP STAFF COMMITTEE**

### **BACKGROUND**

The American Rescue Plan Committee met on November 4, 2022. The committee recommended the following five items be placed on the November 10, 2022, agenda for consideration:

- Small Business Funding Recommendations
- Consideration of ARPA Policy Revisions
- Consideration of Policy No. 3-13: Policy for Records Retention of ARPA/SLFR Funds
- Consideration of Policy No. 10-1.9: COVID19 Assistance to Nonprofits
- ARPA Grant Project Ordinance Amendment B230001

### **RECOMMENDATION / PROPOSED ACTION**

Staff requests that these recommendations be forwarded to the November 21, 2022, Board of Commissioners Meeting as a Consent Agenda item.

### **ATTACHMENTS:**

Description	Type
Small Business Funding Recommendations	Backup Material
Consideration of ARPA Policy Revisions	Backup Material

Consideration of Policy No. 3-13: Policy for Records Retention of ARPA/SLFR Funds	Backup Material
Consideration of Policy No. 10-1.9: Program for COVID19 Assistance to Nonprofits	Backup Material
ARPA Grant Project Ordinance Amendment B230001	Backup Material

**Amy H. Cannon**  
County Manager

**Brian Haney**  
Assistant County Manager



**Tracy Jackson**  
Assistant County Manager

**Sally S. Shutt**  
Assistant County Manager

**Heather Skeens**  
Assistant County Manager

## Office of the County Manager

**TO: BOARD OF COUNTY COMMISSIONERS**  
**FROM: TYE VAUGHT, CHIEF OF STAFF**  
**DATE: NOVEMBER 4, 2022**  
**SUBJECT: SMALL BUSINESS FUNDING RECOMMENDATIONS**

### **BACKGROUND**

After successfully completing steps 1-4 of the Small Business Economic Assistance Program's application process, staff recommends approval of these small businesses to receive Coronavirus State and Local Fiscal Recovery Funds. Each application has been reviewed and has submitted appropriate documents or records that show that the business possesses a reasonable capacity to use the recommended award in a fiscally responsible way and perform a public purpose. Staff's recommendations total \$643,085 and are contingent on the successful execution of a contract with the County. Staff will conduct site visits to confirm each business's operating address and ensure NC Secretary of State filings were current for corporations and limited liability companies.

## **ARP SMALL BUSINESS ECONOMIC ASSISTANCE PROGRAM**

### **ARP Committee Funding Recommendations**

**Grand Total Funding Recommendations: \$683,085**

#### **4MB Inc DBA Hilton Garden Inn – Fayetteville/Fort Bragg**

- The Hilton Garden Inn has operated in Cumberland County since 2002. The business provides lodging, food, beverages, and a meeting space. Food and beverage operations, as well as meeting rooms, were closed due to COVID-19 restrictions. The business experienced a reduction in customers due to limited travel.
- Prior Funding: \$309,600
- Requested: \$50,000
- Recommendation: \$50,000 Payroll and Utilities to hire and/or retain 24 full-time LMI employees

#### **American Hospitality Inc DBA Holiday Inn Express Hotel & Suites**

- Holiday Inn Express (Skibo Rd.) has operated in Cumberland County since 1996. The business provides lodging, food, beverages, and a conference center. Food and beverage operations, as well as meeting rooms, were closed due to COVID-19 restrictions. The business experienced a reduction in customers due to limited travel to essential people only.
- Prior Funding: \$211,700
- Requested: \$50,000
- Recommendation: \$50,000 Payroll and Utilities to hire and/or retain 11 full-time LMI employees

#### **Charisma Beauty Institute**

- Charisma Beauty Institute has operated in Cumberland County since 2018. The business is a cosmetology school located in Fayetteville that offers students a licensure in the fields of Cosmetology, Esthetics, Natural Hair, and Nail Technology. The school has maintained a Grade A and 100% exam passing rate and job placement rate for all students. The business had to close their cosmetology school for four months because of the mass shutdown due to COVID-19. Student enrollment declined after reopening. Some students were unable to maintain their tuition expenses and the business worked with these students to keep them enrolled.
- Prior Funding: None
- Requested: \$50,000
- Recommendation: \$41,400 Occupancy to hire and/or retain 3 full-time LMI employees

#### **ChrisJoele Couture, LLC**

- ChrisJoele Couture has operated in Cumberland County since 2014. The business has had an online presence but expanded its operations to brick and mortar during the pandemic. The business is a women's boutique offering a unique and exclusive line of wardrobe. The business hosts the Success Closet, which works with organizations such as Fayetteville Urban Ministries to dress those in need at no charge for job interviews and job placement. The business is also a member of the Greater Fayetteville Chamber of Commerce. The business experienced a reduction in staff and revenues during the pandemic.
- Prior Funding: \$18,000
- Requested: \$24,000
- Recommendation: \$15,600 Occupancy to hire and/or retain 3 full-time LMI employees

### **Exclusive Hair Designs Salon & Spa DBA Tonya L. Council**

- Exclusive Hair Designs Salon has operated in Cumberland County since 2016. The business allows independent contractors (cosmetologists) a place to provide hair services (i.e. relaxer, coloring, cuts, etc.) and also provides hair products. The business claims a loss of stylists after closing down for months while still having to pay bills and lease. The business also had to purchase additional safety products (i.e., sanitizers, sprayers, masks, etc.) to appropriately space clients and provide social distancing measures.
- Prior Funding: \$50,000
- Requested: \$50,000
- Recommendation: \$23,837 Occupancy to retain 1 full-time LMI employee

### **Gateway Communications PLLC DBA Gateway Tutoring**

- Gateway Communications PLLC has operated in Cumberland County since 2016. The business is a speech therapy company that provides speech therapy to children in their office setting. The business also provides private 1-on-1 tutoring in math, ELA, EOG prep, and Kindergarten readiness to school aged children. The business states that in-person speech therapy and tutoring is essential to their operations. In 2020, the clinic had to shut down for three months and reopened to virtual services. The business obtained more office space in March and April of 2021, but lost employees. The business states that they plan to hire three teachers by Spring 2022 and provide after school tutoring to about 15 children.
- Prior Funding: \$38,504.03
- Requested: \$21,348
- Recommendation: \$21,348 Occupancy to hire and/or retain 11 full-time LMI employees

### **Got Chu Faded Barbershop**

- Got Chu Faded Barbershop has operated in Cumberland County since 2017. The business provides haircuts, straight razor, and wet shaves. In March 2020, all barbershops, salons, and massage businesses were ordered to shut down amid the COVID-19 outbreak. Applicant states that lease payments still had to be made monthly to keep the business from going under. All employees (besides the owner) are self-employed contractors paying a booth rent.
- Prior Funding: \$855
- Requested: \$24,700
- Recommendation: \$24,700 Payroll & Occupancy to retain 1 full-time LMI employee

### **Hardy Group Consulting LLC**

- Hardy Group Consulting LLC has operated in Cumberland County since 2019. The business is a minority woman-owned consulting firm that services citizens and small business owners with education and marketing plans. The business had trouble maintaining capacity during the pandemic.
- Prior Funding: \$6,250
- Requested: \$15,000
- Recommendation: \$15,000 Payroll to hire and/or retain 3 full-time LMI employees

### **Heart & Soul - Soul Food and Lounge LLC**

- Heart & Soul - Soul Food and Lounge LLC has operated in Cumberland County since 2019. The business is a family-owned soul food restaurant that specializes in soul food cuisine. Business started in November of 2019 but was unable to open until July 2020 due to the inability to get permits and licenses. Restrictions upon opening such as no dine-ins and early closing also caused the business to close several times due to short staff and business decline.
- Prior Funding: None
- Requested: \$45,300
- Recommendation: \$45,300 Occupancy to hire and/or retain 4 LMI employees

### **Hidden Jewel Salon**

- Hidden Jewel Salon has operated in Cumberland County since 2019. The business is a beauty salon and provides esthetic services. The business was shut down due to the stay-at-home order implemented by the Governor. The business lost 3 booths and lost revenue due to COVID-19 safety precaution modifications. The business had to reduce the number of contracted practitioners from 7 to 4 and owner states that they used personal income to pay all rents for remaining stylist so they could return to work.
- Prior Funding: None
- Requested: \$8,700
- Recommendation: \$8,400 Occupancy to retain 1 full-time LMI employee

### **HMM Legacy Inc DBA Springhill Suites - Fayetteville/Fort Bragg**

- Springhill Suites - Fayetteville/Fort Bragg has operated in Cumberland County since 2017. The business provides lodging, food and beverage services, and meeting spaces. The business states that food and beverage operations, as well as meeting rooms, were closed due to COVID-19 restrictions. The business also states that travel was limited to essential people only so their revenues were negatively affected.
- Prior Funding: \$254,800
- Requested: \$50,000
- Recommendation: \$50,000 Payroll and Utilities to hire and/or retain 13 full-time LMI employees

### **LegaC Remodeling & Home Improvement, LLC**

- LegaC Remodeling & Home Improvement, LLC has operated in Cumberland County since 2018. The business specializes in home repair and improvement. The business owner is a certified energy auditor, quality control inspector, building analyst professional, lead based renovator, and is also OSHA certified. Due to the pandemic the business owner has not been successful in hiring employees and has been completing projects on his own.
- Prior Funding: \$18,500
- Requested: \$50,000
- Recommendation: \$15,000 Payroll to retain 1 full-time LMI employee



**Lifespan ABA, Inc.**

- Lifespan ABA, Inc has operating in Cumberland County since 2013. The business uses evidence-based practices to facilitate the teaching of individuals diagnosed with autism spectrum disorder. The business lost approximately 20% of its staff and struggled to maintain remaining staff by implementing nontraditional incentives.
- Prior Funding: \$234,763
- Requested: \$50,000
- Recommendation: \$50,000 Occupancy, Payroll, and COVID-19 Prevention to hire and/or retain 3 full-time LMI employees

**LL&M Inc**

- LL&M Inc has operated Burney's Sweets and More of Fayetteville in Cumberland County since 2016. The business serves specialty baked goods, cakes, cookies, pies, and are most known for their fried glazed croissants. The business suffered a reduction in staff at the beginning of the pandemic. The business is in the process of rebuilding staff levels.
- Prior Funding: \$94,823
- Requested: \$40,000
- Recommended: \$40,000 Payroll and Occupancy to hire and/or retain 6 full-time LMI employees

**MBM Legacy Inc DBA Embassy Suites Hotel & Conference Center**

- Embassy Suites Hotel & Conference Center has operated in Cumberland County since 2011. The business provides lodging, food and beverage services, and a conference center. The business states that food and beverage operations, as well as meeting rooms, were closed due to COVID-19 restrictions. The business also states that travel was limited to essential people only so their revenues were negatively affected.
- Prior Funding: \$657,700
- Requested: \$50,000
- Recommendation: \$50,000 Payroll & Utilities to hire and/or retain 18 full-time LMI positions

**Nuvision Home Care Inc.**

- Nuvision Home Care Inc. has operated in Cumberland County since 2011. The business specializes in home health care and employees home health aids to support clients in their homes. During the pandemic the business struggled to maintain adequate staffing and relied on a reduced staff to maintain clients.
- Prior Funding: None
- Requested: \$10,000
- Recommendation: \$10,000 Payroll to retain 3 full-time LMI employees

**Sunlight Behavior Center, Inc.**

- Sunlight Behavior Center, Inc has operated in Cumberland County since 2003. The business is a 24-hour mental health level 3 residential group home for at-risk boys aged 8-17. The business experienced a reduction in capacity during to pandemic due to requirements and health & safety concerns.
- Prior Funding: \$49,000
- Requested: \$50,000
- Recommendation: \$50,000 Payroll to hire and/or retain 4 full-time LMI employees

### **The Cotton Law Firm, PLLC**

- The Cotton Law Firm, PLLC has operated in Cumberland County since 2010. The business is a law firm that serves clients in Cumberland County in traffic matters & DMV hearings, criminal defense, estate planning and uncontested divorces. The business lost workers during the pandemic and has worked to rebuild capacity.
- Prior Funding: \$188,500
- Requested: \$50,000
- Recommendation: \$50,000 Payroll to hire and/or retain 10 full-time LMI employees

### **Asja Davis DBA The Maintenance Crew**

- The Maintenance Crew has operated in Cumberland County since 2020. The business is skilled in several areas: Painting, Pressure Washing, Drywall, Concrete & Masonry, Light Remodeling, Cleaning, Hauling, Debris Removal, and Landscaping. During the pandemic the business expanded their services to maintain employees by providing cleaning and sanitation services as well but continued to struggle to maintain capacity.
- Prior Funding: \$4,000
- Requested: \$50,000
- Recommendation: \$20,000 to retain 1 full-time LMI employee

### **United Residential Services of North Carolina, Inc.**

- United Residential Services of North Carolina, Inc. has operated in Cumberland County since 2006. United Residential Services of North Carolina, Inc. is a provider of 24-hour residential treatment and services for persons living with Intellectual /developmental disabilities. During the pandemic the business lost 25% of its existing staff.
- Prior Funding: \$56,000
- Requested: \$50,000
- Recommendation: \$40,000 Payroll to hire and/or retain 10 full-time LMI employees

### **Yatringela Station Lash & Brow Bar LLC**

- Yatringela Station Lash & Brow Bar LLC has operated in Cumberland County since 2019. The business serves all populations providing eyelash, eyebrow, body waxing, and skincare services. The business closed in March 2020 due to Governor Cooper's mandate and has worked to restore staffing levels.
- Prior Funding: \$10,000
- Requested: \$25,000
- Recommendation: \$12,500 Occupancy to retain and/or hire 2 full-time LMI employees

**Amy H. Cannon**  
County Manager

**Brian Haney**  
Assistant County Manager



**Tracy Jackson**  
Assistant County Manager

**Sally S. Shutt**  
Assistant County Manager

**Heather Skeens**  
Assistant County Manager

## Office of the County Manager

**TO: BOARD OF COUNTY COMMISSIONERS**  
**FROM: VICKI EVANS, FINANCE DIRECTOR**  
**DATE: NOVEMBER 4, 2022**  
**SUBJECT: CONSIDERATION OF ARPA POLICY REVISIONS**

### **BACKGROUND**

Due to recent staffing changes, responsibilities specifically assigned to the ARP Program Manager within policy language has been expanded to now include the Chief of Staff or other designee as assigned by the County Manager. Revising the language in this manner ensures coverage in the event future position changes occur.

All proposed changes are shown in red font as follows:

- The footer on each policy has changed to show the proposed approval date of November 21, 2022
- Policy No. 3-9: Policy for Eligibility Determination for Expenditures of ARPA/CSLFRF - see page 3
- Policy No. 3-12: Policy for Subaward & Monitoring for Expenditures of ARPA/CSLFRF - see pages 5, 7 and 9

**Cumberland County**  
**Section I – Board Approved Policies**  
**Subsection 3 – Cumberland County Financial/Audit**  
**Policy No. 3-9: Policy for Eligibility Determination for Expenditures of American**  
**Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds**  
**(ARPA/CLSFRR)**

## **1.0 PURPOSE**

Cumberland County has received an allocation of funds from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARPA/CLSFRR). A separate ARPA fund has been established through an ARPA Grant Project Ordinance to budget and account for receipt and use of the funds.

## **2.0 SCOPE**

These funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
3. Provide services to disproportionately impacted communities to include providing housing support, healthy childhood environments, social, emotional and mental health services;
4. Provide premium pay for essential workers offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors;
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.
6. Revenue replacement; and,
7. Administrative expenses.

These funds are subject to the provisions of the federal Uniform Grant Guidance, 2 CFR Part 200 (UG), as provided in the [Assistance Listing](#); and the [Compliance and Reporting Guidance for the State and Local Fiscal Recovery Funds](#) which dictate implementation of the ARP/CLSFRR award terms and compliance requirements. Cumberland County must develop and implement effective internal controls to ensure that funding decisions under the SLFRR award constitute eligible uses of funds, and document determinations.

## **3.0 STATEMENT OF THE POLICY**

Cumberland County hereby adopts and enacts the following Eligibility Determination Policy for the expenditure of ARPA/CSLFRF funds.

## **PERMISSIBLE USES OF ARP/CSLFRF FUNDING**

US Treasury issued its **Final Rule** regarding use of ARPA funds on January 6, 2022. (The Final Rule is effective as of April 1, 2022. Until that date, a local government may proceed under the regulation promulgated by US Department of the Treasury in its **Interim Final Rule** or the Final Rule.) The Final Rule (and the Interim Final Rule) identify permissible uses of ARP/CSLFRF funds and certain limitations and process requirements. Cumberland County must allocate ARP/CSLFRF funds no later than December 31, 2024 and disburse all funding no later than December 31, 2026. Failure of an entity to expend all funds by December 31, 2026 will result in forfeiture of ARPA funds.

ARP/CSLFRF funds may be used for projects within the following categories of expenditures:

1. Support COVID-19 public health expenditures, by funding COVID-19 mitigation and prevention efforts, medical expenses, behavioral healthcare, preventing and responding to violence, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, non-profits, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

## **PROHIBITED USES OF ARPA FUNDING**

The ARP/CSLFRF and US Treasury's Final Rule prohibit certain uses of ARP/CSLFRF funds. Specifically, ARP/CSLFRF funds may not be used for projects within the following categories of expenditures:

1. To make a deposit into a pension fund that constitutes an extraordinary payment of an accrued, unfunded liability (Note that routine contributions as part of a payroll obligation for an eligible project are allowed.);
2. To borrow money or make debt service payments;
3. To replenish rainy day funds or fund other financial reserves;
4. To satisfy an obligation arising from a settlement agreement, judgment, consent decree, or judicially confirmed debt restricting in a judicial, administrative, or regulatory proceeding (There is an exception to this prohibition if the settlement or judgment requires Cumberland County to provide services to respond to the COVID-19 public health emergency or its negative economic impacts or to provide government services, then the costs of those otherwise ARP/CSLFRF-eligible projects are allowed.);
5. For a project that includes a term or condition that undermines efforts to stop the spread of COVID-19 or discourages compliance with recommendations and guidelines in CDC guidance for stopping the spread of COVID-19;

6. In violation of the conflict-of-interest requirements imposed by the award terms and 2 CFR 200.318(c).
7. For any expenditure that would violate other applicable federal, state, and local laws and regulations.

Cumberland County and any of its contractors or subrecipients, shall not expend any ARP/CSLFRF funds for these purposes.

## **PROCEDURES FOR PROJECT APPROVAL *(updated on August 19, 2022)***

1. Requests for ARP/CSLFRF funding eligibility determination, must be documented on the Cumberland County ARPA Project Funding Eligibility Determination Form which shall include all the following:
  - a. Brief description of the project
  - b. Identification of ARP/CSLFRF Expenditure Category (EC)
  - c. Required justifications for applicable projects, according to the requirements in the Final Rule.
  - d. Proposed budget, broken down by cost item, in accordance with Cumberland County's Allowable Cost Policy.
  - e. A project implementation plan and estimated implementation timeline (All ARP/CSLFRF funds must be fully obligated by December 31, 2024, and fully expended by December 31, 2026.)
2. Eligibility Determination forms must be completed for projects being considered for ARP/SLFRF funding.
3. If a proposal does not meet the required criteria as documented on the form, the requesting party may be requested to revise and resubmit.
4. The Eligibility Determination Form will be reviewed by the County Attorney's Office for ARP/CSLFRF compliance and by the ARPA Finance Accountant for verification of budgetary compliance and vendor setup information required to establish a formal agreement with Cumberland County.
5. Following approval, employees responsible for implementing the project must ensure actual obligations and expenditures conform to the approved project budget. Any changes in project budgets must be approved in advance and may require a budget amendment before proceeding. Any delay in the projected project completion date shall be communicated to the ARPA Program Manager, **Chief of Staff, or other designee assigned by the County Manager**, immediately.
6. The ARPA Finance Accountant must collect and document required information for each EC, for purposes of completing the required Project and Expenditure reports.
7. No ARP/CSLFRF project expenditures may be obligated or expended before the Board of County Commissioners approves the use within the grant project budget ordinance.
8. For audit purposes, the ARPA Finance Accountant must maintain a file containing project requests and approvals, all supporting documentation, and financial information at least until December 31, 2031.

