

**Item Summary: Amendments of Capital Project Ordinances for Series 2006 GO Bonds and Series 2007 Certificates of Participation**

The Preliminary Schedule and the Distribution List for the Series 2007 COPs are the first and second attachments following this summary. The sale date is tentatively scheduled for February 20 & 21 with a closing on March 8.

**Updated Estimate Used for Project Budget**

At the 10/2/2006 Board meeting, the Commissioners approved the Part 2 Contract with Heery International and the GMP (guaranteed maximum price) for the Administration Building. Attachment three is the Administration Building and Old Courthouse estimate presented to the Board as of that date. Added to that schedule are two columns to the right showing the estimate as of 11/20/2006. Changes are highlighted in yellow, and are as follows:

- Because the schedule is now being used to reconcile to the debt issuance amount, two items have been added:
  - Already budgeted prior preliminary design & programming costs:
    - \$60,154 for the Old Courthouse; and
    - \$46,301 for the Administration Building.
- The allowance in the GMP for builder's risk insurance of \$90,000 has been removed.
- A line item for County-provided builders' risk insurance is added at \$123,490 (Heery's best quote was ~\$135,000).
- An additional \$4,000 for testing, administration & misc. for the Old Courthouse.
- A contingency of \$40,000 for the Old Courthouse as recommended by Heery.

**Projects to be funded with the Series 2007 COPs are:**

- The Administration Building (also funded by the Series 2006 GO Bonds).
- The Old Courthouse renovation into BOC meeting space.
- The purchase of ~11 acres of land in Kitty Hawk.
- The Hatteras Administration Building (currently in re-design).

**Amendment for the Series 2006 General Obligation Bonds**

\$10,056 in unbudgeted interest income has been earned on the bond proceeds. Those proceeds must be spent on the projects financed with the bonds, i.e., the Administration Building. Therefore the following adjustment is the fourth attachment, an amendment to the Capital Project Ordinance for the Series 2006 GO Bonds:

Revenue	Interest Income	\$10,056	increase
Expense	Heery Fees – Administration Bldg	\$10,056	increase

**Amendment #1 for the Series 2007 Certificates of Participation**

For the above item from the S2006 GO Bonds, the following adjustments must be made to the S2007 COPs project ordinance and is included as the fifth attachment:

Revenue	COPs Proceeds	(\$10,056)	decrease
Expense	Heery Fees – Administration Bldg	(\$10,056)	decrease

**Amendment #2 for the Series 2007 Certificates of Participation**

The following line items have already been budgeted by the BOC:

Revenue	Stormwater Planning Grant	\$21,125
	COPs Proceeds	<u>1,584,002</u>
	Total	<u>\$1,605,127</u>
Expense	Old Courthouse Surveys, Testing & Misc.	\$5,000
	Predesign & Programming Studies	60,154
	Legal & Admin.	1,000
	Admin Bldg Heery Fees	178,007
	Surveys, Testing & Misc.	20,000
	Predesign & Programming Studies	46,301
	Construction Testing	25,000
	Stormwater Design Fees	42,250
	Legal & Admin	10,000
	Hatteras SO Heery Fees	177,415
	Surveys, Testing & Misc.	5,000
	Legal & Admin	5,000
	KH Land Land	<u>1,030,000</u>
	Total	<u>\$1,605,127</u>

The sixth attachment is the Amendment to the Capital Project Ordinance shows the adjustments needed to bring the already budgeted amounts above in agreement with the amounts shown on the third attachment. The amounts are reconciled as follows:

Total per third attachment for 11/20/2006	\$15,081,690
Less amount paid from S2006 GO bonds	(617,275)
Hatteras Satellite Office budgeted to date	187,415
Kitty Hawk land budgeted to date	<u>1,030,000</u>
Total	<u>\$15,681,830</u>
Grant already budgeted	\$21,125
S2007 COPs proceeds budgeted to date	1,584,002
Amendment for S2006 GO Bonds	(10,056)
Added with amendment on 11/20/2006	<u>14,086,759</u>
Total	<u>\$15,681,830</u>

**Remaining to be budgeted are the Hatteras Satellite Office and all costs of issuance for the COPs.**

The Board is requested to adopt:

1. The Amendment to the Capital Project Ordinance for the S2006 GO Bonds;
2. Amendment #1 to the Capital Project Ordinance for the S2007 COPs; and
3. Amendment #2 to the Capital Project Ordinance for the S2007 COPs.



