

CONTRACT REVIEW CHECKLIST

Consistency with Law and School Board Policy:

| | Comments |
|---|----------|
| Consistent with School Board Policy | YES |
| Consistent with Florida, federal and local laws | YES |

Contract Terms:

| | Comments |
|--|--|
| Term (Duration of Contract) | N/A |
| Termination Clause | N/A |
| Insurance /Liability Issues/ Indemnification | Risk Management should review and approve all insurance clauses. |
| Regulatory issues | N/A |
| Confidentiality Provision | N/A |
| Warranties | N/A |
| Labor Issues | The Labor Relations Department should review any issues. |
| Disclaimers | N/A |
| Governing Law & Venue | FLORIDA LAW & PB COUNTY VENUE |

Business Principles:

| | Comments |
|---|---------------------------------|
| Sound Business Principles | YES |
| Reasonableness of Fees | Please refer to page _____. |
| Payment Terms --Lump sum, installments --Payment Due dates --Late fees | Please refer to page <u>1</u> . |

Other Issues:

| | Comments |
|-----------------------------------|----------|
| Conflict of Interest Disclosures | N/A |
| Non-Negotiable Issues | NONE |
| Miscellaneous Issues | NONE |
| Appropriate Departmental Sign-off | YES |

Special Considerations: _____

The issues noted above were explained to the appropriate District staff and/or Division Chief. YES NO

Blaire Howe 12/7/06
 By: Attorney (Name and Date)

BEFORE THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA

PALM BEACH COUNTY, FLORIDA

RESOLUTION NO. 2006-12-13 PL1 (Special Meeting)

December 13, 2006

A RESOLUTION OF THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA, APPROVING A PUBLIC/PRIVATE PARTNERSHIP WITH MERRYPLACE DEVELOPMENT LLC/WEST PALM BEACH HOUSING AUTHORITY ON THE MERRYPLACE DEVELOPMENT LLC/WEST PALM BEACH HOUSING AUTHORITY'S COMMUNITY WORKFORCE HOUSING INNOVATION PILOT PROGRAM GRANT APPLICATION AND AUTHORIZE THE CHAIRMAN AND SUPERINTENDENT TO SIGN ALL NECESSARY DOCUMENTS

WHEREAS, the Florida Legislature approved House Bill 1363 during the 2006 legislative session which created a grant program in the amount of \$50 million for affordable housing pilot programs called Community Workforce Housing Innovation Pilot Program (CWHIP) to be administered by the Florida Housing Finance Corporation; and

WHEREAS, one of the primary criteria of the CWHIP grant is that a public private partnership be formed for CWHIP grant application; and

WHEREAS, four developers approached the School District staff requesting that the School District be a public partner on their CWHIP grant application; and

WHEREAS, the School District staff sought assistance from the Housing Leadership Council (HLC) of the Palm Beach Economic Council to evaluate the four proposals against the established criteria; and

WHEREAS, based upon the evaluations provided by the HLC and the evaluation of School District staff, staff recommended and the School Board approved that the District act as the public partner with MerryPlace Development LLC/West Palm Beach Housing Authority (MerryPlace) on MerryPlace's CWHIP grant application.

NOW THEREFORE, BE IT RESOLVED as follows:

1. The School Board hereby approves joining on MerryPlace's CWHIP application as a public partner.
2. Contingent upon MerryPlace being awarded one of the \$5 million CWHIP grants, the School Board hereby pledges to provide up to \$502,500 in the

form of down payment assistance to eligible teachers at Title I schools, which funding shall come from Title II funds.

3. Prior to any School Board funds being disbursed, the School Board hereby directs District staff to negotiate a Cooperative Agreement with MerryPlace detailing the terms, conditions and provisions of the use of the School Board's funds and to develop eligibility criteria, including without limitation, the initiation of a School Board Policy addressing these issues and the negotiation of any necessary agreements with the applicable collective bargaining unit(s). The Cooperative Agreement, School Board Policy and any agreements with collective bargaining units shall be subject to review and approval of the School Board.
4. The School Board hereby authorizes the Chairman and Superintendent, or their designees, to sign the MerryPlace CWHIP grant application and any other documents reasonably required to complete the grant application process.

DULY PASSED AND ADOPTED, at public meeting this ____ day of _____, 2006.

THE SCHOOL BOARD OF PALM BEACH
COUNTY, FLORIDA

By: _____
William G. Graham, Chairman

Attest: _____
Arthur Johnson, Ph.D., Superintendent
and Secretary of the School Board

Filed with the Clerk of the School Board

This _____ day of _____, 2006.

Alicia Palmer, Clerk

Reviewed and Approved

Blair Huns 12/7/06

School Board Attorney