**Cumberland County**  
**Section I – Board Approved Policies**  
**Subsection 3: Cumberland County Financial / Audit**  
**Policy No. 3-12: Policy for Subaward & Monitoring for Expenditures of American Rescue**  
**Plan Act Coronavirus State and Local Fiscal Recovery Funds (ARPA/CSLFRF)**

**1.0 PURPOSE**

Cumberland County has received an allocation of funds from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARPA/CSLFRF).

**2.0 SCOPE**

These funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
3. Provide services to disproportionately impacted communities to include providing housing support, healthy childhood environments, social, emotional and mental health services;
4. Provide premium pay for essential workers offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors;
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.
6. Revenue replacement; and,
7. Administrative expenses.

These funds are subject to the provisions of the federal Uniform Grant Guidance, 2 CFR Part 200 (UG), as provided in the Assistance Listing (21.027). ARP/CSLFRF rules authorize the Cumberland County to enter subaward agreements with subrecipients to assist in carrying out the terms of the ARP/CSLFRF. When Cumberland County enters into a subaward as a subrecipient, it acts as a pass-through entity, as described in 2 CFR 200.1, and the Compliance and Reporting Guidance for the State and Local Fiscal Recovery Funds (v.3.0 February 2022) provides, in relevant part:

*Subrecipient Monitoring: SLFRF recipients that are pass-through entities as described under 2 CFR 200.1 are required to manage and monitor their subrecipients to ensure compliance with requirements of the SLFRF award pursuant to 2 CFR 200.332 regarding requirements for pass-through entities.*



*First, your organization must clearly identify to the subrecipient: (1) that the award is a subaward of SLFRF funds; (2) any and all compliance requirements for use of SLFRF funds; and (3) any and all reporting requirements for expenditures of SLFRF funds.*

*Next, your organization will need to evaluate each subrecipient's risk of noncompliance based on a set of common factors. These risk assessments may include factors such as prior experience in managing Federal funds, previous audits, personnel, and policies or procedures for award execution and oversight. Ongoing monitoring of any given subrecipient should reflect its assessed risk and include monitoring, identification of deficiencies, and follow-up to ensure appropriate remediation.*

*Accordingly, your organization should develop written policies and procedures for subrecipient monitoring and risk assessment and maintain records of all award agreements identifying or otherwise documenting subrecipients' compliance obligations.*

*Recipients should note that non-entitlement units of local government (NEUs) are not subrecipients under the SLFRF program. They are SLFRF recipients that will report directly to Treasury.*

*Recipients should also note that subrecipients do not include individuals and organizations that received SLFRF funds as end users to respond to the negative economic impacts of COVID-19 on these organizations. Such individuals and organizations are beneficiaries and not subject to audit pursuant to the Single Audit Act and 2 C.F.R. Part 200, Subpart F.*

*Separately or in addition, many recipients may choose to provide a subaward (e.g., via contract or grant) to other entities to provide services to other end—users. For example, a recipient may provide a grant to a nonprofit to provide homeless services to individuals experiencing homelessness. In this case, the subaward to a nonprofit is based on the services that the Recipient intends to provide, assistance to households experiencing homelessness, and the nonprofit is serving as the subrecipient, providing services on behalf of the recipient. Subrecipients are subject to audit pursuant to the Single Audit Act and 2 CFR part 200, subpart F regarding audit requirements.*

*In addition, Subpart D of the UG dictates subrecipient and award requirements for expenditure of ARP/CSLFRF funds. 2 CFR 200.332 states that:*

*All pass-through entities must:*

*(a) Ensure that every subaward is clearly identified to the subrecipient as a subaward and includes the [required] information at the time of the subaward . . . When some of [the required information] is not available, the pass-through entity must provide the best information available to describe the Federal award and subaward.*

*(b) Evaluate each subrecipient's risk of noncompliance with Federal statutes, regulations, and the terms and conditions of the subaward for purposes of determining the appropriate subrecipient monitoring.*

*(c) Consider imposing specific subaward conditions upon a subrecipient if appropriate as described by 2 CFR 200.208.*



*(d) Monitor the activities of the subrecipient as necessary to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of the subaward; and that subaward performance goals are achieved.*

*(e) Depending upon the pass-through entity's assessment of risk posed by the subrecipient, [specific] monitoring tools may be useful for the pass-through entity to ensure proper accountability and compliance with program requirements an achievement of performance goals.*

*(f) Verify that every subrecipient is audited as required by [2 CFR 200, Subpart F] when it is expected that the subrecipient's Federal awards expended during the respective fiscal year equaled or exceeded the threshold set forth in 2 CFR 200.501.*

*(g) Consider whether the results of the subrecipient's audits, on-site reviews, or other monitoring indicate conditions that necessitate adjustments to the pass-through entity's own records.*

*(h) Consider taking enforcement action against noncompliant subrecipients as described in 2 CFR 200.339 and in program regulations.*

### **3.0 STATEMENT OF THE POLICY**

Cumberland County hereby adopts and enacts the following Subaward and Monitoring Policy for the expenditure of ARPA/CSLFRF funds.

#### **SUBAWARD AND MONITORING POLICY FOR EXPENDITURE OF AMERICAN RESCUE PLAN ACT OF 2021 CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS**

##### **I. POLICY OVERVIEW**

Title 2 U.S. Code of Federal Regulations Part 200, (2 CFR 200) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, commonly called Uniform Guidance (UG), specifically Subpart D, defines requirements of pass-through entities initiating subaward agreements with Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF). Cumberland County (hereinafter [COUNTY]) shall adhere to all applicable subaward and monitoring requirements governing the use of ARP/CSLFRF. This policy establishes procedures for classifying, making an award to, and monitoring a sub-recipient consistent with ARP/CSLFRF grant award terms and all applicable federal regulations in the UG.

Responsibility for following these guidelines lies with Cumberland County's ARPA Staff Committee who are charged with the administration and financial oversight of the ARP/CSLFRF funds.

##### **II. DEFINITIONS**

The definitions in 2 CFR 200.1 apply to this policy, including the following:

Contract: for the purpose of Federal financial assistance, a legal instrument by which a recipient or subrecipient purchases property or services needed to carry out the project or program under a federal award. For additional information on subrecipient and contractor determinations, see § 200.331. See also the definition of subaward in this section.

Contractor: an entity that receives a contract as defined in this section.

Pass-through Entity: a non-Federal entity that provides a subaward to a subrecipient to carry out part of a federal program. The COUNTY is the pass-through entity when it awards a subaward to a subrecipient.

Recipient: an entity, usually but not limited to non-Federal entities that receives a federal award directly from a federal awarding agency. The term recipient does not include subrecipients or individuals that are beneficiaries of the award.

Subaward: an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

Subrecipient: an entity, usually but not limited to non-Federal entities, that receives a subaward from a pass-through entity to carry out part of a federal award; but does not include an individual that is a beneficiary of such award. A subrecipient may also be a recipient of other Federal awards directly from a federal awarding agency.

### III. SUBRECIPIENT CLASSIFICATION

The COUNTY must make a case-by-case determination whether an agreement with another government entity or private entity, that is not a beneficiary, casts the party receiving the funds in the role of a subrecipient or contractor. 2 CFR 200.331.

A subaward is for the purpose of carrying out a portion of a federal award and creates a federal assistance relationship with the subrecipient. Characteristics which support the classification of the non-Federal entity as a subrecipient include when the non-Federal entity:

- (1) Determines who is eligible to receive what federal assistance;
- (2) Has its performance measured in relation to whether objectives of a federal program were met;
- (3) Has responsibility for programmatic decision-making;
- (4) Is responsible for adherence to applicable Federal program requirements specified in the Federal award; and
- (5) In accordance with its agreement, uses the federal funds to carry out a program for a public purpose specified in authorizing statute, as opposed to providing goods or services for the benefit of the pass-through entity.

A contract is for the purpose of obtaining goods and services for the non-Federal entity's own use and creates a procurement relationship with the contractor. Characteristics indicative of a procurement relationship between the non-federal entity and a contractor are when the contractor:

- (1) Provides the goods and services within normal business operations;
- (2) Provides similar goods or services to many different purchasers;
- (3) Normally operates in a competitive environment;
- (4) Provides goods or services that are ancillary to the operation of the Federal program; and
- (5) Is not subject to compliance requirements of the Federal program as a result of the agreement, though similar requirements may apply for other reasons.

In determining whether an agreement between a pass-through entity and another non-federal entity casts the latter as a subrecipient or a contractor, the substance of the relationship is more important than the form of the agreement. All the characteristics listed above may not be present in all cases, and the pass-through entity must use judgment in classifying each agreement as a subaward or a procurement contract.

The COUNTY will use the above criteria to determine if an agreement involving the expenditure of ARP/CSLFRF is a contract or subaward. The County Attorney's Office will document the determination in the Subrecipient or Contractor Classification Checklist in Appendix 1. (Appendix 1: Subrecipient or Contractor Classification Checklist.)

If the agreement involves a contractor relationship (including a contract for services), the COUNTY must follow its UG Procurement Policy when entering into a contract.

If the agreement involves a subrecipient relationship, the COUNTY must proceed to Sections IV. through VII. below.

#### IV. ASSESSMENT OF RISK

Before engaging in a subaward, the COUNTY must evaluate a subrecipient's risk of noncompliance with Federal statutes, regulations, and the terms and conditions of the subaward to determine whether to award the subaward and the appropriate subrecipient monitoring.

Finance Department staff will conduct the risk assessment, which will include consideration of the following factors:

- (1) The subrecipient's prior experience with the same or similar subawards;
- (2) The results of previous audits including whether or not the subrecipient receives a Single Audit in accordance with 2 CFR 200 Subpart F and the extent to which the same or similar subaward has been audited as a major program;
- (3) Whether the subrecipient has new personnel or new or substantially changed systems; and

(4) The extent and results of federal awarding agency monitoring (e.g., if the subrecipient also receives Federal awards directly from a federal awarding agency). 2 CFR 200.332(b).

The results of the risk assessment must be documented in the Subrecipient Assessment of Risk form in Appendix 2 and will be used to dictate the types and degree of subrecipient monitoring. (Appendix 2: Subrecipient Assessment of Risk) The COUNTY will assign an overall risk level to the subrecipient indicating the following:

Low Risk / Moderate Risk / High Risk

There is a low risk that the subrecipient will fail to meet project or programmatic objectives or incur significant deficiencies in financial, regulatory, reporting, or other compliance requirements. There is moderate risk that the subrecipient will fail to meet project or programmatic objectives or incur significant deficiencies in financial, regulatory, reporting, or other compliance requirements. There is high risk that the subrecipient will fail to meet project or programmatic objectives or incur significant deficiencies in financial, regulatory, reporting, or other compliance requirements.

If a proposed subrecipient is deemed high risk, the ARPA Program Manager, **Chief of Staff, or other designee assigned by the County Manager** must provide written justification to proceed with the subaward. The justification must be approved by the County Attorney's Office.

## V. SUBRECIPIENT MONITORING

The COUNTY will develop and implement a subrecipient monitoring plan for the particular subaward based on the findings of the Subrecipient Assessment of Risk. According to 2 CFR 200.332(d). The monitoring plan must involve:

- (1) Reviewing financial and performance reports required by the pass-through entity.
- (2) Following-up and ensuring that the subrecipient takes timely and appropriate action on all deficiencies pertaining to the Federal award provided to the subrecipient from the pass-through entity detected through audits, on-site reviews, and written confirmation from the subrecipient, highlighting the status of actions planned or taken to address Single Audit findings related to the particular subaward.
- (3) Issuing a management decision for applicable audit findings pertaining only to the Federal award provided to the subrecipient from the pass-through entity as required by 2 CFR 200.521.
- (4) The pass-through entity is responsible for resolving audit findings specifically related to the subaward and not responsible for resolving crosscutting findings. If a subrecipient has a current Single Audit report posted in the Federal Audit Clearinghouse and has not otherwise been excluded from receipt of Federal funding (e.g., has been debarred or suspended), the pass-through entity may rely on the subrecipient's cognizant audit agency or cognizant oversight agency to perform audit follow-up and make management decisions related to cross-cutting findings in accordance with section 2 CFR 200.513(a)(3)(vii). Such reliance does not eliminate the responsibility of the pass-through entity to issue subawards that conform to agency and award-specific requirements, to manage risk through ongoing subaward monitoring, and to monitor the status of the findings that are specifically related to the subaward.

The COUNTY's monitoring plan will vary based on the overall subrecipient risk assessment as low risk, medium risk, or high risk, detailed as follows:

Subrecipient Deemed Low Risk	Subrecipient Deemed Medium Risk	Subrecipient Deemed High Risk
<ul style="list-style-type: none"> <li>• Payment validations (monthly)</li> <li>• Report reviews (quarterly)</li> <li>• Desk reviews (at least once per year and more frequently if requested by [County/City/Town/Village] or subrecipient)</li> <li>• Onsite reviews (upon request of [County/City/Town/Village] or subrecipient)</li> <li>• Audit review (yearly)</li> </ul>	<ul style="list-style-type: none"> <li>• More detailed financial reporting</li> <li>• Payment validations (monthly)</li> <li>• Report reviews (bi-monthly)</li> <li>• Desk reviews (within 6 months of project start and every six months thereafter)</li> <li>• Onsite reviews (within 12 months of project start and annually thereafter, or more frequently as requested by [County/City/Town/Village] or subrecipient)</li> <li>• Audit review (yearly)</li> <li>• Procedures engagement (if subrecipient not subject to Single Audit Act; yearly)</li> </ul>	<ul style="list-style-type: none"> <li>• More detailed financial reporting</li> <li>• Compliance training (one-time)</li> <li>• Prior approvals for certain expenditures</li> <li>• Payment validations (monthly)</li> <li>• Report reviews (monthly)</li> <li>• Desk reviews (within 3 months of project start and at least quarterly thereafter)</li> <li>• Onsite reviews (within 6 months of project start and bi-annually thereafter, or more frequently as requested by [County/City/Town/Village] or subrecipient)</li> <li>• Audit review (yearly)</li> <li>• Procedures engagement (if subrecipient not subject to Single Audit Act; yearly)</li> </ul>

**Payment validation:** All subrecipient documentation for project expenditures must be reviewed by the ARPA Finance Accountant for compliance with subaward requirements. Any non-compliant expenditures will be denied and the subrecipient will be provided a reasonable description of the reason for denial and an opportunity to cure the deficiency. For a subrecipient on a reimbursement-based payment structure, the validation will occur before a reimbursement payment is approved. For a subrecipient that received an up-front payment, any funds found to have been expended in violation of the subaward requirements must be repaid to the COUNTY.

**Report review:** A subrecipient must submit quarterly financial and performance reports, based on the schedule set forth in the subaward. The nature and scope of the reports will depend on the project and be spelled out in the subaward. The reports will be reviewed by the ARPA Program Manager, Chief of Staff, or other designee assigned by the County Manager. Any deficiencies or other performance concerns will be addressed with the subrecipient in a timely manner and could trigger additional monitoring requirements or other interventions, as specified in the subaward.

**Desk review:** The COUNTY will conduct a meeting to review the subrecipient's award administration capacity and financial management. The meeting may be held virtually or in person. Topics covered will depend on project scope and subrecipient risk assessment and may include governance, budgeting, accounting, internal controls, conflict of interest, personnel,



procurement, inventory, and record keeping. The COUNTY will produce a report which summarizes the results and any corrective actions if deemed necessary. The report will be shared in a timely manner with the subrecipient.

Onsite review: The COUNTY will conduct an on-site meeting at the subrecipient's location to review the subrecipient's project performance and compliance. Topics covered will depend on project scope and subrecipient risk assessment and may include project procurement, data systems, activity and performance tracking, project reporting, inventory, and software systems. The COUNTY will produce a report which summarizes the results and any corrective actions deemed necessary. The report will be shared in a timely manner with the subrecipient.

Audit review: The COUNTY must verify that every subrecipient is audited as required by 2 CFR 200 Subpart F (Single Audit) when it is expected that the subrecipient's Federal awards expended during the respective fiscal year equaled or exceeded the threshold set forth in 2 CFR 200.501. The COUNTY must obtain a copy of the subrecipient's Single Audit from the Federal Audit Clearinghouse (FAC). Within six months of the acceptance of the audit report by the FAC, the COUNTY will issue a management decision for any audit findings related to the subaward. The decision will clearly state whether or not the audit finding is sustained, the reasons for the decision, and the expected auditee action to repay disallowed costs, make financial adjustments, or take other action. (The decision will include reference numbers the auditor assigned to each finding.) The decision will provide a timetable for responsive actions by the subrecipient. Prior to issuing the management decision, the COUNTY may request additional information or documentation from the auditee, including a request for auditor assurance related to the documentation, as a way of mitigating disallowed costs.

Procedures engagement: Applicable only to subrecipients who are not subject to the Single Audit Act. An auditor will perform specific procedures and report on findings. The scope must be limited to the following compliance requirements: activities allowed or unallowed; allowable costs/cost principles; eligibility; and reporting. The review will be arranged and paid for by the COUNTY. The COUNTY will verify completion of the procedure's engagement. Within six months of the acceptance of the procedure's engagement report, the COUNTY will issue a management decision for any findings related to the subaward. The decision will provide a timetable for responsive actions by the subrecipient. Prior to issuing the management decision, the COUNTY may request additional information or documentation from the subrecipient, including a request for auditor assurance related to the documentation, as a way of mitigating disallowed costs.

The specific monitoring plan for each subrecipient, including the type and frequency of reviews, will be detailed in the subaward agreement. For all requirements beyond those listed under the Low Risk category above, the COUNTY will notify the subrecipient of the following in the subaward:

- (1) The nature of the additional requirements;
- (2) The reason why the additional requirements are being imposed;
- (3) The nature of the action needed to remove the additional requirement, if applicable;
- (4) The time allowed for completing the actions if applicable; and
- (5) The method for requesting reconsideration of the additional requirements imposed.

To implement the monitoring plan, ARPA Program Manager, **Chief of Staff, or other designee assigned by the County Manager** must perform periodic reviews and document findings in the Subrecipient Monitoring Form (Appendix 3: Subrecipient Monitoring Form).

## VI. SUBRECIPIENT INTERVENTIONS

The COUNTY may adjust specific subaward conditions as needed, in accordance with 2 CFR 200.208 and 2 CFR 200.339. If the COUNTY determines that the subrecipient is not in compliance with the subaward, the COUNTY may institute an intervention. The degree of the subrecipient's performance or compliance deficiency will determine the degree of intervention. All possible interventions must be indicated in the subaward agreement.

The COUNTY must provide written notice to the subrecipient of any intervention within thirty days of the completion of a report review, desk review, onsite review, audit review, or procedures engagement review or as soon as possible after the COUNTY otherwise learns of a subaward compliance or performance deficiency.

Pursuant to 2 CFR 200.208, the written notice must notify the subrecipient of the following related to the intervention:

- (1) The nature of the additional requirements;
- (2) The reason why the additional requirements are being imposed;
- (3) The nature of the action needed to remove the additional requirement, if applicable;
- (4) The time allowed for completing the actions if applicable; and
- (5) The method for requesting reconsideration of the additional requirements imposed.

The following interventions may be imposed on a subrecipient, based on the level of the compliance or performance deficiency:

**Level 1 Interventions.** These interventions may be required for minor compliance or performance issues.

- (1) Subrecipient addresses specific internal control, documentation, financial management, compliance, or performance issues within a specified time period
- (2) More frequent or more thorough reporting by the subrecipient
- (3) More frequent monitoring by the COUNTY
- (4) Required subrecipient technical assistance or training

**Level 2 Interventions.** These interventions may be required, in addition to Level 1 interventions, for more serious compliance or performance issues.

- (1) Restrictions on funding payment requests by subrecipient
- (2) Disallowing payments to subrecipient
- (3) Requiring repayment for disallowed cost items
- (4) Imposing probationary status on subrecipient

**Level 3 Interventions.** These interventions may be required, in addition to Level 1 and 2 interventions, for significant and/or persistent compliance or performance issues.

- (1) Temporary or indefinite funding suspension to subrecipient
- (2) Nonrenewal of funding to subrecipient in subsequent year
- (3) Terminate funding to subrecipient in the current year
- (4) Initiate legal action against subrecipient

## VII. SUBAWARD AGREEMENT & EXECUTION

The subaward agreement will be drafted by the County Attorney's Office using the Subaward Agreement Template. Contract terms and conditions may vary based on several factors, including subrecipient risk assessment findings, as documented in the Subrecipient Assessment of Risk. The County Manager may fully execute the subaward agreement, subject to any required budget amendments by the COUNTY's governing board, preaudit requirements, electronic processing through the COUNTY's financial system.