<u>DATE</u>	<u>EVENT</u>	<u>RESPONSIBILITY</u>
Jan 10	Review Second Draft of All Documents (Conference Call – 10:00 a.m.)	All Parties
NLT Jan 12	Publish Notice of Public Hearing	CTY, BC
Jan 17	Receive final Draft of All Documents incorporating Insurer Comments	BC, UC
NLT Jan 22	Corporation Adopts Resolution Approving Financing Documents	CTY, BC, NPC
Jan 22	County Hold Public Hearing and Adopt Resolution Approving Financing Documents	CTY, BC
Wk Jan 15	Rating Agency Presentations	CTY, U, FA
Feb 2	Receive COPs Underlying Ratings From Rating Agencies	CTY, U
Feb 2	POS to Printer	U, UC
Feb 6	LGC Approves Financing Structure and Financing Documents	LGC
Feb 7	Mail POS	U
TBD	Begin Construction of Projects	CTY
<b><i>SALE AND CLOSING OF COPs ISSUE</i></b>		
Feb 20	COPs Sale Date – Retail Order Period	CTY, U
Feb 21	COPs Sale Date – Institutional Order Period	CTY, U
Feb 22	Execute Purchase Agreement	CTY, U
Mar 7, 8	Pre-Closing and Closing	Designated Parties

**Key:**

CTY = Dare County, North Carolina  
BC = Bond Counsel: Parker Poe Adams & Bernstein LLP  
U = Underwriter: UBS Securities LLC; Wachovia Securities  
UC = Underwriter's Counsel: Helms Mullis Wicker  
FA = Financial Advisor: DEC Associates  
LGC = Local Government Commission  
NPC = Non-Profit Corporation Counsel:  
TBD = To Be Determined  
NLT = Not Later Than

**DARE COUNTY, NORTH CAROLINA**  
**Certificates of Participation, Series 2007**

**Distribution List**

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Certificates of Participation, Series 2007**

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**Dare County Administration Building & Old Courthouse  
Cost Estimates & GMP**

	9/8/2006 for GMP		Notes	11/20/2006	
<b>Design:</b>					
Design fee - part I					
Design	\$606,176			\$606,176	
Construction services	174,000			174,000	
	780,176			780,176	
Design fee - part II	404,839		includes ff&e design	404,839	
Fee - Heery ff&e programming & services	0			0	
<b>Total Heery fees</b>		\$1,185,015			\$1,185,015
<b>Construction:</b>					
Construction total	10,272,209			10,182,209	Deduct BR allowance of \$90,000
Site work	965,867			965,867	
GMP contingency	542,654			542,654	
GMP estimate		11,780,730			11,690,730
<b>Total construction</b>					
<b>Total Heery contract with alternates</b>		12,965,745			12,875,745
<b>Old Courthouse:</b>					
Prior costs	60,154			60,154	
Surveys, testing & admin	6,000			10,000	Actual at \$7,900
Design	100,000		separate contract	100,000	
Old CH contingency				40,000	Heery estimate
Construction	800,000		separate contract	800,000	
		966,154			1,010,154
<b>Other Costs:</b>					
Prior costs - preliminary design		46,301			46,301
Construction testing		112,000	received quote		112,000
Wetlands mitigation		40,000			40,000
Legal, admin & misc.		45,000	planning review fee = \$21,749		45,000
Builder's risk insurance		0	included in GMP		123,490
Fee - Heery moving programming & services		20,000	estimate		20,000
Stormwater planning fees - 50% grant			included in Heery fees		
Moving costs		35,000			35,000
FF&E		425,000	estimate at ~5% of construction		425,000
I.T., telephone & network		250,000	preliminary estimate		250,000
Demolition of old ABC Store		0	included in GMP		0
Old ABC store hazardous materials		3,000			3,000
Additional landscaping		0	included in GMP		0
Estimate of sales tax refund					
2% of \$10,272,209		205,444			205,444
Use ~ 75% of amount		(154,000)			(154,000)
County contingency		250,000	2.5% of construction		250,000
<b>Totals</b>		\$15,004,200			\$15,081,690
Gross program square feet - Administration		40,415			40,415
~Gross square feet - Old Courthouse		5,652			5,652
Comparable gross square feet		46,067			46,067

**County of Dare, North Carolina  
Amendment to Capital Project Ordinance**

**for  
Series 2006 GO Bonds**

BE IT ORDAINED by the Board of Commissioners of the County of Dare, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance, originally adopted on February 6, 2006 and amended on May 15, 2006, June 19, 2006, July 17, 2006, and October 2, 2006 is hereby adopted:

Section 1        The project is a county administration building. This amendment is to adjust the project budget for interest earned on bond proceeds.

Section 2        The following budget shall be conducted within the Capital Projects Funds (#61) (department #5490) (project 60251 & 60252).

Section 3        The following amounts appropriated for the projects are changed as indicated:

Administration

Heery fees - S06 GOs	615490-710900-60252	\$10,056	increase
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Section 4        The following revenues anticipated to be available to complete the projects are changed as indicated:

Administration

Interest income – S06 GOs	613040-450100-60251	\$10,056	increase
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Section 5        The Finance Officer is directed to report, on a monthly basis, as a part of the normal monthly financial reporting process currently in place, the financial status of the project.

