

RESOLUTION 41  
 JO-CARROLL DEPOT LRA  
 PRE-CONTRACT AWARD CERTIFICATION

The Jo-Carroll Depot LRA (herein "LRA") is preparing to award a construction contract for the HVAC conversion phase of their depot redevelopment (called Phase I by the EDA). This project is being partially funded by the Economic Development Administration (herein "EDA"). With respect to Phase I projects, the LRA makes the following assertions and certifications:

WHEREAS the LRA must ensure that the entire scope of EDA-approved Phase I improvements are implemented as part of the EDA-LRA Grant Agreement; and

WHEREAS the LRA must commit to fund their local share of the EDA-approved Phase I improvements; and

WHEREAS the LRA must ensure that if the successful bidding contractor is awarded the Phase I construction contract, and if their bid is higher than the original estimated costs from the engineer, that the LRA will pay the overage in order to make Phase I improvements as originally approved by EDA; and

WHEREAS the LRA must certify the availability of interim construction financing which will not encumber the project components or facilities in any way and will be available as of this date; and

WHEREAS the EDA requires that all construction contracts funded with EDA grant assistance follow proper bidding procedures as outlined in 15 CFR Part 24.36 as of this date, or receive special approval from EDA staff;

THEREFORE, BE IT RESOLVED that the duly authorized representatives of the grant recipient listed below certify that the grant recipient has funds in excess of \$570,000 in the construction line item. These funds are to be used to fund any overrun in construction cost and are available as of this date.

BE IT FURTHER RESOLVED that the duly authorized representatives of the grant recipient listed below certify that the grant recipient has non-federal share funds in the amount of \$1.2 million for this project that is committed and available as of this date for EDA Project Number 06-49-03010. We further certify that the non-federal share for this Project is from sources which can be used as match for the EDA Project, and that the non-federal share will not affect ownership of, or title to, the Project facilities.

BE IT FURTHER RESOLVED that the duly authorized representatives of the grant recipient listed below certify that the grant recipient has complied with procurement procedures for the construction contract as applicable in 15 CFR Part 24.36 as of this date. These requirements include, but are not limited to, the sections entitled "Competition", "Methods of Procurement to be Followed", "Bonding Requirements," and "Contract Provisions". Furthermore, we certify that, in the event that we have not included the following documents in the construction contracts, we have obtained prior approval from EDA staff regarding alternative bonding policies/requirements: 1) bid guarantee; 2) performance bond; and 3) payment bond.

BE IT FINALLY RESOLVED THAT The LRA adopts the aforementioned certifications as they

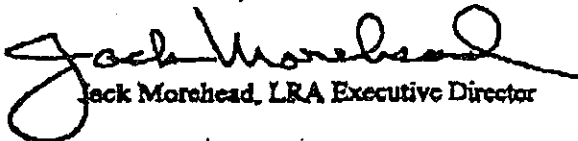
relate to the HVAC Conversion Phase (Phase I) of the EDA Project.

Dated this 26<sup>th</sup> day of July 2000.

APPROVED BY:



Paul Hartman, Chairman LRA Board



Jack Morehead, LRA Executive Director