**Amy H. Cannon**  
County Manager

**Brian Haney**  
Assistant County Manager



**Tracy Jackson**  
Assistant County Manager

**Sally S. Shutt**  
Assistant County Manager

**Heather Skeens**  
Assistant County Manager

## Office of the County Manager

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: VICKI EVANS, FINANCE DIRECTOR**

**DATE: NOVEMBER 4, 2022**

**SUBJECT: CONSIDERATION OF POLICY NO. 3-13: POLICY FOR RECORDS RETENTION OF ARPA/SLFR FUNDS**

### **BACKGROUND**

The Coronavirus Local Fiscal Recovery Funds Award Terms and Conditions and the Compliance and Reporting Guidance set forth the U.S. Department of Treasury's record retention requirements for the ARP/CSLFRF award. The attached policy was developed utilizing a template provided by the UNC School of Government. In general, the county must retain records for five years after the final expenditures have been made. That is currently expected to be no later than December 31, 2031. The policy also assigns responsibility for records retention to the ARPA Finance Accountant.

**Cumberland County**  
**Section I – Board Approved Policies**  
**Subsection 3: Cumberland County Financial / Audit**  
**Policy No. 3-13: Policy for Records Retention of**  
**American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds**  
**(ARPA/CSLFRF)**

## **1.0 PURPOSE**

Cumberland County has received an allocation of funds from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARPA/CSLFRF).

## **2.0 SCOPE**

These funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
3. Provide services to disproportionately impacted communities to include providing housing support, healthy childhood environments, social, emotional and mental health services;
4. Provide premium pay for essential workers offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors;
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.
6. Revenue replacement; and,
7. Administrative expenses.

These funds are subject to the provisions of the federal Uniform Grant Guidance, 2 CFR Part 200 (UG), as provided in the [Assistance Listing](#); and the [Compliance and Reporting Guidance for the State and Local Fiscal Recovery Funds](#).

## **3.0 STATEMENT OF THE POLICY**

Cumberland County (hereinafter COUNTY) hereby adopts and enacts the following ARPA Policy for Records Retention of ARPA/CSLFRF funds.

The Coronavirus Local Fiscal Recovery Funds (“CSLFRF”) [Award Terms and Conditions](#) and the [Compliance and Reporting Guidance](#) set forth the U.S. Department of Treasury’s (“Treasury”) record retention requirements for the ARP/CSLFRF award.

It is the policy of the COUNTY to follow Treasury's record retention requirements as it expends CSLFRF pursuant to the ARP/CSLFRF award. Accordingly, the COUNTY agrees to the following:

- (1) Retain all financial and programmatic records related to the use and expenditure of CSLFRF pursuant to the ARP/CSLFRF award for a period of five (5) years after all CLFRF funds have been expended or returned to Treasury, whichever is later.*
- (2) Retain records for real property and equipment acquired with CSLFRF for five years after final disposition.*
- (3) Ensure that the financial and programmatic records retained sufficiently evidence compliance with section 603(c) of the Social Security Act "ARPA," Treasury's regulations implementing that section, and guidance issued by Treasury regarding the foregoing.*
- (4) Allow the Treasury Office of Inspector General and the Government Accountability Office, or their authorized representatives, the right of timely and unrestricted access to any records for the purpose of audits or other investigations.*
- (5) If any litigation, claim, or audit is started before the expiration of the 5-year period, the records will be retained until all litigation, claims, or audit findings involving the records have been resolved.*

**Covered Records:** For purposes of this policy, records are information, regardless of physical form or characteristics, that are created, received, or retained that evidence the COUNTY's expenditure of CSLFRF funds on eligible projects, programs, or activities pursuant to the ARP/CSLFRF award.

Records that shall be retained pursuant to this policy include, but are not limited to, the following:

- (1) Financial statements and accounting records evidencing expenditures of CSLFRF for eligible projects, programs, or activities.*
- (2) Documentation of rational to support a particular expenditure of CSLFRF (e.g., expenditure constitutes a general government service);*
- (3) Documentation of administrative costs charged to the ARP/CSLFRF award;*
- (4) Procurement documents evidencing the significant history of a procurement, including, at a minimum, the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for contract cost or price;*
- (5) Subaward agreements and documentation of subrecipient monitoring;*

(6) *Documentation evidencing compliance with the Uniform Guidance property management standards set forth in 2 C.F.R. §§ 200.310-316 and 200.329;*

(7) *Personnel and payroll records for full-time and part-time employees compensated with CSLFRF; and*

(8) *Indirect cost rate proposals*

**Storage:** COUNTY's records must be stored in a safe, secure, and accessible manner. Wherever practicable, such records should be collected, transmitted, and stored in open and machine-readable formats.

**Departmental Responsibilities:** Any department or unit of the COUNTY, and its employees, who are responsible for creating or maintaining the covered documents in this policy shall comply with the terms of this policy. Failure to do so may subject the COUNTY to civil and/or criminal liability. Any employee who fails to comply with the record retention requirements set forth herein may be subject to disciplinary sanctions, including suspension or termination.

The ARPA Finance Accountant is responsible for identifying the documents that the COUNTY must or should retain and arrange for the proper storage and retrieval of records. The ARPA Finance Accountant shall also ensure that all personnel subject to the terms of this policy are aware of the record retention requirements set forth herein.

**Reporting Policy Violations:** The COUNTY is committed to enforcing this policy as it applies to all forms of records. Any employee that suspects the terms of this policy have been violated shall report the incident immediately to that employee's supervisor. If an employee is not comfortable bringing the matter up with the supervisor, the employee may bring the matter to the attention of the ARPA Finance Accountant. The COUNTY prohibits, any form of discipline, reprisal, intimidation, or retaliation for reporting incidents of inappropriate conduct of any kind, pursuing any record destruction claim, or cooperating in related investigations.

**Questions About the Policy:** Any questions about this policy should be referred to the ARPA Finance Accountant, who is in charge of administering, enforcing, and updating this policy.

The following policy was approved at the \_\_\_\_\_ Board of Commissioner's meeting.

**Cumberland County**

**Section I – Board Approved Policies**

**Subsection 10: American Rescue Plan Act of 2021**

**Policy No. 10-1.9: Program for COVID19 Assistance to Nonprofits**

**1.0 PURPOSE**

Cumberland County has received an allocation of funds from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARPA/CSLFRF). The Board of Commissioners approved allocating ARPA funding to establish a Program for COVID19 Assistance to Nonprofits in response to the detrimental economic impacts experienced by nonprofit organizations as a result of the COVID-19 pandemic. This program describes eligible activities as defined in 31 CFR Part 35.

**2.0 SCOPE**

Funds are made available by the U.S. Department of Treasury through Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) and are administered by the Cumberland County ARP Staff Committee. The goal is to provide up to \$50,000 in financial assistance to nonprofit organizations that experienced detrimental impacts due to the pandemic. For the purpose of this program Cumberland County has defined a nonprofit organization as a 501(c)3 or 501(c)19 organization.

For the purposes of this program applicants are permitted to request funds to be reimbursed for:

- Payroll, which includes wages and associated payroll taxes; and
- Occupancy, which includes rental lease payments, mortgage (for organization property), and utilities

The organization must have been incorporated on or before March 3, 2021.

Funds under this Program may not be used for any purpose other than reimbursement of payroll and occupancy expenses.

**3.0 STATEMENT OF THE POLICY**

Nonprofit 501(c)(3) or 501(3)(19) organizations operating within Cumberland County may apply. To be eligible a nonprofit organization must:

- (a) be located in a Qualified Census Tract (QCT) in Cumberland County and provide services to residents in the QCT, or employ low to moderate income individuals, being those full-time equivalent positions paying less than \$37,350;
- (b) possess the capacity to be successful with the use of the ARPA/CSLFRF program funds;
- (c) have a valid employer identification number (EIN);
- (d) be registered and in good standing with the North Carolina Secretary of State;
- (e) not be in bankruptcy;
- (f) be current with property taxes and any fees that are collected with property taxes, or has a payment plan in place with the tax administrator;
- (g) maintain a policy of general liability insurance with at least as much coverage as the amount of funding received from the program;
- (h) comply with Cumberland County Policy No.3-11: Conflict of Interest;
- (i) have employees with wages reported with a W-2; and
- (j) maintain employment of at least one full-time equivalent low to moderate income employee for one year after the first receipt of assistance under the program.

#### **4.0 IMPLEMENTATION**

A contractual relationship will be established between the County and the nonprofit organization to ensure compliance with county, state, and federal guidelines.

- Implementation and enforcement of this policy shall be the responsibility of County Administration, Finance, and Legal in accordance with [31 CFR 35, Coronavirus State and Local Fiscal Recovery Funds Final Rule.](#)

**Amy H. Cannon**  
County Manager

**Brian Haney**  
Assistant County Manager



**Tracy Jackson**  
Assistant County Manager

**Sally S. Shutt**  
Assistant County Manager

**Heather Skeens**  
Assistant County Manager

## Office of the County Manager

**TO: BOARD OF COUNTY COMMISSIONERS**  
**FROM: VICKI EVANS, FINANCE DIRECTOR**  
**DATE: NOVEMBER 4, 2022**  
**SUBJECT: ARPA GRANT PROJECT ORDINANCE AMENDMENT B230001**

### **BACKGROUND**

The most recent amendment to the ARPA Grant Project Ordinance was approved by the Board of Commissioners on June 20, 2022. Since that time, the Commissioners' ARP Committee has considered realignment of funding into multiple expenditure categories. Changes are shown in the column labeled "November 21, 2022 Adjustments".

Items 1, 2 and 3: \$1,200,000 increase for eligible health insurance claims

Items 4 and 5: \$1,014,000 decrease for CFVH programs to be funded utilizing freed-up capacity

Item 6 and 7: \$4,500,000 decrease to remove mortgage assistance and first-time homebuyers program

Item 8: \$250,000 decrease for FSU program to be funded utilizing freed-up capacity

Item 9: \$4,564,000 increase for rehiring public sector staff - allowable use for ease of administration of federal funds by a simplified draw of applicable employee salary and benefit costs. Funding will reimburse the general fund for incurred costs, thereby creating "freed-up capacity" to provide funding for Board approved projects while requiring less restricting accounting and reporting requirements. This amount will be updated as additional projects are identified for use of the freed-up capacity, in an amount not currently expected to exceed \$35,000,000 through December 31, 2026.

**DRAFT ARPA GRANT PROJECT ORDINANCE AMENDMENT #B230001**

**as of June 20, 2022**

**November 21, 2022**

ARPA Reporting Code	Fund 240 Expenditure Category	Project Description	Cost Object	Appropriation of CSLFRF Funds	Project Allocation Total		Appropriation of CSLFRF Funds	Appropriation of CSLFRF Funds as revised
1.1	Public Health (2404551)	COVID19 Vaccinations - Cumberland County's self-funded claims costs for vaccinations	Claims			1	\$ 78,000	\$ 78,000
1.2	Public Health (2404551)	COVID19 Testing - Cumberland County's self-funded claims costs for COVID19 testing	Claims			2	166,000	166,000
1.4	BOC Meeting Room	Physical plant changes to Public Facilities that respond to the COVID-19 Public Health Emergency	Engineering/C onstruction	3,000,000	3,000,000			3,000,000
1.6	Public Health (2404551)	Medical expenses - Cumberland County's self-funded claims costs for COVID19 treatment	Claims			3	956,000	956,000
1.8	Public Health (2404551)	COVID19 Assistance to Small Business (1.8)	Contracted Services	3,500,000	3,500,000			3,500,000
1.9	Public Health (2404551)	COVID19 Assistance to Non-Profits (1.9)	Contracted Services	3,500,000	3,500,000			3,500,000
1.12	Public Health (2404551)	Behavioral Health Services: CFVH to provide a Community Paramedics program	Contracted Services	874,000	874,000	4	(874,000)	-
1.13	Public Health (2404551)	Substance Use Services: Purchase Narcan for distribution to the Sheriff's Office and County Fire Departments	Medical Supplies	140,000	140,000	5	(140,000)	-
2.2	Negative Economic Impacts (2404552)	Household Assistance: Rent, Mortgage, and Utility Aid Mortgage Assistance: Make funding available to assist residents at risk of foreclosure.	Contracted Services	2,000,000	2,000,000	6	(2,000,000)	-
2.2	Negative Economic Impacts (2404552)	Household Assistance: Rent, Mortgage, and Utility Aid Rental Assistance: Make funding available to assist renters at risk of eviction.	Contracted Services	1,500,000	1,500,000			1,500,000
2.10	Negative Economic Impacts (2404552)	Assistance to Unemployed or Underemployed Workers: Trade job training progrma in partnership with FTCC, Mid-Carolina COG - Workforce Development, and Cumberland County Schools	Contracted Services	2,000,000	2,000,000			2,000,000
2.15	Negative Economic Impacts (2404552)	Long-term Housing Security: Affordable Housing - New construction of a multi-family housing development in the Shaw Heights neighborhood (QCT 24.01).	Engineering/C onstruction	10,000,000	10,000,000			10,000,000
2.18	Negative Economic Impacts (2404552)	Housing Support: Other Housing Assistance - First-time homebuyers program	Contracted Services	2,500,000	2,500,000	7	(2,500,000)	-
2.30	Negative Economic Impacts (2404552)	Assistance to Small Businesses: Technical Assistance, Counseling, or Business Planning - FSU to provide advisory services, education, entrepreneurial summits and expos to businesses	Contracted Services	250,000	250,000	8	(250,000)	-
3.2	Public Sector Capacity (2404553)	Public Sector Workforce: Rehiring Public Sector Staff Salary and benefit costs to restore employment to pre-pandemic levels	Salaries/ Benefits			9	4,564,000	4,564,000
5.5	Infrastructure (2404555)	Clean Water: Other Sewer Infrastructure - Construction of a sanitary sewer system to be located in the Shaw Heights neighborhood (QCT 24.01).	Engineering/C onstruction	12,000,000	12,000,000			12,000,000
5.15	Infrastructure (2404555)	Drinking Water: Other Water Infrastructure - Construction of a water system to be located in the Gray's Creek Water and Sewer District	Engineering/C onstruction	10,000,000	10,000,000			10,000,000
5.21	Infrastructure (2404555)	Broadband: Other projects Broadband expansion into underserved areas in partnership with the State of NC, and a vendor to be selected through a competitive RFP process	Contracted Services	1,000,000	1,000,000			1,000,000
6.1	Revenue Replacement (2404556)	Provision of Government Services Salaries and benefit costs of Public Safety Personnel	Salaries/ Benefits	10,000,000	10,000,000			10,000,000
7.1	Administration (2404557)	Administrative Expenses - 3.5 full time County positions and allocated portions of several staff to manage CSLFRF programs and compliance requirements. ARPA allows up to 10% of total award.			2,904,690			
			Salaries	1,321,348				1,321,348
			Benefits	389,281				389,281
			Operating	125,335				125,335
			Unassigned	1,068,726				1,068,726
TOTAL				\$ 65,168,690	\$ 65,168,690		\$ -	\$ 65,168,690





**ENGINEERING AND INFRASTRUCTURE DEPARTMENT**

**MEMORANDUM FOR THE AGENDA OF THE NOVEMBER 10, 2022  
AGENDA SESSION**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: JERMAINE WALKER, DIRECTOR OF ENGINEERING AND  
INFRASTRUCTURE**

**DATE: 11/4/2022**

**SUBJECT: CROWN EVENT CENTER COMMITTEE RECOMMENDATION ON  
CONSTRUCTION DELIVERY METHOD**

**Requested by: AMY CANNON, COUNTY MANAGER**

**Presenter(s): JERMAINE WALKER, DIRECTOR OF ENGINEERING AND  
INFRASTRUCTURE**

**BACKGROUND**

In order to adhere to the restrictive timeline required to deliver the new Crown Event Center as a complete and useable facility by October 2025, it is important to finalize discussions regarding the construction delivery methods available to the County for this project. Over the years, changes in North Carolina legislation have provided local governments with more options for construction of public facilities.

Attached is a presentation that details aspects of the Design-Build, Design-Bid-Build and Construction-Manager-at-Risk construction delivery methods for the Board of Commissioners information and consideration.

This item was presented to the Crown Event Center Committee on November 1, 2022, and was forwarded to the Board of Commissioners for consideration.

**RECOMMENDATION / PROPOSED ACTION**

The recommendation of the Project Delivery Team is to use Construction Manager-at-Risk as the construction delivery method for the Crown Event Center Project.

**ATTACHMENTS:**

Description

Type

Construction Delivery Method Presentation

Backup Material

# Crown Event Center Project Update

November 10, 2022

# Agenda



Delivery Method Presentation



Architect Selection Process Update



Site Selection Process Update



Board of Commissioners Actions



Project Next Steps

# Action Items



Delivery Method | Vote on project delivery method

# CONSTRUCTION PROJECT DELIVERY METHODS

**Design-Bid-Build**

**Construction Manager at Risk**

**Design-Build**

**Recommendation from Crown Event Center Committee is to utilize the Construction Manager at Risk delivery method for the Crown Event Center Project**

# CONSTRUCTION PROJECT DELIVERY METHODS

## **Design-Bid-Build**

- Most common used in North Carolina
- Procure architect, complete design to 100%, procure contractor
- Contractor selected based on lowest cost (and qualified) bid

## **Pros and Cons for application on Crown Event Center project**

- Pro – Greatest opportunity for lowest initial construction cost, but
- Con – May result is more change orders
- Con – Generally leads to the longest overall project schedule
- Con – Contractor is not involved during design to provide feedback
- Con – If construction bids come in over budget, will likely cause project delay

# CONSTRUCTION PROJECT DELIVERY METHODS

## **Construction Management-at-Risk (CMAR)**

- Commonly used at the state level in North Carolina
- Contractor gets involved during design phase
- Contractor is selected based on qualifications

## **Pros and Cons for application on Crown Event Center project**

- Pro – Can shorten schedule, fast track approach
- Pro – Contractor provides input on costs during design, value engineering
- Pro – Allows for early packages and early procurement of long lead items
- Con – May result in higher initial construction cost, but change orders are generally limited to owner-requested changes and unforeseen conditions
- Con – Lengthy pay applications (due to open book requirements for submission)



# CONSTRUCTION PROJECT DELIVERY METHODS

## Design-Build

- Team of contractor and designer selected based on qualifications and price
- Designer develops early design drawings. Team of contractor and designer develops price based on early design drawings and is responsible for completing full design and construction

## Pros and Cons for application on Crown Event Center project

- Pro – Can shorten overall project schedule
- Pro – Change orders are generally limited to owner-requested changes and unforeseen conditions
- Con – Quality review and submittal review not third party. Overseen by the contracted entity
- Con – While owner sets scope requirements for project, the contractor and designer team controls final decisions on equipment and materials. Owner does remain involved throughout project and can provide oversight.