Section 6        Copies of this capital project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Clerk to the Board of Commissioners.

Adopted this 20th day of November, 2006

\_\_\_\_\_  
Chairman, Board of Commissioners

COPY

[SEAL]

\_\_\_\_\_  
Frances W. Harris, Clerk to the Board of Commissioners

County of Dare, North Carolina  
Amendment to Capital Project Ordinance

for  
Series 2007 Certificates of Participation

BE IT ORDAINED by the Board of Commissioners of the County of Dare, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance, originally adopted on February 6, 2006 and amended on May 15, 2006, June 19, 2006, July 17, 2006, and October 2, 2006 is hereby adopted:

Section 1 The project is a county administration building. This amendment is to adjust the project budget for interest earned on bond proceeds from the Series 2006 GO Bonds..

Section 2 The following budget shall be conducted within the Capital Projects Funds (#61) (department #5490) (project 60034 & 98714).

Section 3 The following amounts appropriated for the projects are changed as indicated:

Administration

Heery fees - S07 COPs	615490-710900-60034	(\$10,056)	decrease
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Section 4 The following revenues anticipated to be available to complete the projects are changed as indicated:

Administration

Proceeds – S07 COPs	613090-470311-98714	(\$10,056)	decrease
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Section 5 The Finance Officer is directed to report, on a monthly basis, as a part of the normal monthly financial reporting process currently in place, the financial status of the project.

Section 6 Copies of this capital project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Clerk to the Board of Commissioners.

Adopted this 20th day of November, 2006

\_\_\_\_\_  
Chairman, Board of Commissioners

[SEAL]

\_\_\_\_\_  
Frances W. Parks, Clerk to the Board of Commissioners

**County of Dare, North Carolina  
Amendment to Capital Project Ordinance**

**for  
Series 2007 Certificates of Participation**

BE IT ORDAINED by the Board of Commissioners of the County of Dare, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance, originally adopted on February 6, 2006 and amended on May 15, 2006, June 19, 2006, July 17, 2006, and October 2, 2006 is hereby adopted:

Section 1 The project are a county administration building, renovation of the old courthouse for Board meeting space, a satellite office in Hatteras and the purchase of land. This amendment is to adopt a full project budget for the administration building and the old courthouse.

Section 2 The following budget shall be conducted within the Capital Projects Funds (#61) (department #5490) (projects 60033, 60034 & 98714).

Section 3 The following amounts are additionally appropriated for the projects as indicated:

<u>Old Courthouse</u>				
Surveys, testing & misc.	615490-710901-60033	\$5,000	increase	
Legal & admin.	615490-725700-60033	(\$1,000)	decrease	
Project contingency	615490-750000-60033	\$40,000	increase	
Heery fees	615490-710900-60033	\$100,000	increase	
Construction/GMP	615490-737000-60033	\$800,000	increase	
<u>Administration</u>				
Heery fees	615490-710900-60034	\$399,789	increase	
Stormwater design fees	615490-710920-60034	(\$42,259)	decrease	
Surveys, testing & misc.	615490-710911-60034	\$87,000	increase	
Wetlands mitigation	615490-737004-60034	\$40,000	increase	
Legal & admin.	615490-710901-60034	\$25,000	increase	
Legal & admin.	615490-725700-60034	(\$10,000)	decrease	
Builders' risk insurance	615490-735400-60034	\$123,490	increase	
Moving & FF&E programming	615490-710929-60034	\$20,000	increase	
Moving costs	615490-737108-60034	\$35,000	increase	
FF&E	615490-737406-60034	\$425,000	increase	
I.T. & network wiring	615490-737409-60034	\$250,000	increase	
Hazardous materials – Old ABC	615490-737112-60034	\$3,000	increase	
Sales tax refund	615490-737001-60034	(\$154,000)	increase	
County contingency	615490-750000-60034	\$250,000	increase	
Construction/GMP	615490-737000-60034	\$11,690,730	increase	

Section 4 The following revenues anticipated to be available to complete the projects are changed as indicated:

<u>Administration</u>				
Proceeds – Series 2007 COPs	613090-470311-98714	\$14,086,759	increase	

**County of Dare, North Carolina  
Amendment to Capital Project Ordinance**

Section 5 The Finance Officer is directed to report, on a monthly basis, as a part of the normal monthly financial reporting process currently in place, the financial status of the project.

Section 6 Copies of this capital project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Clerk to the Board of Commissioners.

Adopted this 20th day of November, 2006

\_\_\_\_\_  
Chairman, Board of Commissioners

COPY

[SEAL]

\_\_\_\_\_  
Frances W. Harris, Clerk to the Board of Commissioners