# Architect Selection Process

10/11/22

- Architect RFQ responses received

11/8-9/22

- County staff will conduct in-person interviews with the shortlisted firms and develop a ranking of firms to present to the Crown Event Center Committee

11/16/22

- Crown Event Center Committee to review the recommended ranking and finalize recommendation on Architect selection to be presented to the Board

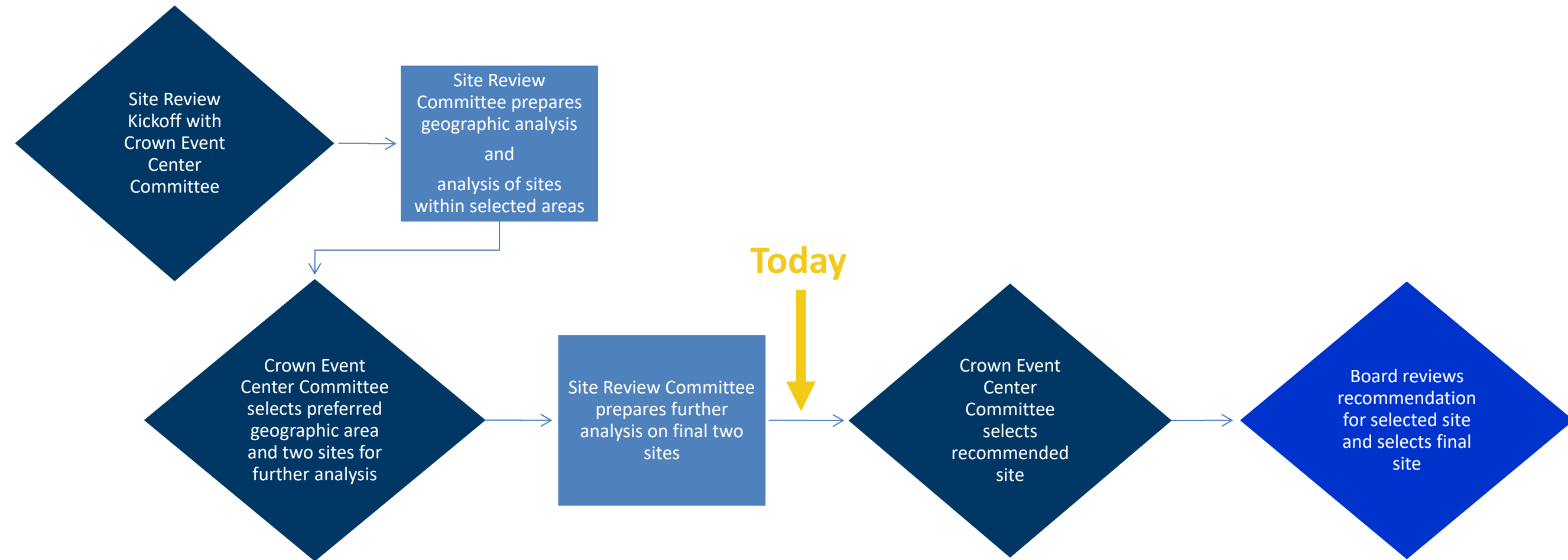
11/21/11

- Board to review the recommended Architect and hold vote for County staff to move forward with contract negotiations with the selected firm

11/28/22

- Board to vote on Architect contract presented by County staff

# Site Selection Process



# Action Items



Delivery Method | Vote on project delivery method

# Project Next Steps



Contractor Information Session



Contractor solicitation, pending delivery method selection



Architect Shortlist Interviews



Continue site selection process



**ASSISTANT COUNTY MANAGER STRATEGIC MANAGEMENT/ GOVERNMENTAL  
AFFAIRS**

**MEMORANDUM FOR THE AGENDA OF THE NOVEMBER 10, 2022  
AGENDA SESSION**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: SALLY SHUTT, ASSISTANT COUNTY MANAGER**

**DATE: 11/4/2022**

**SUBJECT: COMPETITIVE GRANTS UPDATE**

**Requested by: AMY CANNON, COUNTY MANAGER**

**Presenter(s): SALLY SHUTT, ASSISTANT COUNTY MANAGER**

**BACKGROUND**

The attached Competitive Grants Update includes information on recent notifications, submissions and upcoming applications.

**RECOMMENDATION / PROPOSED ACTION**

For information only.

**ATTACHMENTS:**

Description

Grants Update - Presentation 11-10-2022

Type

Backup Material

# Competitive Grants Update

**Board of County Commissioners  
Agenda Session  
November 10, 2022**

**Sally Shutt, Assistant County Manager**



# Grants Overview

- Recent notifications
- Recent submissions
- Upcoming applications



# Recent notifications

## **Justice Services**

- \$393,640 – BJA Adult Drug Court Discretionary Grant

## **Sheriff's Office**

- Awarded FY 22 BJA Edward Byrne Memorial Justice Grant totaling \$182,691. Funds are split 50/50 between CCSO and Fayetteville PD.

# Recent notifications

## Infrastructure

The County's two projects moved to the next step for the Building Infrastructure in Communities (BRIC) grant process. Applications are due Nov. 18.

- Emergency Debris Management and Solid Waste Plan: CC&B
- NORCRESS

# Recent submissions

## NCDEQ submissions on Sept. 30

- Landfill Leachate Treatment and PFAS Removal - **\$15.3M**
- Landfill Gas Collection and Treatment Improvements - **\$1.8M**
- Water Supply Feasibility Study for GenX Response - **\$400,000**
- Landfill Sediment Ponds No. 2 and No. 3  
**\$1.76M** (loan approved in spring; resubmitted for grant funding)
- NORCRESS application from spring round will be reconsidered

# Recent Submissions

- **FAMPO** – plans to partner in the Engaging North Carolina Rural and Underserved Communities in Transportation Carbonization project
  - \$65,000 in federal funding
  - Community engagement and outreach activities

# Recent Submissions

## Opioid Related Funding

- Prevent Prescription Drug/Opiod Overdose-Related Deaths Grant from NCDHHS. Cumberland is one of 19 counties eligible for up to \$50,000.
- Insight Services, a 501 (c)(3) accredited non-profit that provides prevention services in Cumberland County and is a CFORT partner, submitted the application.

# Upcoming applications

## Public Health Department

- **Vital Strategies** – seeking \$70,000 in matching Opioid Settlement Funds for Narcan and Syringe Service Programs (NC Harm Reduction) – Due Nov. 15
- **Office of Rural Health Community Health Grant** – seeking funding to support the department's Adolescent Parenting Program. Previous funding for program ended in 2020. Other funding sources have been used to keep the program going. Due Dec. 2.

# Upcoming applications

## Public Health Department

- **United Way of Cumberland County Partnership Program** – applying in collaboration with the Food Policy Council to support local farmers in accepting WIC at farmers' markets. Funding cycle starts at the beginning of each year.



# CUMBERLAND COUNTY

NORTH CAROLINA





**OFFICE OF THE COUNTY MANAGER**

**MEMORANDUM FOR THE AGENDA OF THE NOVEMBER 10, 2022**  
**AGENDA SESSION**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: TRACY JACKSON, ASSISTANT COUNTY  
MANAGER/ENVIRONMENTAL & COMMUNITY SAFETY**

**DATE: 11/4/2022**

**SUBJECT: DELI FRANCHISE BID TAB AWARD**

**Requested by: AMY H. CANNON, COUNTY MANAGER**

**Presenter(s): TRACY JACKSON, ASSISTANT COUNTY  
MANAGER/ENVIRONMENTAL & COMMUNITY SAFETY**

**BACKGROUND**

The current franchise to operate a deli/snack bar at the Judge E. Maurice Braswell Courthouse and the Department of Social Services will expire December 31, 2022. The current franchise agreement term was January 1, 2016, through December 31, 2019, and included three (3) one year renewal options that were all executed.

The County Purchasing Department issued a request for proposals (RFP) using established advertising procedures and sites on September 16, 2022. Voluntary, but highly recommended, site visits were originally scheduled for September 30, 2022, but had to be rescheduled to October 7, 2022, due to an inclement weather event on September 30th. As a result, the original deadline for proposals which was October 11, 2022, was extended to October 21, 2022. Please see the attached RFP# 23-13-ADM Deli and Snack Bar Franchise and Addendum I & Addendum II for details.

One proposal was submitted which met basic qualifications (see attached Bid Tab Summary) by the current franchisee, Shana B. Yi and Jae Yong Yi (Lee), DBA Go 'N Joy Restaurant (AKA, Happy Deli) . The process for approving the franchise agreement involves two separate readings at different Board of Commissioners'

meetings.

**RECOMMENDATION / PROPOSED ACTION**

Staff requests this item be moved forward as an item of business for the Board of Commissioners' regular meeting on November 21, 2022, with anticipation of a second reading, if the Board approves, at its December 19, 2022, regular meeting.

**ATTACHMENTS:**

Description	Type
Deli RFP	Backup Material
Addendum I	Backup Material
Addendum II	Backup Material
Bid Tab	Backup Material



**County Administration**

**RFP# 23-13-ADM**

**Deli and Snack Bar Franchise**

**Date of Issue: September 16, 2022**

**Site Visits: September 30, 2022 (Friday) at 2:00 PM (EST) and 3:00 PM (EST)**

**Questions Due Date: October 4, 2022 (Tuesday) at 2:00 PM (EST)**

**Proposal Due Date: October 14, 2022 (Friday) at 2:00 PM (EST)**

**Direct all inquiries concerning this RFP to:**

**Lorena Santos, Purchasing Manager**

**Email: [cumberlandpurchasing@cumberlandcountync.gov](mailto:cumberlandpurchasing@cumberlandcountync.gov)**

**Phone: 910-678-7743**

Proposals shall be submitted in accordance with the terms and conditions of this RFP and any addenda issued hereto.

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## 1.0 PURPOSE AND BACKGROUND

Cumberland County is seeking proposals to establish a franchise for the provision of Deli and Snack Bar Services at the following locations:

- 1) The Cumberland County Courthouse, Lower Level, 117 Dick Street, Fayetteville, NC
- 2) The Department of Social Services, Lower Level, 1225 Ramsey Street, Fayetteville, NC

The hours of operation for each location shall be 7:30 a.m. to 3:00 p.m., Monday through Friday and closed on Saturday, Sunday, and County-recognized holidays (see **Attachment E** for the County's Holiday Schedule).

The County's desire is for the prospective franchisee to provide food and beverages that are palatable and reasonably priced. Additionally, the County wants the franchisee to promote good nutrition by providing healthy eating choices. The potential franchisee will have a solid record of service and a sound reputation.

## 2.0 PROPOSAL INSTRUCTIONS & REQUIREMENTS

### 2.1 REQUEST FOR PROPOSAL DOCUMENT

The RFP is comprised of the base RFP document, any attachments, and any addenda released before Contract award. All attachments and addenda released for this RFP in advance of any Contract award are incorporated herein by reference. By submitting a proposal, the vendor agrees to meet all stated requirements in this section as well as any other specifications, requirements and terms and conditions stated in this RFP. If a vendor is unclear about a requirement or specification or believes a change to a requirement would allow for the County to receive a better proposal, the vendor is urged and cautioned to submit these items in the form of a question during the question and answer period in accordance with Section 2.3.

Vendors shall populate all attachments of this RFP that require the vendor to provide information and include an authorized signature where requested. Failure to include required documents and/or signatures, where requested, will result in rejection of submitted proposals.

### 2.2 PROPOSAL SUBMITTAL

Proposals, subject to the conditions made a part hereof and the receipt requirements described below, shall be received at the address indicated in the table below.

Mailing address for delivery of proposal via US Postal Service	Office Address of delivery by any other method (special delivery, overnight, or any other carrier)
<p><i>PROPOSAL TITLE:</i></p> <p><i>RFP# 23-13-ADM Deli and Snack Bar Franchise</i></p> <p><i>Cumberland County Purchasing Office</i> <i>Attn.: Lorena Santos</i> <i>P.O. Box 1829</i> <i>Fayetteville, NC 28302-1829</i></p>	<p><i>PROPOSAL TITLE:</i></p> <p><i>RFP# 23-13-ADM Deli and Snack Bar Franchise</i></p> <p><i>Cumberland County Purchasing Office</i> <i>Attn.: Lorena Santos</i> <i>117 Dick Street</i> <i>4<sup>th</sup> Floor, Room 451</i> <i>Fayetteville, NC 28301</i></p>

**IMPORTANT NOTE:** All proposals shall be physically delivered to the office address listed above or **before Friday, October 14, 2022 at 2:00 PM per the clock in the Finance Department**, regardless of the method of delivery. All risk of late arrival due to unanticipated delay—whether delivered by email, hand, U.S. Postal Service, courier or other delivery service is entirely on the vendor. It is the sole responsibility of the vendor to have the proposal to the County department specified by the specified time and date of opening. Any proposal received after the proposal submission deadline will be rejected.

1. Submit **one (1) signed, original executed** proposal response, **five (5) photocopies**, and **one (1) electronic copy on flash drive**.
2. Submit your proposal in a sealed package. Clearly mark each package with: (1) Vendor name; (2) the RFP number; and (3) the due date. Address the package(s) for delivery as shown in the table above. Proposals will be subject to rejection unless submitted with the information above included on the outside of the sealed proposal package.
3. The electronic copies of your proposal must be provided on flash drives. The files on the flash drives **shall NOT** be password protected, shall be in .PDF or .XLS format, and shall be capable of being copied to other media including readable in Microsoft Word and/or Microsoft Excel.

All proposal addendums and/or corrections will be posted on the Cumberland County Vendor Self Service site <https://ccmunis.co.cumberland.nc.us/MSS/Vendors/VProposals/SearchResults.aspx>. Vendors who submit a notice of intent to bid to email **CumberlandPurchasing@cumberlandcountync.gov** will receive addendums by email.

## 2.3 PROPOSAL QUESTIONS

Written questions shall be emailed to **CumberlandPurchasing@cumberlandcountync.gov** by **2:00 p.m. (EST) on Tuesday, October 4, 2022**. Vendors should enter “**RFP# 23-13-ADM Deli and Snack Bar Franchise: Questions**” as the subject for the email. Questions will not be answered by phone. Questions submittals should include a reference to the applicable RFP section.

Questions received prior to the submission deadline date, the County’s response, and any additional terms deemed necessary by the County will be posted in the form of an addendum to the Cumberland County Vendor Self Service Site, <https://ccmunis.co.cumberland.nc.us/MSS/Vendors/default.aspx> and shall become an Addendum to this RFP. **Vendors who submit an intent to bid will receive addendums by email.** Vendors shall rely *only* on written material contained in an Addendum to this RFP. **Vendors should not contact any other County employees, besides those listed above, during the bid process. Vendors who contact any other County employees may be disqualified.**

Any questions considered minute in nature or that point to an error in the RFP or that the County determines will produce information required in order for all vendors to submit a responsible proposal, may be answered at the County’s discretion after the specified date and time. Such questions that are received after the deadline are not guaranteed to be answered and if the questions qualify as “minute in nature” shall be determined at the sole discretion of the County.

## 2.4 NON-MANDATORY/URGED AND CAUTIONED SITE VISITS

### Urged and Cautioned Site Visit #1

Date:	September 30, 2022 (Friday)
Time:	2:00 PM Eastern Time
POC:	Tracy Jackson
Contact #:	910-323-6117
Location:	Cumberland County Courthouse, Lower Level, 117 Dick Street, Fayetteville, NC

**Instructions:** Vendor representatives are URGED and CAUTIONED to visit the site and apprise themselves of the conditions and requirements which will affect the performance of the work called for by this Request for Proposal. A non-mandatory site visit is scheduled for Friday, September 30, 2022, at 2:00 PM EST at the Cumberland County Courthouse, Lower Level, 117 Dick Street, Fayetteville, NC.

Vendor is cautioned that any information released to attendees during the site visit, other than that involving the physical aspects of the facility referenced above, and which conflicts with, supersedes, or adds to requirements in this Request for Proposal, must be confirmed by written addendum before it can be considered to be a part of this proposal.

#### **Urged and Cautioned Site Visit #2**

Date: September 30, 2022 (Friday)  
Time: 3:00 PM Eastern Time  
POC: Tracy Jackson  
Contact #: 910-323-6117  
Location: Department of Social Services, Lower Level, 1225 Ramsey Street,  
Fayetteville, NC

**Instructions:** Vendor representatives are URGED and CAUTIONED to visit the site and apprise themselves of the conditions and requirements which will affect the performance of the work called for by this Request for Proposal. A non-mandatory site visit is scheduled for Friday, September 30, 2022, at 3:00 PM EST at The Department of Social Services, Lower Level, 1225 Ramsey Street, Fayetteville, NC.

Vendor is cautioned that any information released to attendees during the site visit, other than that involving the physical aspects of the facility referenced above, and which conflicts with, supersedes, or adds to requirements in this Request for Proposal, must be confirmed by written addendum before it can be considered to be a part of this proposal.

## **2.5 ALTERNATE PROPOSALS**

Vendor may submit alternate proposals for various methods or levels of service(s) or that propose different options. Alternate proposals must specifically identify the RFP requirements and advantage(s) addressed by the alternate proposal. Any alternate proposal, in addition to the marking described above, must be clearly marked with the legend: "Alternate Proposal Title\_\_\_ [for 'name of Vendor']". Each proposal must be for a specific set of services and must include specific pricing. If a vendor chooses to respond with various service offerings, each must be offered with a separate price and be contained in a separate proposal document. Each proposal must be complete and independent of other proposals offered. Acceptance of alternate proposals is at the County's sole discretion.

## **2.6 RFP TERMS & CONDITIONS**

It shall be the vendor's responsibility to read the instructions, the County's terms and conditions, all relevant exhibits and attachments, and any other components made a part of this RFP and comply with all requirements and specifications herein. Vendors also are responsible for obtaining and complying with all Addenda and other changes that may be issued in connection with this RFP.

Questions, issues, or exceptions regarding any term, condition, or other component within this RFP, those must be submitted as questions in accordance with the instructions in Section 2.3 PROPOSAL QUESTIONS. Vendor's proposal shall constitute a firm offer.

If a vendor desires modification of the terms and conditions of this solicitation, it is urged and cautioned to inquire during the question period, in accordance with the instructions in this RFP, about whether specific language proposed as a modification is acceptable to or will be considered by the County. It is the County's sole discretion to accept or reject



requested modifications and/or exceptions.

### **3.0 NOTICES TO VENDOR**

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#### **3.1 PROHIBITED COMMUNICATIONS AND CONFIDENTIALITY**

**PROHIBITED COMMUNICATION:** Each vendor submitting a proposal, including its representatives, subcontractors, and suppliers, is prohibited from having any communication with any employees or members of the board of commissioners of the County except those employees of the County's Finance Department as designated in this RFP. A vendor who does not comply with this provision may be disqualified from award of a contract.

**!IMPORTANT INFORMATION! CONFIDENTIAL INFORMATION:** The proposal must not contain any information marked as "confidential" or as a "trade secret" or in any other manner as to indicate that it is information protected by the Trade Secrets Protection Act ( the "Act") as set out in Article 24 of Chapter 66 of the North Carolina General Statutes, unless the vendor has noticed the County Finance Department of its intent to designate any information in the proposal as such and received permission from the County Finance Department to do so in writing. Vendor's notice to the County Finance Department must be in writing and must describe the information for which confidentiality is requested and explain how the information is a "trade secret" as defined in G.S. § 66-152(3). If the County Finance Department determines the information for which confidentiality is requested is a "trade secret" covered by the Act, it will notify the vendor how to mark the information in the proposal and will identify the measures that County will take to protect the confidentiality of the information. Vendor's submission of a proposal after receipt of this notice from the County Finance Departments shall be deemed to be acceptance of the County Finance Department's statement of how it will maintain confidentiality. If the County Finance Department determines the information for which confidentiality is requested is not a "trade secret" covered by the Act, it will notify vendor of that determination. Any proposal marked with any information as "confidential" or as a "trade secret" or in any other manner as to indicate that it is information protected by the Act in violation of this section shall be regarded as not responsive to the request for proposals and shall not be considered.

#### **3.2 PROPOSAL COMPLIANCE**

It is in the best interest of vendors to submit proposals that are clear, concise, and easily understood. Proposals should provide information essential for a straightforward and concise description of vendor capabilities to satisfy the requirements of the RFP specifications.

Vendor may include any optional data not provided for elsewhere and considered to be pertinent to this bid as an addendum.

Vendors are urged and cautioned to read the RFP completely through as noncompliance with requirements may result in bid rejection. Section 4.0 requirements and request for information must be in the same order with the same titles as listed in Section 4.0. Vendor proposals should be easy to follow, and all sections should be easily identified.

The specifications included in this package describe the services that the County feels are necessary to meet the performance requirements of this RFP and shall be considered the minimum standards expected of the Proposer. However, the specifications are not intended to exclude potential bidders.

If the vendor is unable to meet any of the specifications as outlined therein, vendors are advised to submit questions and concerns regarding the specifications during the question-and-answer period described in Section 2.3.

If the vendor does not indicate submit questions or concerns regarding the specifications, the County shall assume it is able to fully comply with these specifications. The County shall be the sole and final judge of compliance with all specifications.

The County further reserves the right to determine the acceptability or unacceptability of any and all alternatives or deviations.

### 3.3 PROPOSAL EVALUATION PROCESS

The County shall review all responses to this RFP to confirm that they meet the specifications and requirements of the RFP. The County shall not be required to hold interviews; however, depending on the number of responses and the information contained in the responses, the County may decide to conduct interviews with firms of its choice. The County reserves the right to request clarification of information submitted. Vendors may be required to provide a demonstration upon request.

The County reserves the right to reject all offers.

### 3.4 EVALUATION CRITERIA

All qualified proposals will be evaluated and an award made based on consideration of the following criteria to result in an award most advantageous to the County:

- |   |                  |
|---|------------------|
| 1. Qualifications and Relative Experience of Firm | 30 points        |
| 2. Favorable Financial Position & Cost Proposal   | 25 points        |
| 3. Quality and Variety of Proposed Menu           | 25 points        |
| 4. Proof of Adequate Insurance                    | <u>20 points</u> |
|   | 100 points       |

### 3.5 METHOD OF AWARD

The County reserves the right to make separate awards to different vendors for one or more line-items, to not award one or more line-items or to cancel this RFP in its entirety without awarding a contract if it is considered to be most advantageous to the County to do so.

The County reserves the right to reject all original offers and request one or more of the vendors submitting bids within a competitive range to submit a best and final offer (BAFO), based on discussions and negotiations with the County, if the initial responses to the RFP have been evaluated and determined to be unsatisfactory.

## 4.0 SCOPE OF WORK & VENDOR'S PROPOSAL CONTENT REQUIREMENTS

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### 4.1 SCOPE OF WORK

**CONTRACTOR EXPERIENCE:** The prospective franchisee will have at least five (5) consecutive years of experience operating a standalone restaurant or deli-type service.

**TERM:** The franchise will be awarded for a three (3) year period with a renewal option for three (3) years in one (1) year increments if mutually agreed upon by both parties, exercisable at the sole discretion of the County.

**CONTRACTOR RESPONSIBILITIES:** In its operation, the franchisee shall maintain a Grade "A" Health Inspection Rating issued by the North Carolina Department of Health and Human Resources, Division of Environmental Health Services. Failure to do so shall result in the immediate termination of the franchise agreement. The franchisee shall comply with the requirements of federal, state, and local health regulations with respect to the cleanliness of the food preparation and service areas and the handling of food and material items in these areas.

The franchisee shall furnish all equipment required to execute the terms of this Agreement. The successful franchisee shall supply, install, service, and maintain new or agreed upon equipment. The prospective franchisee shall provide to

the County's Engineering & Infrastructure Department for review and approval the manufacturer's specifications for all cooking equipment prior to the installation in each facility. Equipment must remain in good, workable condition throughout the term of the Agreement. All cooking equipment shall be cleaned, serviced and maintained per the manufacturer's specifications. Cleaning and service records shall be maintained and provided to the County's Engineering & Infrastructure Department upon request.

The prospective franchisee shall be responsible for cleaning and housekeeping in all areas and will keep such areas in a clean and sanitary condition, and in conformity with all applicable federal, state, and local regulations and requirements. The prospective franchisee further agrees to submit to inspection by County staff at any time.

The prospective franchisee shall be responsible for proper removal of trash and garbage to the proper receptacles located outside the facility. He or she shall also be responsible for the proper removal of recyclable materials such as aluminum cans, plastic bottles, and cardboard to the proper receptacles located outside the facility at each deli location. The franchisee shall maintain, and leave said premises in substantially as good condition as when received by it, except reasonable wear and tear.

The prospective franchisee shall comply with the County's signage and style guide at each deli location. The County's sign shop will provide graphics and signage as appropriate.

**FINANCIAL TERMS:** The prospective franchisee will provide recent financial statements from at least three most recent years of operation.

The successful proposer shall operate the Deli and Snack Bar Services on a Profit/Loss basis. The successful proposer shall be responsible for all costs of the operation.

The Franchisee shall pay the County six percent (6%) of the net sales generated by the snack bar/bars (the commission) with a minimum commission of \$500.00 per month for each snack bar. The term "net sales" shall mean the gross receipts of the snack bars less sales tax and discounts. The commission shall be paid monthly, by the 15<sup>th</sup> day of the following month (i.e.: the commission payable for the month of December shall be paid by January 15<sup>th</sup>). Franchisee shall provide proof of sales to Cumberland County in the form of a copy of their "monthly business report," along with a copy of cash register tapes, invoices, or other documentation as required by the County. Payments shall be made by check payable to Cumberland County. Monthly checks and reporting information shall be mailed to: Cumberland County Finance; Attention: Accounts Receivable, PO Box 1829, Fayetteville, NC 28302-1829.

The successful proposer will maintain a point-of-sale system and accept patron credit and debit cards at each deli location.

**PROPOSED MENU AND PRICING:** The prospective franchisee will provide a sample menu and proposed pricing for each menu item as a part of the proposal process.

**LIMITATIONS:** The following limitations will apply to both deli/snack bar locations.

- There is not a vented cooking hood in the kitchen area for either location.
- All cooking equipment shall contain a built-in filtration system (i.e., ventless hood) with fire suppression that meets National Fire Protection Association (NFPA) requirements.

- The current franchisee owns all non-fixed appliances and kitchen equipment at both locations and also the dining room furnishings at the Courthouse location.

## **4.2 VENDOR'S PROPOSAL REQUIREMENTS**

The vendor's proposal must include the required information below. Proposals shall be tabbed, using the titles identified in this section, to identify the required information. Tabs must be in the same order as listed below. Failure to submit this information may render its proposal non-responsive. **Vendors are urged and cautioned to read the notices in Section 3.1. Noncompliance with the confidentiality requirements will result in a proposal being considered nonresponsive.**

- A. EXPERIENCE:** Provide proof of at least five (5) consecutive years of experience operating a standalone restaurant or deli-type service.
- B. FINANCIAL TERMS:** Provide recent financial statements from at least three most recent years of operation.
- C. PROPOSED MENU AND PRICING:** Provide a sample menu and proposed pricing for each menu item as a part of the proposal process.
- D. PROOF OF INSURANCE:** The successful proposer agrees to keep in full force and effect, a policy of public liability and property damage insurance issued by a casualty company authorized to do business in the State of North

Carolina, and in standard form approved by the Board of Insurance Commissioners' of the State of North Carolina, with coverage provision insuring the public from any loss or damage that may arise to any person or property by reason of services rendered by successful proposer and providing that the amount by reason of services limits of not less than the following sums:

1. For damages arising out of bodily injury to or death of one person in any one accident - FIVE HUNDRED THOUSAND (\$500,000.00) DOLLARS.
2. For damages arising out of bodily injury to or death of two or more persons in any one accident – ONE MILLION (\$1,000,000.00) DOLLARS.
3. For any injury to or destruction of property in any one accident – FIVE HUNDRED THOUSAND (\$500,000.00) DOLLARS.

The successful proposer shall carry in full force Workers' Compensation Insurance, if there are three or more employees, for all employees, including but not limited to full time, part time, and emergency employees employed by the successful proposer. Current insurance Certificates certifying that such policies as specified above are in full force and effect shall be furnished by successful proposer to the County.

Insurance is to be placed with insurers having a Best rating of no less than A. The proposer shall furnish the County with certificates of insurance and original endorsements affecting coverage required by these insurance clauses within ten (10) business days of execution of this contract. The certificates and endorsements for each insurance policy are to be signed by a person authorized by the insurer to bind coverage on its behalf. The proposer shall be required to submit annual renewals for the term of this contract prior to expiration of any policy.

The prospective franchisee shall name the County of Cumberland as an additional insured and that the County be given a 30-day notice of cancellation of the policy. The prospective franchisee will also agree to indemnify the County and defend it against any claims made to the County that resulted from the negligence of the operator.

## **E. REFERENCES**

Vendors shall provide at least three (3) references for which your company has provided services of similar size and scope to that proposed herein.

COMPANY NAME	CONTACT NAME	TELEPHONE NUMBER	EMAIL ADDRESS

## **5.0 CONTRACT TERMS AND CONDITIONS**

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### **5.1 IRAN DIVESTMENT ACT**

As provided in N.C.G.S. 147-86.55-69, any person identified as engaging in investment activities in Iran, determined by appearing on the Final Divestment List created by the County Treasurer pursuant to G.S. 147-86.57(6) c, is ineligible to contract with the County of North Carolina or any political subdivision of the COUNTY.

### **5.2 E-VERIFY**

CONTRACTOR shall comply with the requirements of Article 2 of Chapter 64 of the General Statutes. Further, if Contractor utilizes a subcontractor, CONTRACTOR shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the General Statutes.”

### **5.3 DIVESTMENT FROM COMPANIES THAT BOYCOTT ISRAEL**

The CONTRACTOR certifies that it has not been designated by the North Carolina State Treasurer as a company engaged in the boycott of Israel pursuant to N.C.G.S. 147-86.81. It is the responsibility of each CONTRACTOR to monitor compliance with this restriction. Contracts valued at less than \$1,000.00 are exempt from this restriction.

### **5.4 CONTRACT CHANGES**

Contract changes, if any, over the life of the contract shall be implemented by contract amendments agreed to in writing by the COUNTY and CONTRACTOR.

### **5.5 CONTRACT TERM**

The Contract shall have an initial term of three (3) years, beginning on the date of contract award (the “Effective Date”) with a renewal option for three (3) years in one (1) year increments if mutually agreed upon by both parties, exercisable at the sole discretion of the County. The CONTRACTOR shall begin work no later than January 2, 2023.

## **5.6 PRICING**

Proposal price shall constitute the total cost for complete performance in accordance with the requirements and specifications herein, including all applicable charges handling, administrative and other similar fees. CONTRACTOR shall not invoice for any amounts not specifically allowed for in this RFP.

## **5.8 PAYMENT TERMS**

The CONTRACTOR will be paid net thirty (30) calendar days after the CONTRACTOR'S invoice is approved by the COUNTY.

## **5.9 APPROPRIATION OF FUNDS**

The parties intend that contractual performances by either party beyond the first fiscal year after the execution of this agreement be contingent upon the continued funding and appropriation by the County Board of Commissioners. Therefore, the parties agree that services provided and payment due under this agreement will be provided upon a year-to-year basis contingent upon continued funding and appropriation. The fiscal year for Cumberland County begins on July 1 and ends June 30<sup>th</sup>.

## **5.10 FINANCIAL STABILITY**

CONTRACTOR warrants that it has the financial capacity to perform and to continue perform its obligations under the contract; that CONTRACTOR has no constructive or actual knowledge of an actual or potential legal proceeding being brought against CONTRACTOR that could materially adversely affect performance of this Contract; and that entering into this Contract is not prohibited by any contract, or order by any court of competent jurisdiction.

## **5.11 INSURANCE:**

Providing and maintaining adequate insurance coverage is a material obligation of the CONTRACTOR and is of the essence of this Contract. All such insurance shall meet all laws of the County of North Carolina. Such insurance coverage shall be obtained from companies that are authorized to provide such coverage and that are authorized by the Commissioner of Insurance to do business in North Carolina. The CONTRACTOR shall at all times comply with the terms of such insurance policies, and all requirements of the insurer under any such insurance policies, except as they may conflict with existing North Carolina laws or this Contract. The limits of coverage under each insurance policy maintained by the CONTRACTOR shall not be interpreted as limiting the CONTRACTOR'S liability and obligations under the Contract. During the term of the Contract, the CONTRACTOR at its sole cost and expense shall provide commercial insurance of such type and with such terms and limits as may be reasonably associated with the Contract.

**See also 4.2 (D) above for more information about insurance requirements.**

## **5.12 GENERAL INDEMNITY**

The CONTRACTOR shall hold and save the COUNTY, its officers, agents, and employees, harmless from liability of any kind, including all claims and losses accruing or resulting to any other person, firm, or corporation furnishing or supplying work, services, materials, or supplies in connection with the performance of this Contract, and from any and all claims and losses accruing or resulting to any person, firm, or corporation that may be injured or damaged by the CONTRACTOR in the performance of this Contract and that are attributable to the negligence or intentionally tortious acts of the CONTRACTOR provided that the CONTRACTOR is notified in writing within 30 days that the COUNTY has knowledge of such claims. The CONTRACTOR represents and warrants that it shall make no claim of any kind or nature against the COUNTY's agents who are involved in the delivery or processing of CONTRACTOR goods or services to the COUNTY. The representation and warranty in the preceding sentence shall survive the termination or expiration of this Contract.

### **5.13 ENTIRE CONTRACT**

This contract constitutes the entire understanding of the parties. In the event of a conflict between the COUNTY'S contract terms and the CONTRACTOR'S contract terms, the COUNTY'S terms shall be the overriding determining factor.

### **5.14 CONTRACT CANCELLATION**

The COUNTY may terminate this contract at any time by providing 30 days' notice in writing from the COUNTY to the CONTRACTOR. If the contract is terminated by the COUNTY as provided in this section, the COUNTY shall pay for services satisfactorily completed by the CONTRACTOR, less any payment or compensation previously made.

### **5.15 LAWS AND ORDINANCES**

The contract will be governed by North Carolina law.

### **5.16 COMPLIANCE WITH LAWS**

CONTRACTOR shall comply with all laws, ordinances, codes, rules, regulations, and licensing requirements that are applicable to the conduct of its business and its performance in accordance with this contract, including those of federal, state, and local agencies having jurisdiction and/or authority.

### **5.17 CONTRACTOR REPRESENTATIONS**

CONTRACTOR warrants that qualified personnel shall provide services under this Contract in a professional manner. "Professional manner" means that the personnel performing the services will possess the skill and competence consistent with the prevailing business standards in the industry. CONTRACTOR agrees that it will not enter any agreement with a third party that may abridge any rights of the COUNTY under this Contract.

If any services, deliverables, functions, or responsibilities not specifically described in this Contract are required for CONTRACTOR'S proper performance, provision and delivery of the service and deliverables under this Contract, or are an inherent part of or necessary sub-task included within such service, they will be deemed to be implied by and included within the scope of the contract to the same extent and in the same manner as if specifically described in the contract. Unless otherwise expressly provided herein, CONTRACTOR will furnish all of its own necessary management, supervision, labor, facilities, furniture, computer and telecommunications equipment, software, supplies and materials necessary for the CONTRACTOR to provide and deliver the Services and Deliverables.

#### **CONTRACTOR certifies that it has not previously or currently:**

- a. Had any criminal felony conviction, or conviction of any crime involving moral turpitude, including, but not limited to fraud, misappropriation or deception, of CONTRACTOR, its officers or directors, or any of its employees or other personnel to provide services on this project, of which CONTRACTOR has knowledge.
- b. Had any regulatory sanctions levied against CONTRACTOR or any of its officers, directors or its professional employees expected to provide services on this project by any governmental regulatory agencies within the past three years. As used herein, the term "regulatory sanctions" includes the revocation or suspension of any license or certification, the levying of any monetary penalties or fines, and the issuance of any written warnings.
- c. Had any civil judgments against CONTRACTOR during the three (3) years preceding submission of its proposal herein.

Any personnel or agent of the CONTRACTOR performing services under any contract arising from this RFP may be required to undergo a background check at the expense of the CONTRACTOR, if so requested by the COUNTY.

*Proposal Number: RFP# 23-13-ADM Deli and Snack Bar Franchise*

The COUNTY may, in its sole discretion, terminate the services of any person providing services under this Contract. Upon such termination, the COUNTY may request acceptable substitute personnel or terminate the contract services provided by such personnel.

**Attachments to this RFP begin on the next page.**



## ATTACHMENT A: INSTRUCTIONS TO VENDORS

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1. **READ, REVIEW AND COMPLY:** It shall be the vendor's responsibility to read this entire document, review all enclosures and attachments, and any addenda thereto, and comply with all requirements specified herein, regardless of whether appearing in these Instructions to vendors or elsewhere in this RFP document.
2. **LATE PROPOSALS:** Late proposals, regardless of cause, will not be opened or considered, and will automatically be disqualified from further consideration. It shall be the vendor's sole responsibility to ensure delivery at the designated office by the designated time.
3. **ACCEPTANCE AND REJECTION:** The County reserves the right to reject any and all proposals, to waive minor informality in proposals and to reject proposal with non-minor informalities, based on the sole discretion of the County.
4. **EXECUTION:** Failure to sign EXECUTION PAGE in the indicated space will render proposal non-responsive, and it shall be rejected.
5. **GIFTS:** Gifts and favors to the County of any kind in any amount are prohibited.
6. **SUSTAINABILITY:** To support the sustainability efforts of the County of Cumberland we solicit your cooperation in this effort. All copies of the proposal are printed double sided.
7. **HISTORICALLY UNDERUTILIZED BUSINESSES:** Pursuant to General Statute 143-48 and Executive Order #150 (1999), the County invites and encourages participation in this procurement process by businesses owned by minorities, women, disabled, disabled business enterprises and non-profit work centers for the blind and severely disabled.
8. **INFORMAL COMMENTS:** The County shall not be bound by informal explanations, instructions or information given at any time by anyone on behalf of the County during the competitive process or after award. The County is bound only by information provided in this RFP and in formal Addenda issued through the State's IPS and the County's Vendor Self Service website.
9. **COST FOR PROPOSAL PREPARATION:** Any costs incurred by vendor in preparing or submitting offers are the Vendor's sole responsibility; the County of Cumberland will not reimburse any vendor for any costs incurred.
10. **VENDOR'S REPRESENTATIVE:** Each vendor shall submit with its proposal the name, address, and telephone number of the person(s) with authority to bind the firm and answer questions or provide clarification concerning the firm's proposal.
11. **SUBCONTRACTING:** The Contractor shall not assign or subcontract the work, or any part thereof, without the previous consent of Cumberland County, nor shall it assign, by power of attorney, operation of law, or otherwise, any moneys payable under the Contract without prior written consent of the County.

If the vendor proposes to subcontract work in this project, the subcontractor and the activity in this project are to be identified in the proposal.

All subcontractors must be approved by the County and must conform to and comply with the same terms, standards and specifications applicable to the contracting firm.

The vendor shall be fully responsible and accountable to the County for the acts and omissions of its subcontractors, and of persons directly or indirectly employed by him.

12. **INSPECTION AT VENDOR'S SITE**: The County reserves the right to inspect, at a reasonable time, the equipment/item, plant or other facilities of a prospective vendor prior to Contract award, and during the Contract term as necessary for the County determination that such equipment/item, plant or other facilities conform with the specifications/requirements and are adequate and suitable for the proper and effective performance of the Contract.
13. **AFFIRMATIVE ACTION**: The vendor will take affirmative action in complying with all Federal and County requirements concerning fair employment and employment of people with disabilities, and concerning the treatment of all employees without regard to discrimination by reason of race, color, religion, sex, national origin or disability.
14. **VENDOR REGISTRATION**: Vendor's are not required to register as a vendor in our system in order to submit a bid; however, registration is recommended so that vendor information is available for future opportunities. New vendors can register by visiting the following URL:  
<https://ccmunis.co.cumberland.nc.us/MSS/Vendors/Registration/Default.aspx>.

*This Space is Intentionally Left Blank*

## ATTACHMENT B: EXECUTION OF PROPOSAL

### EXECUTION

In compliance with this Request for Proposals (RFP), and subject to all the conditions herein, the undersigned vendor offers and agrees to furnish and deliver any or all items/services upon which prices are proposed. By executing this proposal, the undersigned vendor certifies that this proposal is submitted competitively and without collusion, that it and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible from covered transactions by any Federal or State department or agency. Furthermore, the undersigned vendor certifies that it and its principals are not presently listed on the Department of State Treasurer's Final Divestment List as per N.C.G.S 147-86.55-69.

The potential Contractor certifies and/or understands the following by placing an "X" in all blank spaces:

- \_\_\_\_\_ The County has the right to reject any and all proposals or reject specific proposals with deviated/omitted information, based on the County's discretion if the omitted information is considered a minor deviation or omission. The County will not contact vendors to request required information/documentation that is missing from a proposal packet. Additionally, if the County determines it is in its best interest to do so, the County reserves the right to award to one or more vendors and/or to award only a part of the services specified in the RFP.
- \_\_\_\_\_ This proposal was signed by an authorized representative of the Contractor.
- \_\_\_\_\_ The potential Contractor has determined the cost and availability of all materials and supplies associated with performing the services outlined herein.
- \_\_\_\_\_ All labor costs associated with this project have been determined, including all direct and indirect costs.
- \_\_\_\_\_ The potential Contractor agrees to the conditions as set forth in this RFP with no exceptions.
- \_\_\_\_\_ Selection of a contract represents a preliminary determination as to the qualifications of the vendor. Vendor understands and agrees that no legally binding acceptance offer occurs until the Cumberland County Board of Commissioners, or its designee, executes a formal contract and/or purchase order.

Therefore, in compliance with the foregoing RFP, and subject to all terms and conditions thereof, the undersigned offers and agrees to furnish the services for the prices quoted within the timeframe required. Vendor agrees to hold firm offer through contract execution.

**Failure to execute/sign proposal prior to submittal shall render the proposal invalid and it WILL BE REJECTED.**

VENDOR:		
STREET ADDRESS:	P.O. BOX:	ZIP:
CITY & COUNTY & ZIP:	TELEPHONE NUMBER:	TOLL FREE TEL. NO:
PRINCIPAL PLACE OF BUSINESS ADDRESS IF DIFFERENT FROM ABOVE (SEE INSTRUCTIONS TO VENDORS ITEM #10):		
PRINT NAME & TITLE OF PERSON SIGNING ON BEHALF OF VENDOR:		FAX NUMBER:
VENDOR'S AUTHORIZED SIGNATURE:	DATE:	EMAIL:

**ATTACHMENT C: PROPOSAL COST**

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## ATTACHMENT D: CERTIFICATION OF FINANCIAL CONDITION

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Name of Vendor: \_\_\_\_\_

The undersigned hereby certifies that: [check all applicable boxes]

- ☐ The vendor is in sound financial condition and, if applicable, has received an unqualified audit opinion for the latest audit of its financial statements.

Date of latest audit: \_\_\_\_\_

- ☐ The vendor has no outstanding liabilities, including tax and judgment liens, to the Internal Revenue Service or any other government entity.
- ☐ The vendor is current in all amounts due for payments of federal and County taxes and required employment-related contributions and withholdings.
- ☐ The vendor is not the subject of any current litigation or findings of noncompliance under federal or County law.
- ☐ The vendor has no findings in any past litigation, or findings of noncompliance under federal or County law that may impact in any way its ability to fulfill the requirements of this Contract.
- ☐ He or she is authorized to make the foregoing statements on behalf of the vendor.

**Note:** This is a continuing certification and vendor shall notify the Contract Lead within 15 days of any material change to any of the representations made herein.

**If any one or more of the foregoing boxes is NOT checked, vendor shall explain the reason in the space below:**

---

Signature

---

Date

---

Printed Name

---

Title

**[This Certification must be signed by an individual authorized to speak for the vendor]**

## **ATTACHMENT E: COUNTY HOLIDAY SCHEDULE**

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- **Martin Luther King Jr. Birthday**  
16 January, 2023
- **Good Friday**  
7 April, 2023
- **Memorial Day**  
29 May, 2023
- **Independence Day**  
4 July, 2023
- **Labor Day**  
4 September, 2023
- **Veterans Day**  
11 November, 2023
- **Thanksgiving**  
23 November, 2023
- **Thanksgiving**  
24 November, 2023
- **Christmas**  
25 December, 2023
- **Christmas**  
26 December, 2023
- **Christmas**  
27 December, 2023

## ATTACHMENT F: SUMMARY OF CURRENT FRANCHISEE'S SALES

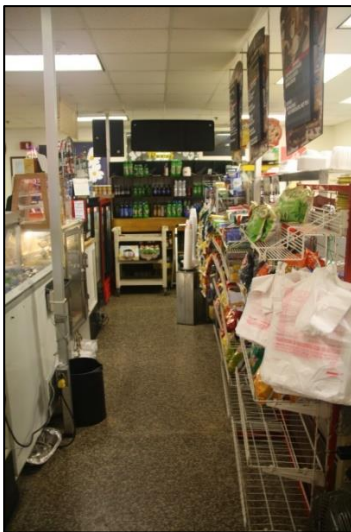
HAPPY DELI SALES FIGURES FY21 AND FY22							
		COURTHOUSE		DSS			
		GROSS	6% PAID	GROSS	6% PAID	TOTAL PAID	
FY21							
JULY		\$9,021.32	\$541.28	\$3,847.25	\$230.84	\$772.12	
AUGUST		\$7,771.43	\$466.29	\$5,504.21	\$330.25	\$796.54	
SEPTEMBER		\$8,367.19	\$502.03	\$4,176.27	\$250.58	\$752.61	
OCTOBER		\$8,672.41	\$520.34	\$4,567.82	\$274.07	\$794.41	
NOVEMBER		\$8,220.64	\$493.24	\$4,120.46	\$247.23	\$740.47	
DECEMBER		\$7,710.34	\$462.62	\$4,494.35	\$269.66	\$732.28	
JANUARY		\$7,344.42	\$440.67	\$4,104.86	\$246.29	\$686.96	
FEBRUARY		\$9,700.53	\$582.03	\$4,073.37	\$244.40	\$826.43	
MARCH		\$10,340.28	\$620.42	\$4,568.98	\$274.14	\$894.56	
APRIL		\$10,461.54	\$627.69	\$4,787.61	\$287.26	\$914.95	
MAY		\$10,543.68	\$632.62	\$6,560.35	\$393.62	\$1,026.24	
JUNE		\$11,041.28	\$662.48	\$7,274.04	\$436.44	\$1,098.92	
			<b>\$6,551.71</b>		<b>\$3,484.78</b>	<b>\$10,036.49</b>	
FY22							
JULY		\$11,547.48	\$692.85	\$7,284.96	\$437.10	\$1,129.95	
AUGUST		\$10,794.37	\$647.66	\$7,525.15	\$451.51	\$1,099.17	
SEPTEMBER		\$11,142.04	\$668.52	\$7,868.71	\$472.12	\$1,140.64	
OCTOBER		\$10,476.22	\$628.57	\$7,828.98	\$469.74	\$1,098.31	
NOVEMBER		\$10,150.88	\$609.05	\$7,397.87	\$443.87	\$1,052.92	
DECEMBER		\$8,352.26	\$501.14	\$6,985.62	\$419.14	\$920.28	
JANUARY		\$8,719.38	\$523.16	\$6,267.77	\$376.07	\$899.23	
FEBRUARY		\$10,519.72	\$631.18	\$7,057.04	\$423.42	\$1,054.60	
MARCH		\$13,964.25	\$837.86	\$8,744.64	\$524.68	\$1,362.54	
APRIL		\$11,409.14	\$684.55	\$7,691.68	\$461.50	\$1,146.05	
MAY		\$11,297.20	\$677.83	\$8,390.96	\$503.46	\$1,181.29	
JUNE		\$11,934.05	\$716.04	\$8,307.75	\$498.47	\$1,214.51	
			<b>\$7,818.41</b>		<b>\$5,481.08</b>	<b>\$13,299.49</b>	



## ATTACHMENT G: FLOORPLANS AND PHOTOS OF LOCATIONS

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### **Lower Level, Cumberland County Courthouse 117 Dick Street, Fayetteville, NC**

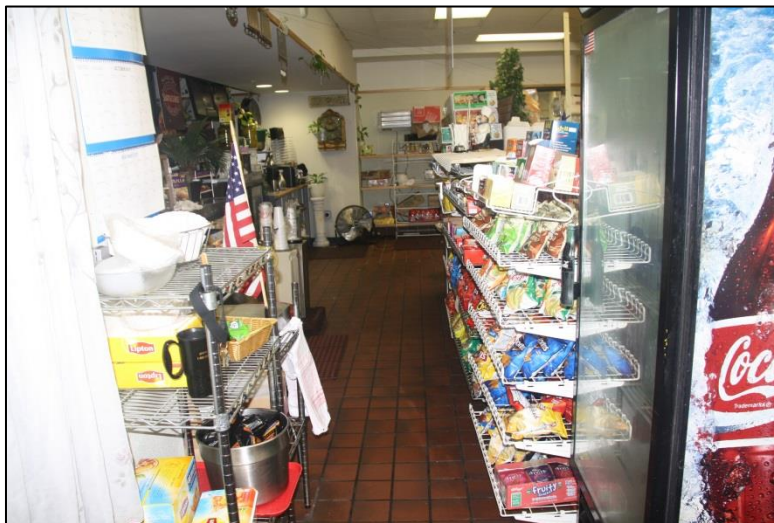




**Courthouse Deli – continued**



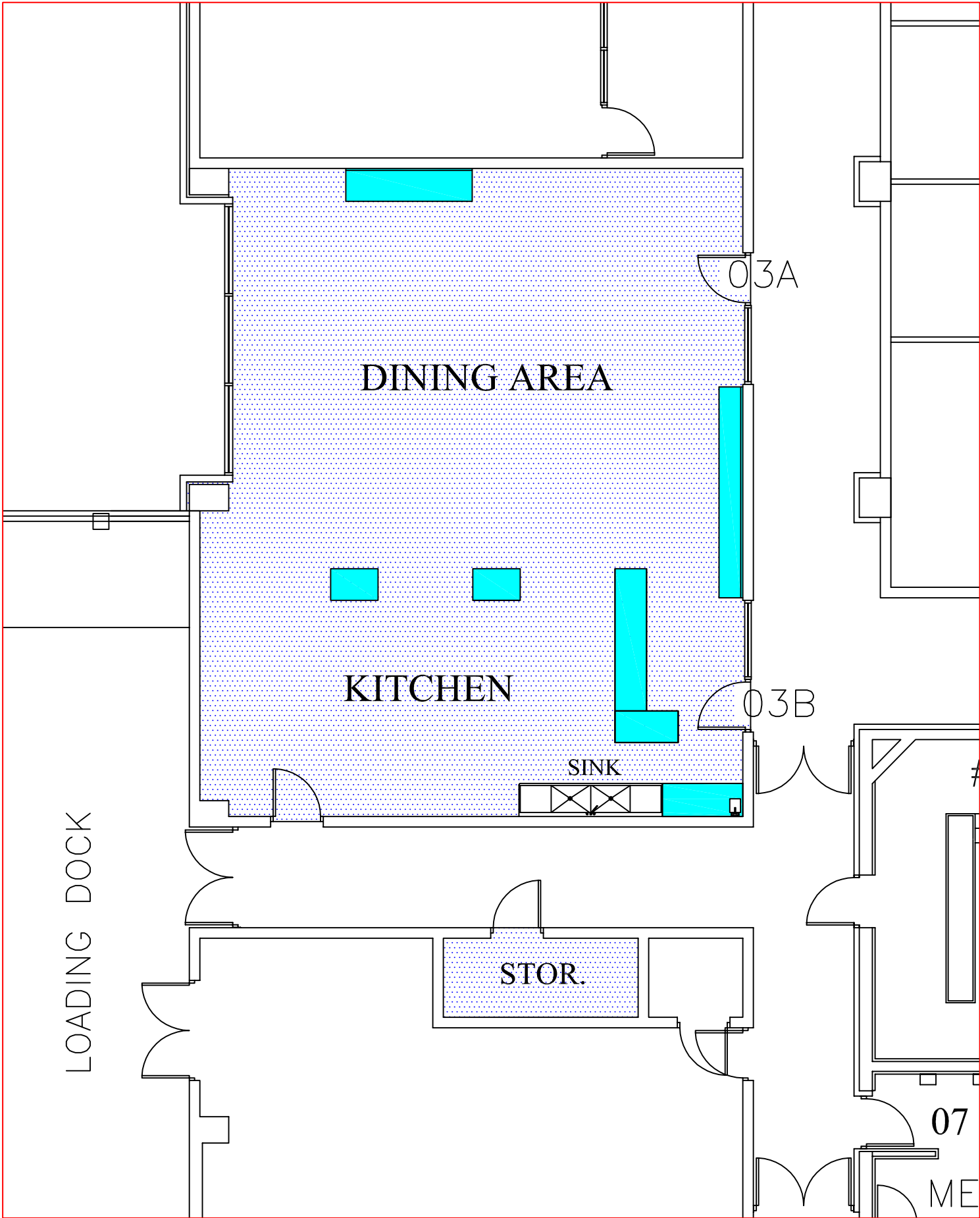
**Lower Level, Cumberland County DSS Building  
1225 Ramsey Street, Fayetteville, NC**



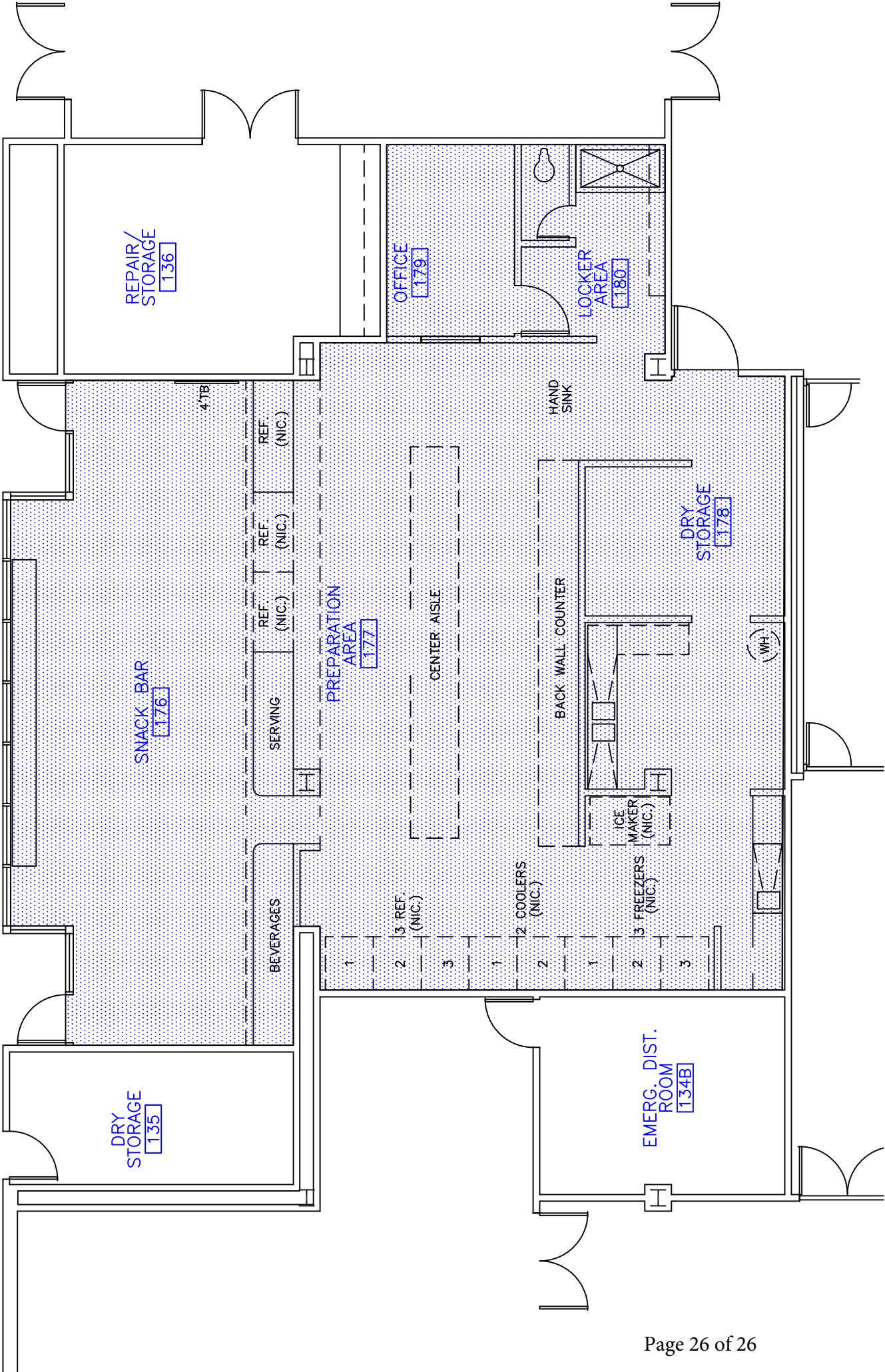


## ***DSS Deli – Continued***





DSS Deli Occupied Space:  
2100 Sq. Ft.





**RFP# 23-13-ADM DELI AND SNACK BAR FRANCHISE**

**Addendum I – Site Visit – Cancellation Notification**

**The Site Visit for September 30, 2022 (Friday) at 2:00 PM (EST) has been cancelled due to the inclement weather.**

**We will provide an update on October 3, 2022.**



## **RFP# 23-13-ADM DELI AND SNACK BAR FRANCHISE**

### **Addendum II**

#### **A. Site Visit Makeup Date**

#### **B. Due Date Extension**

**(Changes are in Red)**

### **SITE VISIT MAKEUP DATE**

The Site Visit for September 30, 2022 has been changed to **Friday, October 7, 2022** at the same times and locations stated in RFP.

### **DUE DATE EXTENSION**

The questions due date and bid opening due date have been extended for this RFP. All questions must be received in accordance with the RFP by **2:00 PM (EST) on Tuesday, October 11, 2022**. All bids must be received in accordance with the RFP by **2:00 PM (EST) on Friday, October 21, 2022**.

[illegible]





**MEMORANDUM FOR THE AGENDA OF THE NOVEMBER 10, 2022  
AGENDA SESSION**

**TO:** BOARD OF COUNTY COMMISSIONERS

**FROM:** IVONNE MENDEZ, DEPUTY FINANCE DIRECTOR

**DATE:** 10/27/2022

**SUBJECT:** FINANCIAL REPORT

**Requested by:** AMY CANNON, COUNTY MANAGER

**Presenter(s):** NA

**BACKGROUND**

The financial report included shows results of the general fund for the first quarter of fiscal year 2023. Results of fiscal year 2022 will be added upon completion of the audit. Additional detail has been provided on a separate page explaining any percentages that may appear inconsistent with year-to-date budget expectations.

**RECOMMENDATION / PROPOSED ACTION**

For information purposes only. No action needed.

**ATTACHMENTS:**

Description	Type
Monthly Financial Report	Backup Material

**County of Cumberland  
General Fund Revenues**

REVENUES	FY22-23 ADOPTED BUDGET	FY22-23 REVISED BUDGET	YTD ACTUAL (unaudited) AS OF September 30, 2022	PERCENT OF BUDGET TO DATE	*
Ad Valorem Taxes					
Current Year	\$ 170,695,791	\$ 170,695,791	\$ 18,850,535	11.0%	(1)
Prior Years	1,270,000	1,270,000	545,278	42.9%	
Motor Vehicles	23,267,940	23,267,940	4,537,197	19.5%	(2)
Penalties and Interest	734,864	734,864	119,620	16.3%	
Other	900,000	900,000	307,169	34.1%	
Total Ad Valorem Taxes	196,868,595	196,868,595	24,359,800	12.4%	
Other Taxes					
Sales	61,801,900	61,801,900	-	0.0%	(3)
Real Estate Transfer	2,100,000	2,100,000	811,792	38.7%	
Other	817,060	817,060	112,800	13.8%	
Total Other Taxes	64,718,960	64,718,960	924,592	1.4%	
Unrestricted & Restricted Intergovernmental Revenues	74,393,193	76,220,466	11,191,866	14.7%	(4)
Charges for Services	13,157,007	13,170,007	3,295,284	25.0%	(5)
Other Sources (includes Transfers In)	838,138	1,411,574	310,094	22.0%	
Lease Land CFVMC	4,205,081	4,205,081	4,093,709	97.4%	
Total Other	5,043,219	5,616,655	4,403,803	78.4%	
<b>Total Revenue</b>	<b>\$ 354,180,974</b>	<b>\$ 356,594,683</b>	<b>\$ 44,175,346</b>	<b>12.4%</b>	
Fund Balance Appropriation	8,071,721	17,241,552	-	0.0%	
<b>Total Funding Sources</b>	<b>\$ 362,252,695</b>	<b>\$ 373,836,235</b>	<b>\$ 44,175,346</b>	<b>11.8%</b>	

**County of Cumberland**  
**General Fund Expenditures**

DEPARTMENTS	YTD ACTUAL				PERCENT OF BUDGET TO DATE	**
	FY22-23 ADOPTED BUDGET	FY22-23 REVISED BUDGET	(unaudited) AS OF September 30, 2022			
Governing Body	\$ 731,621	\$ 746,260	\$ 240,962		32.3%	
Administration	2,477,765	2,493,809	444,690		17.8%	
Public Information	1,513,899	1,532,410	334,249		21.8%	
Human Resources	1,069,040	1,106,471	227,605		20.6%	
Court Facilities	161,920	161,920	10,284		6.4% (1)	
Facilities Maintenance	1,263,235	1,319,349	257,988		19.6%	
Landscaping & Grounds	733,903	807,558	184,194		22.8%	
Carpentry	228,271	232,025	45,661		19.7%	
Facilities Management	1,577,802	1,611,575	367,327		22.8%	
Public Buildings Janitorial	1,222,079	1,240,842	256,640		20.7%	
Central Maintenance	4,826,432	5,376,698	501,601		9.3% (2)	
Innovation & Technology Services	6,694,008	7,508,595	1,320,125		17.6%	
Board of Elections	1,536,426	1,547,406	312,866		20.2%	
Financial Services	1,594,931	1,594,681	339,627		21.3%	
Legal	1,194,665	1,203,815	247,050		20.5%	
Register of Deeds	2,707,953	3,392,282	581,951		17.2%	
Tax	7,239,597	7,462,504	1,790,603		24.0%	
General Government Other	2,768,416	2,837,006	676,299		23.8%	
Sheriff	57,726,640	61,772,605	11,617,593		18.8%	
Emergency Services	4,558,882	4,869,118	1,184,030		24.3%	
Justice Services	764,365	775,597	137,545		17.7%	
Youth Diversion	38,325	39,263	10,331		26.3%	
Animal Services	3,811,640	3,951,216	874,915		22.1%	
Public Safety Other (Medical Examiners, NC Detention Subsidy)	2,406,108	2,417,159	342,055		14.2% (3)	
Health	30,940,765	32,989,383	6,227,649		18.9%	
Mental Health	5,659,484	5,859,750	1,338,702		22.8%	
Social Services	67,808,625	68,508,693	12,114,138		17.7%	

**County of Cumberland**  
**General Fund Expenditures**

DEPARTMENTS	FY22-23		YTD ACTUAL	PERCENT OF BUDGET TO DATE	**
	ADOPTED BUDGET	REVISED BUDGET	(unaudited) AS OF September 30, 2022		
Veteran Services	569,737	584,376	157,382	26.9%	
Child Support	6,009,577	6,128,395	1,240,602	20.2%	
Spring Lake Resource Administration	39,074	39,074	4,950	12.7% (4)	
Library	10,789,772	11,534,280	2,618,233	22.7%	
Culture Recreation Other (Some of the Community Funding)	260,569	260,569	-	0.0% (5)	
Planning	3,250,424	3,321,870	740,049	22.3%	
Engineering	645,819	657,051	159,446	24.3%	
Cooperative Extension	874,323	881,829	144,914	16.4% (6)	
Location Services	215,956	240,634	65,874	27.4%	
Soil Conservation	2,734,318	3,016,994	41,821	1.4% (7)	
Public Utilities	100,241	102,114	24,506	24.0%	
Economic Physical Development Other	20,000	20,000	20,000	100.0%	
Industrial Park	6,106	6,106	-	0.0% (8)	
Economic Incentive	510,626	510,626	30,126	5.9% (9)	
Water and Sewer	100,000	102,411	-	0.0% (10)	
Education	100,482,263	100,482,263	24,629,767	24.5%	
Other Uses:					
Transfers Out	22,387,093	22,589,653	11,823	0.1% (11)	
<b>TOTAL</b>	<b>\$ 362,252,695</b>	<b>\$ 373,836,235</b>	<b>\$ 71,876,175</b>	<b>19.2%</b>	

Expenditures by Category	FY22-23		YTD ACTUAL	PERCENT OF BUDGET TO DATE
	ADOPTED BUDGET	REVISED BUDGET	(unaudited) AS OF September 30, 2022	
Personnel Expenditures	\$ 161,184,184	\$ 165,341,316	\$ 34,841,177	21.1%
Operating Expenditures	175,616,618	178,782,166	36,896,598	20.6%
Capital Outlay	3,064,800	7,123,100	126,577	1.8% (12)
Transfers To Other Funds	22,387,093	22,589,653	11,823	0.1% (11)
<b>TOTAL</b>	<b>\$ 362,252,695</b>	<b>\$ 373,836,235</b>	<b>\$ 71,876,175</b>	<b>19.2%</b>

## COUNTY OF CUMBERLAND

### Fiscal Year 2023 - September Year-to-Date Actuals (Report Run Date: October 25, 2022)

#### Additional Detail

##### General Fund Revenues

\*

- (1) **Current Year Ad Valorem 11.0%** - The bulk of revenues are typically recorded between November - January.
- (2) **Motor Vehicles 19.5%** - YTD Actual reflects 2 months of collections.
- (3) **Sales Tax 0.0%** - Collections for the fiscal year are first recorded in October.
- (4) **Unrestricted/Restricted Intergovernmental 14.7%** - There is typically a one to two month lag in receipt of this funding.
- (5) **Charges for Services 25.0%** - The largest component of charges for services is revenue from the Board of Ed for security at 24% of budget. None of that revenue has been billed/collected to date.

##### General Fund Expenditures

\*\*

- (1) **Court Facilities 6.4%** - Expenditures are for repairs, supplies, and furniture/equipment on an as needed basis. The need for spending in this quarter has been low.
- (2) **Central Maintenance 9.3%** - All county vehicles and fuel that were previously budgeted under each specific department are now budgeted under the Central Maintenance organization. Approximately \$3M are unexpended between the vehicle and fuel object codes.
- (3) **Public Safety Other 14.2%** - Expenditures are in line with past fiscal year trends at this point in the fiscal year.
- (4) **Spring Lake Resource Administration 12.7%** - Expenditures are in line with past fiscal year trends at this point in the fiscal year.
- (5) **Culture Recreation Other 0.0%** - Community funding contracts and payments are still being processed.
- (6) **Cooperative Extension 16.4%** - Expenditures are in line with past fiscal year trends at this point in the fiscal year.
- (7) **Soil Conservation 1.4%** - Approximately \$2.1M in USDA Grant funds were budgeted and are unexpended.
- (8) **Industrial Park 0.0%** - The county no longer owns this property, and will no longer be incurring expenses.
- (9) **Economic Incentive 5.9%** - Economic incentives are paid when the company complies.
- (10) **Water and Sewer 0.0%** - Expenditures are in line with past fiscal year trends at this point in the fiscal year.
- (11) **Transfers Out 0.1%** - Transfers are often prepared toward the end of the fiscal year.
- (12) **Capital Outlay 9.6%** - Most of these capital outlay items are typically purchased in the second and third quarters of the fiscal year.



## **RISK MANAGEMENT**

### **MEMORANDUM FOR THE AGENDA OF THE NOVEMBER 10, 2022 AGENDA SESSION**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: JULIE A. CRAWFORD, BENEFITS CONSULTANT**

**DATE: 10/26/2022**

**SUBJECT: HEALTH INSURANCE UPDATE**

**Requested by: AMY H. CANNON, COUNTY MANAGER**

**Presenter(s): N/A**

#### **BACKGROUND**

As of July 1, 2019, retirees who are 65 and older became covered by a County funded fully insured plan through AmWINS. All other covered members remained insured by the County's self-funded plan through BCBS. The information provided below and within the graphs has been updated to include the monthly premium amount paid to fund the fully insured plan and the actual monthly claims amounts for all other covered members. Combining these amounts for FY20 and beyond is necessary to ensure a complete picture when comparing the claims results to prior years.

Total health insurance claims plus the fully insured premium amount for FY23 are down 21.53% for the month of September as compared to the same month in FY22. To provide some perspective, below is the three-month average for the past five fiscal years. This average represents the average monthly year-to-date claims for each fiscal year and includes the fully insured premium for fiscal years 20, 21, 22 and 23. Additionally, graphs are provided in the attachment to aid in the analysis.

Year to date claims and premium payment through September	\$5,575,623
Less year to date stop loss credits	(\$114,699)
Net year to date claims and premium payment through September	\$5,460,924

Average monthly claims and fully insured premium (before stop loss) per fiscal year through September:

FY19 \$1,508,543

FY20 \$1,399,015

FY21 \$1,507,260

FY22 \$2,528,174

FY23 \$1,858,541

**RECOMMENDATION / PROPOSED ACTION**

Information only – no action needed.

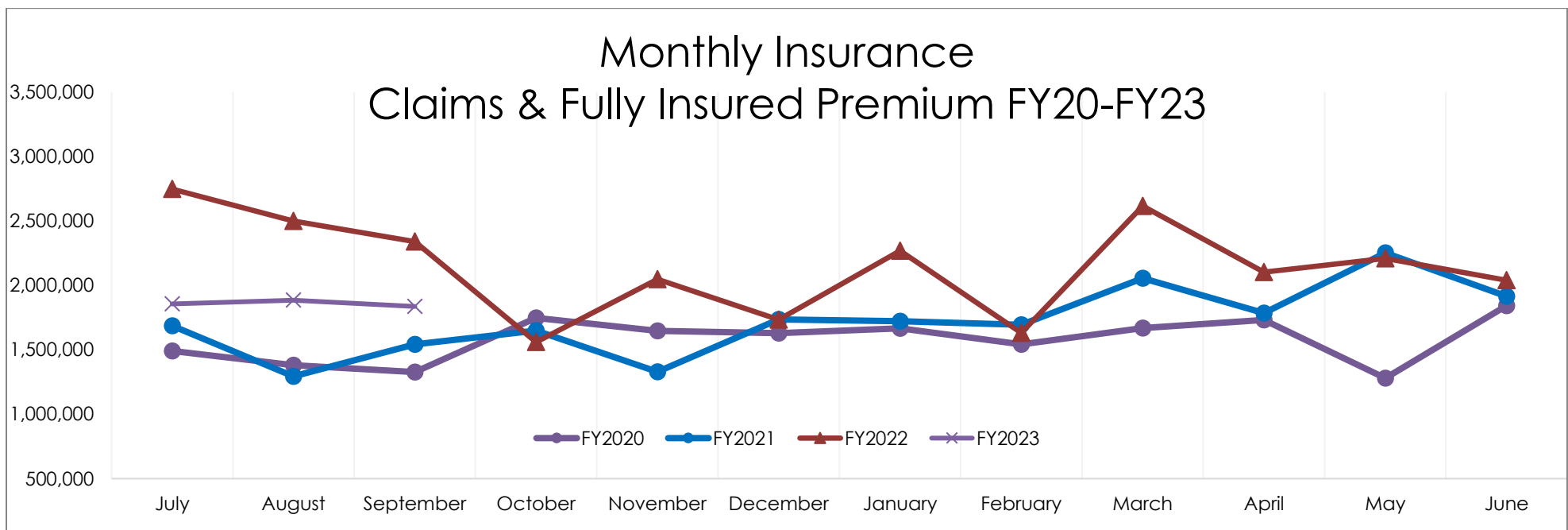
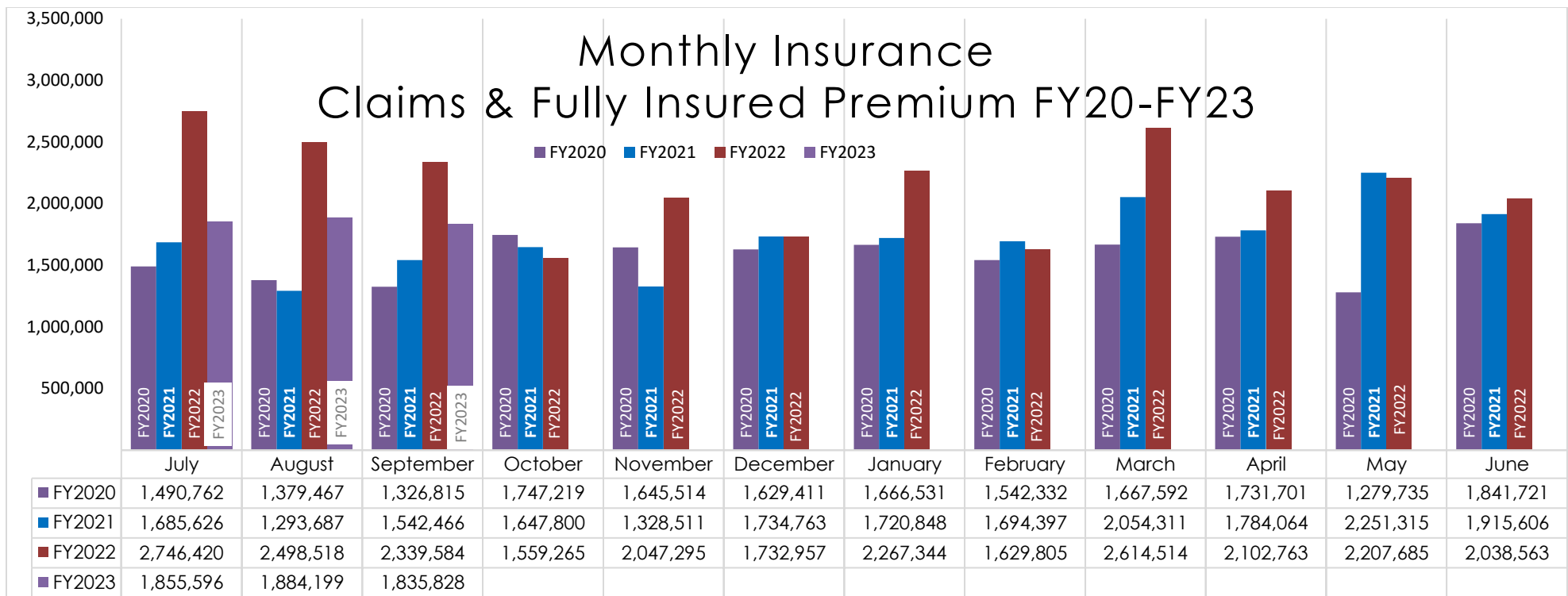
**ATTACHMENTS:**

Description

Health Insurance Graphs

Type

Backup Material







**GENERAL MANAGER FINANCIAL SERVICES**

**MEMORANDUM FOR THE AGENDA OF THE NOVEMBER 10, 2022  
AGENDA SESSION**

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: VICKI EVANS, FINANCE DIRECTOR**

**DATE: 10/28/2022**

**SUBJECT: SOUTHERN HEALTH PARTNERS, INC. QUARTERLY STATISTICAL  
REPORT ON INMATE HEALTH CARE**

**Requested by: AMY CANNON, COUNTY MANAGER**

**Presenter(s): NA**

**BACKGROUND**

Through a contract with the Board of County Commissioners, Southern Health Partners, Inc. has been providing services to the inmates at the Cumberland County Detention center since July, 2017. The most recently updated quarterly statistical report of inmate healthcare as reported by Southern Health Partners, Inc. is provided in the attachment.

**RECOMMENDATION / PROPOSED ACTION**

For information purposes only. No action needed.

**ATTACHMENTS:**

Description	Type
SHP - Quarterly Report	Backup Material

**Southern Health Partners, Inc. Quarterly Statistics Report on Inmate Health Care**  
**July 1, 2019 - September 30, 2022**

Provided for the Cumberland County Board of Commissioners

Data Set	Description	Fiscal Year 2020				Fiscal Year 2021				Fiscal Year 2022				Fiscal Year 2023				Average over all Quarters
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	
1	# of Hospital Admissions	3	4	2	3	2	5	8	3	5	6	8	17	7				6
2	# Sent to Emergency Room	10	16	6	9	6	15	29	7	24	22	20	24	25				16
3	# Outside Medical Visits (includes any specialty)	41	19	24	12	15	26	31	28	34	26	22	18	36				26
4	# of In-House X-Ray Services	75	78	105	45	195	88	51	66	59	62	57	37	52				75
5	# Seen On-Site By Mental Health	1043	859	1034	691	528	938	733	737	960	1153	818	766	863				856
6	# Seen by Physician and/or Physician Providers	256	300	267	196	251	321	227	248	198	161	199	201	143				228
7	# Seen by Dentist (includes on-site & off-site)	63	51	48	54	54	52	20	49	44	38	32	32	0				41
8	# of Receiving Screens done by Medical Staff	2924	2923	2836	1479	1959	1970	1895	2287	2616	2400	2645	3395	2380				2439
9	# Seen by Medical Staff for Sick Call	3507	4304	3513	3045	3553	2834	3350	2527	4114	4384	4352	3969	4016				3651
10	# of History and Physicals Performed	1721	1476	1418	925	1011	1064	933	853	906	785	996	859	785				1056
11	# of Rapid Plasma Reagin's performed (STD testing/syphilis)	342	415	312	0	0	0	0	0	0	0	0	0	0				82
12	# of Other Sexually Transmitted Diseases	7	13	6	8	5	8	22	16	16	12	15	22	9				12
13	# of Medical Refusals by Inmate	602	774	603	385	564	352	367	414	502	453	921	671	699				562
14	# of Inmate Blood Sugar Checks	3362	3993	4105	2651	1818	1633	1647	1814	2706	2632	1592	1376	1372				2362
15	# of Inmate Blood Pressure Checks	2510	2006	1776	1012	1036	1184	2112	1615	1480	1025	1533	2081	1526				1607
16	# of TB Screens and/or PPD Tests	1305	1476	1418	925	1011	1068	933	920	906	785	2718	3395	2380				1480
17	# of Staph/MRSA Patients In-house	7	1	2	1	0	2	3	4	2	2	2	0	3				2
18	# of Pregnant Females	9	14	15	5	9	9	4	15	13	11	6	7	7				10
19	# of HIV Patients In-House	25	14	17	12	17	15	20	13	19	18	15	9	7				15
20	# of Inmates Placed on Suicide Watch	861	169	260	504	765	530	529	215	51	39	58	59	64				316
21	# of Inmate Deaths	2	1	0	0	1	0	0	0	1	0	0	2	0				1
22	# of Inmates on Detox Protocols	214	177	150	49	111	88	110	179	184	128	94	84	119				130
23	# of Diabetic Patients	no data	no data	41	19	30	31	30	40	54	53	20	34	39				36
24	# of Asthma Patients	no data	no data	33	12	21	15	23	40	24	46	22	15	9				24
25	# of Meds Administered	no data	no data	no data	no data	no data	no data	1858	2470	4578	3626	3738	3000	2300				3081
26	# of Medication Assisted Treatment	no data	no data	9	0	0	0	0	0	0	0	0	0	0				1
27	# of patients tested for COVID19	no data	no data	0	121	423	886	1194	826	1134	1188	919	896	858				768
28	# of patients testing positive for COVID19	no data	no data	0	20	9	16	98	8	11	25	133	9	30				33
	<b>Average Daily Population per Quarter:</b>	<b>680</b>	<b>714</b>	<b>674</b>	<b>537</b>	<b>501</b>	<b>472</b>	<b>452</b>	<b>442</b>	<b>467</b>	<b>475</b>	<b>450</b>	<b>462</b>	<b>501</b>				<b>525</b>

**ADDITIONAL INFORMATION ON OUTLIERS AS COMPARED TO AVERAGES:**

Gray highlighted cells show outliers as compared to quarterly averages. Per contact at SHP, those quarters' data were inaccurately counted and reported.

**Please note: HIPAA laws do not allow cause of death information to be released within the quarterly reports.**

Line 27	Per Dr. Jennifer Green, Cumberland County Public Health Director: All new inmates are being tested upon intake (~day 5 or 6 after arrival) and quarantined.
Line 28	Per Dr. Jennifer Green, Cumberland County Public Health Director: Some of the positive tests were among those that were tested upon intake and already in isolation or quarantine. The detention center was in "outbreak status" during the 3rd Quarter of FY 22. The outbreak was during the height of the Omicron wave. The significant increase in the Detention Center followed the trend of an increase of cases nationwide January-March 2022. The Health Department collaborates with Detention Center staff and Southern Health Partners to appropriately isolate and quarantine individuals in the facility.



**GENERAL MANAGER FINANCIAL SERVICES**

**MEMORANDUM FOR THE AGENDA OF THE NOVEMBER 10, 2022  
AGENDA SESSION**

**TO:** BOARD OF COUNTY COMMISSIONERS

**FROM:** VICKI EVANS, FINANCE DIRECTOR

**DATE:** 10/30/2022

**SUBJECT:** ARPA QUARTERLY PROJECT AND EXPENDITURE REPORT AS OF  
SEPTEMBER 30, 2022

**Requested by:** AMY CANNON, COUNTY MANAGER

**Presenter(s):** NA

**BACKGROUND**

Quarterly project and expenditure reporting of American Rescue Plan Act funding is required for metropolitan cities and counties with a population that exceeds 250,000. Cumberland County's quarterly report of projects and expenditures was submitted for the timeframe of July 1, 2022 through September 30, 2022 on October 30, 2022 as shown within the attached report. This report has also been provided to the Board's ARP Committee, currently scheduled to meet on November 4, 2022.

**RECOMMENDATION / PROPOSED ACTION**

For information purposes only. No action needed.

**ATTACHMENTS:**

Description	Type
ARPA P&E Report for quarter ending September 30, 2022	Backup Material

# SLFRF Compliance Report - SLT-1353-P&E Report-Q3 2022

## Report Period : Quarter 3 2022 (July-September)

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### Recipient Profile

#### Recipient Information

Recipient UEI	VAUSC2ZZKJ78
Recipient TIN	566000291
Recipient Legal Entity Name	County Of Cumberland, North Carolina
Recipient Type	Metro City or County
FAIN	
CFDA No./Assistance Listing	
Recipient Address	117 Dick Street
Recipient Address 2	
Recipient Address 3	
Recipient City	Fayetteville
Recipient State/Territory	NC
Recipient Zip5	28301
Recipient Zip+4	
Recipient Reporting Tier	Tier 1. States, U.S. territories, metropolitan cities and counties with a population that exceeds 250,000 residents
Base Year Fiscal Year End Date	6/30/2023
Discrepancies Explanation	
Who approves the budget in your jurisdiction?	Other (Specify)
Is your budget considered executed at the point of obligation?	No
Is the Recipient Registered in SAM.Gov?	Yes

# Project Overview

## Project Name: Direct Costs to Administer ARPA Funds

Project Identification Number	AR701
Project Expenditure Category	7-Administrative
Project Expenditure Subcategory	7.1-Administrative Expenses
Status To Completion	Completed less than 50%
Adopted Budget	\$2,904,690.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$98,454.22
Total Cumulative Expenditures	\$98,454.22
Current Period Obligations	\$41,653.21
Current Period Expenditures	\$41,653.21
Project Description	Salary and benefit costs of ARPA program manager, ARPA Finance Accountant, supplies and materials, advertising and other operating costs.

## Project Name: Grays Creek Water Project

Project Identification Number	AR515
Project Expenditure Category	5-Infrastructure
Project Expenditure Subcategory	5.15-Drinking water: Other water infrastructure
Status To Completion	Not Started
Adopted Budget	\$10,000,000.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$0.00
Total Cumulative Expenditures	\$0.00
Current Period Obligations	\$0.00
Current Period Expenditures	\$0.00
Project Description	The Grays Creek area of Cumberland County has been tested and confirmed to have above normal/unsafe limits of contaminants within its ground water and wells that provide water to the schools, residences, and businesses in the area. Construction is planned to create a community water system to address the existing public health problems associated with consuming unsafe drinking water provided by the individual well. ARPA funds will assist in partially funding the initial phases of this water project.

## Project Name: Shaw Heights Sanitary Sewer System Project

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Project Identification Number	AR505
Project Expenditure Category	5-Infrastructure
Project Expenditure Subcategory	5.5-Clean Water: Other sewer infrastructure
Status To Completion	Not Started
Adopted Budget	\$12,000,000.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$0.00
Total Cumulative Expenditures	\$0.00
Current Period Obligations	\$0.00
Current Period Expenditures	\$0.00
Project Description	Cumberland County is in the process of exploring the addition of a sanitary sewer system located within the Shaw Heights community, which is located within a Qualified Census Tract (QCT). Failing septic systems has been an issue within this community and in order for the Shaw Heights Affordable Housing ARPA Project (AR215) to be the most successful, the installation and construction of new pipes, pump stations, and force mains for sewer systems is required.

### **Project Name: Broadband Expansion**

Project Identification Number	AR521
Project Expenditure Category	5-Infrastructure
Project Expenditure Subcategory	5.21-Broadband: Other projects
Status To Completion	Not Started
Adopted Budget	\$1,000,000.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$0.00
Total Cumulative Expenditures	\$0.00
Current Period Obligations	\$0.00
Current Period Expenditures	\$0.00
Project Description	Cumberland County plans to partner with an internet service provider to expand fiber optic internet access into the more remote areas of the County. ARPA funds will provide for a portion of the project cost with the remaining required funds coming from the State of North Carolina and the internet service provider. A state grant request has been submitted and results are pending. If awarded, the combined funds will provide access to approximately 2,017 homes.
Projected/actual construction start date	6/30/2023
Projected/actual initiation of operations date	6/30/2024

### **Project Name: Homeless Shelter Property**

Project Identification Number	AR216
Project Expenditure Category	2-Negative Economic Impacts
Project Expenditure Subcategory	2.16-Long-Term Housing Security: Services for Unhoused persons
Status To Completion	Cancelled
Adopted Budget	\$0.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$0.00
Total Cumulative Expenditures	\$0.00
Current Period Obligations	\$0.00
Current Period Expenditures	\$0.00
Project Description	Cumberland County is in the process of exploring potential property/building locations for a homeless shelter to be located within a qualified census tract. A previously issued needs assessment survey indicated the County is lacking in available temporary housing solutions and beds available for the homeless population. Although this item is budgeted utilizing a portion of ARPA funds currently, it is expected that this will be removed from consideration as we now understand with the Final Rule this type of project is not allowed.
What is the Total expected capital expenditure, including pre-development costs, if applicable	\$250,000.00
Type of capital expenditures, based on the following enumerated uses	Improvements to existing facilities
Please identify the dollar amount of the total project spending that is allocated towards evidence-based interventions	\$0.00
Is a program evaluation of the project being conducted?	No
What Impacted and/or Disproportionally Impacted population does this project primarily serve?	1 Imp General Public
Is a program evaluation of the project being conducted?	No
Brief description of structure and objectives of assistance program(s), including public health or negative economic impact experienced	0
Brief description of recipient's approach to ensuring that response is reasonable and proportional to a public health or negative economic impact of Covid-19	0

### Project Name: Shaw Heights Affordable Housing

Project Identification Number	AR215
Project Expenditure Category	2-Negative Economic Impacts
Project Expenditure Subcategory	2.15-Long-Term Housing Security: Affordable Housing
Status To Completion	Not Started
Adopted Budget	\$10,000,000.00

Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$0.00
Total Cumulative Expenditures	\$0.00
Current Period Obligations	\$0.00
Current Period Expenditures	\$0.00
Project Description	Cumberland County is in the planning phase of construction of affordable housing to be located within the Shaw Heights community, which is located within a Qualified Census Tract (QCT). This project is being explored in conjunction with the installation of a sanitary sewer system described in the Shaw Heights Sanitary Sewer System ARPA Project (AR505). The number of housing units is to be determined. The affordable housing units will provide for permanent housing options for those citizens who are within the low to moderate income range.
What is the Total expected capital expenditure, including pre-development costs, if applicable	\$10,000,000.00
Type of capital expenditures, based on the following enumerated uses	Affordable housing, supportive housing, or recovery housing
Does the project prioritize local hires?	Yes
Does the project have a Community Benefit Agreement, with a description of any such agreement?	No

### **Project Name: First Time Home Buyers Program**

Project Identification Number	AR218
Project Expenditure Category	2-Negative Economic Impacts
Project Expenditure Subcategory	2.18-Housing Support: Other Housing Assistance
Status To Completion	Not Started
Adopted Budget	\$2,500,000.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$0.00
Total Cumulative Expenditures	\$0.00
Current Period Obligations	\$0.00
Current Period Expenditures	\$0.00
Project Description	Cumberland County plans to issue a request for applications, with a focus on first-time home buyers of low to moderate income and/or those who have had an adverse economic impact as a result of COVID-19, and/or residents of a Qualified Census Tract (QCT). Eligible applicants may receive financial assistance in the household per person amounts that do not exceed the payment totals provided by the federal government within the COVID-19 Stimulus & Relief packages.



**Project Name: Mortgage Assistance**

Project Identification Number	AR202
Project Expenditure Category	2-Negative Economic Impacts
Project Expenditure Subcategory	2.2-Household Assistance: Rent, Mortgage, and Utility Aid
Status To Completion	Not Started
Adopted Budget	\$3,500,000.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$0.00
Total Cumulative Expenditures	\$0.00
Current Period Obligations	\$0.00
Current Period Expenditures	\$0.00
Project Description	Cumberland County plans to issue a request for applications tailored to those who had existing mortgages, who were negatively affected by the pandemic, and who have been thus rendered unable to maintain their current mortgage payments. Eligibility will be limited to providing mortgage assistance to those who reside in a QCT, and/or those who qualify as low to moderate income households, without duplicating similar assistance that has already been provided to these households.

**Project Name: Board Meeting Room Update**

Project Identification Number	AR104
Project Expenditure Category	1-Public Health
Project Expenditure Subcategory	1.4-Prevention in Congregate Settings (Nursing Homes, Prisons/Jails, Dense Work Sites, Schools, Child care facilities, etc.)
Status To Completion	Not Started
Adopted Budget	\$3,000,000.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$0.00
Total Cumulative Expenditures	\$0.00
Current Period Obligations	\$0.00
Current Period Expenditures	\$0.00
Project Description	Board of Commissioner meetings are required to be open to the public. Sufficient space is not available in the current congregate meeting room to allow for social distancing between commissioners or in the employee/public seating area. Funds will be utilized to enhance airflow, provide commissioner and employee/public seating sufficient enough to provide for social distancing in a different meeting room that will allow for safety in this congregate setting.
What is the Total expected capital expenditure, including	

pre-development costs, if applicable	\$3,000,000.00
Type of capital expenditures, based on the following enumerated uses	Improvements to existing facilities

**Project Name: CCOVID Assistance to Nonprofits**

Project Identification Number	AR109
Project Expenditure Category	1-Public Health
Project Expenditure Subcategory	1.9-COVID-19 Assistance to Non-Profits
Status To Completion	Not Started
Adopted Budget	\$3,500,000.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$0.00
Total Cumulative Expenditures	\$0.00
Current Period Obligations	\$0.00
Current Period Expenditures	\$0.00
Project Description	Cumberland County has issued a formal request for proposals seeking the assistance of nonprofit entities to recommend ideas on how to best provide county citizens in need with supports/services to aid in COVID-19 recovery efforts. The highest ranked proposals will be considered for a subaward or contractual agreement. A sub-committee was established and is in the process of reviewing responses. It is anticipated that award recommendations will be made during August 2022.

**Project Name: Provision of Government Services**

Project Identification Number	AR610
Project Expenditure Category	6-Revenue Replacement
Project Expenditure Subcategory	6.1-Provision of Government Services
Status To Completion	Completed
Adopted Budget	\$10,000,000.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$10,000,000.00
Total Cumulative Expenditures	\$10,000,000.00
Current Period Obligations	\$4,904,164.99
Current Period Expenditures	\$4,904,164.99
Project Description	The funds were utilized to cover staffing/payroll costs of the Sheriff's Office and Detention Center. The funds will cover salaries and corresponding fringe benefit expenses for those employees beginning in April 2022 until available funds are exhausted. Covered salaries are based on Cumberland

	County's current pay schedule and the fringe benefits are based on the Board of Commissioner adopted benefits ordinance.
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**Project Name: COVID Small Business Assistance**

Project Identification Number	AR108
Project Expenditure Category	1-Public Health
Project Expenditure Subcategory	1.8-COVID-19 Assistance to Small Businesses
Status To Completion	Not Started
Adopted Budget	\$3,500,000.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$265,527.00
Total Cumulative Expenditures	\$0.00
Current Period Obligations	\$265,527.00
Current Period Expenditures	\$0.00
Project Description	Cumberland County has issued a request for applications, focused on for-profit small businesses located within the County. Eligible small businesses have an opportunity to receive a one-time amount up to \$50,000 to aid in COVID-19 recovery efforts. Higher priority is being given to eligible small businesses who employ one or more individuals of low to moderate income and/or whose business is located within a qualified census tract. Community Development staff are in the process of reviewing applications and have made some recommendations. It is anticipated that contracts will be approved/fund obligated between August-September 2022.

**Project Name: FSU Assistance to Small Businesses**

Project Identification Number	AR230
Project Expenditure Category	2-Negative Economic Impacts
Project Expenditure Subcategory	2.30-Technical Assistance, Counseling, or Business Planning
Status To Completion	Not Started
Adopted Budget	\$250,000.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$0.00
Total Cumulative Expenditures	\$0.00
Current Period Obligations	\$0.00
Current Period Expenditures	\$0.00
	A subrecipient agreement is planned with Fayetteville State University (FSU). The funds will be used to support the Innovation and Entrepreneurship Hub, which seeks to

Project Description	increase access to technical assistance, counseling services to help local business meet their business planning needs. The hub will provide advisory services, education, entrepreneurial summits, and expositions to local businesses.
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### **Project Name: Community Paramedics Program**

Project Identification Number	AR112
Project Expenditure Category	1-Public Health
Project Expenditure Subcategory	1.12-Mental Health Services
Status To Completion	Not Started
Adopted Budget	\$874,000.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$0.00
Total Cumulative Expenditures	\$0.00
Current Period Obligations	\$0.00
Current Period Expenditures	\$0.00
Project Description	A subrecipient agreement is planned with Cape Fear Valley Health center who will provide a Community Paramedic Community Response Program. Cumberland County EMS Community Paramedics are uniquely suited to respond in the 911 environment to crisis mental health and substance abuse/overdose calls within the geopolitical boundaries of Cumberland County. The team will work alongside Licensed Clinical Social Workers (LCSW) that are healthcare practitioners trained in mental health, substance abuse counseling, and patient management.

### **Project Name: Trade Job Training Program**

Project Identification Number	AR210
Project Expenditure Category	2-Negative Economic Impacts
Project Expenditure Subcategory	2.10-Assistance to Unemployed or Underemployed Workers (e.g. job training, subsidized employment, employment supports or incentives)
Status To Completion	Not Started
Adopted Budget	\$2,000,000.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$0.00
Total Cumulative Expenditures	\$0.00
Current Period Obligations	\$0.00
Current Period Expenditures	\$0.00
	A subrecipient agreement is planned with FTCC. The funds will be used to support the “Hope, Opportunity, Prosperity through Education” or HOPE Program, which seeks to

Project Description	increase the social and economic mobility of participants through accelerated training connected to high-demand employment opportunities in various trades through on-the-job training with local businesses.
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**Project Name: NARCAN**

Project Identification Number	AR113
Project Expenditure Category	1-Public Health
Project Expenditure Subcategory	1.13-Substance Use Services
Status To Completion	Not Started
Adopted Budget	\$140,000.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$0.00
Total Cumulative Expenditures	\$0.00
Current Period Obligations	\$0.00
Current Period Expenditures	\$0.00
Project Description	A subrecipient agreement is planned with Cape Fear Valley Health Center who will purchase NARCAN for distribution to the Sheriff's Office, Fire Districts, and other first responders.

## Subrecipients

**Subrecipient Name: County of Cumberland**

TIN	566000291
Unique Entity Identifier	
POC Email Address	
Address Line 1	117 Dick Street
Address Line 2	
Address Line 3	
City	Fayetteville
State	NC
Zip	28302
Zip+4	
Entity Type	Subrecipient
Is the Recipient Registered in SAM.Gov?	Yes

## Subawards

### Subward No: DIRECT ADMIN

Subaward Type	Direct Payment
Subaward Obligation	\$56,801.01
Subaward Date	1/24/2022
Place of Performance Address 1	117 Dick Street
Place of Performance Address 2	
Place of Performance Address 3	
Place of Performance City	Fayetteville
Place of Performance State	NC
Place of Performance Zip	28302
Place of Performance Zip+4	
Description	Cumberland County's Direct Admin - Per the final rule, up to 10% of allocated funds can be used for direct admin. This period includes costs for salary and benefit costs of ARPA program manager, supplies and materials, advertising and other operating costs.
Subrecipient	County of Cumberland
Period of Performance Start	1/24/2022
Period of Performance End	12/31/2026

# Expenditures

## Expenditures for Awards more than \$50,000

### Expenditure: EN-00434338

Project Name	Direct Costs to Administer ARPA Funds
Subaward ID	SUB-0335972
Subaward No	DIRECT ADMIN
Subaward Amount	\$56,801.01
Subaward Type	Direct Payment
Subrecipient Name	County of Cumberland
Expenditure Start	1/24/2022
Expenditure End	6/30/2022
Expenditure Amount	\$56,801.01

## Aggregate Expenditures for Awards less than \$50,000

### Expenditure: EN-00662324

Project Name	COVID Small Business Assistance
Subaward Type (Aggregates)	Aggregate of Contracts Awarded
Total Period Expenditure Amount	\$0.00
Total Period Obligation Amount	\$265,527.00

### Expenditure: EN-00305141

Project Name	Direct Costs to Administer ARPA Funds
Subaward Type (Aggregates)	Aggregate of Direct Payments
Total Period Expenditure Amount	\$41,653.21
Total Period Obligation Amount	\$41,653.21

### Expenditure: EN-00435006

Project Name	Direct Costs to Administer ARPA Funds
Subaward Type (Aggregates)	Aggregate of Direct Payments
Total Period Expenditure Amount	\$0.00
Total Period Obligation Amount	\$0.00



# Report

## Revenue Replacement

Is your jurisdiction electing to use the standard allowance of up to \$10 million, not to exceed your total award allocation, for identifying revenue loss?	Yes
Revenue Loss Due to Covid-19 Public Health Emergency	\$10,000,000.00
Were Fiscal Recovery Funds used to make a deposit into a pension fund?	No
Please provide an explanation of how revenue replacement funds were allocated to government services	The funds have been utilized to cover staffing/payroll costs of the Sheriff's Office and Detention Center. The funds covered salaries and corresponding fringe benefit expenses for those employees beginning in April 2022 until available funds are exhausted. Covered salaries are based on Cumberland County's current pay schedule and the fringe benefits are based on the Board of Commissioner adopted benefits ordinance.

## Overview

Total Obligations	\$10,363,981.22
Total Expenditures	\$10,098,454.22
Total Adopted Budget	\$65,168,690.00
Total Number of Projects	16
Total Number of Subawards	1
Total Number of Expenditures	4

## Certification

Authorized Representative Name	Victoria Evans
Authorized Representative Telephone	(910) 678-7750
Authorized Representative Title	Finance Director
Authorized Representative Email	<a href="mailto:vevans@co.cumberland.nc.us">vevans@co.cumberland.nc.us</a>
Submission Date	10/30/2022 6:20 PM



**ENGINEERING AND INFRASTRUCTURE DEPARTMENT**

**MEMORANDUM FOR THE AGENDA OF THE NOVEMBER 10, 2022  
AGENDA SESSION**

**TO:** BOARD OF COUNTY COMMISSIONERS

**FROM:** JERMAINE WALKER, DIRECTOR OF ENGINEERING AND INFRASTRUCTURE

**DATE:** 11/4/2022

**SUBJECT:** PROJECT UPDATES

**Requested by:** BOARD OF COMMISSIONERS

**Presenter(s):** JERMAINE WALKER, DIRECTOR OF ENGINEERING AND INFRASTRUCTURE

**BACKGROUND**

Please find attached the monthly project report update for your review.

**RECOMMENDATION / PROPOSED ACTION**

No action is necessary. This is for information only.

**ATTACHMENTS:**

Description

Project Updates

Type

Backup Material

MONTHLY PROGRESS REPORT				
Project Location	Contract Amount	Project Status	Contract Start Date	Contract Duration
500 Executive Place - Cumberland County Emergency Services Center	\$16.8M	96% Complete. Completed Building Dedication on October 26, 2022. Working punch-list items for interior finishes, irrigation system and exterior doors. ITS completing automation install and server switch-over during the next four weeks. Estimated Go-Live date is December 1, 2022.	3/8/2021	360 days
DSS Elevators	\$1M	Project is 50% complete. Completing wiring controls for first set of elevator cars. First set of elevators will be complete by November 25, 2022. Estimated completion for second set is March 1, 2023.	6/6/2022	180 days
Judge Maurice E. Braswell Courthouse Access Management and Security Camera System	\$452K	97% complete. Additional interior cameras have been installed and are in process on being brought online. Pending the instllation of exterior,roof, and elevator cameras. Parts arrived on October 21, 2022. Estimated project completion is November 30, 2022	10/11/2021	270 days
Judge Maurice E. Braswell Courthouse Bathroom Updates	\$200K	Completed Juvenile Justice and 1st Floor Restrooms on October 28, 2022. Next steps are to request bids for remaining floors for completion in FY23.	TBD	TBD
DSS roof replacement	\$1.5M	95% complete. Finalizing reconstruction of gutters. Estimated completion date is November 28, 2022.	3/21/2022	180 days
Judge Maurice E. Braswell Courthouse boiler replacement	\$100K	Boiler on order. Estimated arrival is November 2022 with installation occurring over Thanksgiving Holiday.	TBD	180 days
Law Enforcement Center Switchgear Replacement	\$350K	In Design	TBD	180 days
Historic Courthouse Switchgear Replacement	\$350K	In Design	TBD	180 days