



**CITY OF DURHAM | NORTH CAROLINA**

**Date:** September 6, 2011

**To:** Thomas J. Bonfield, City Manager

**Through:** Keith Chadwell, Deputy City Manager

**From:** Kevin Dick, Director – Director, Office of Economic and Workforce Development  
Christopher Dickey, Senior Manager - Economic Development  
Peter Coyle, Cultural and Business Initiatives Coordinator

**Subject:** Amendment to the Building Improvement Grant Contract with N. Cole Williams

**Executive Summary**

This item recommends the approval of a contract to amend the agreement between N. Cole Williams and the City of Durham related to the Building Improvement Grant awarded to N. Cole Williams on November 1, 2010.

**Recommendation**

After analyzing a request from N. Cole Williams to extend the completion deadline for his Building Improvement Grant to March 31, 2012, the Office of Economic and Workforce Development (OEWD) recommends that the City Council authorize the City Manager to enter into a contract to amend the agreement between N. Cole Williams and the City of Durham related to a Building Improvement Grant awarded on November 1, 2010 that would extend the deadline for completion to March 31, 2012.

**Background**

On November 1, 2010, the City Council approved a Building Improvement Grant of \$75,000.00 for economic incentive improvements to a building located at 205 N. Church Street, in Durham, in the Parrish Street Project Area.

### **Issues and Analysis**

On August 1, 2011, N. Cole Williams informed OEWD that, for reasons beyond his control, he will be unable to complete the building improvement project by November 1, 2011, the date provided in the original Agreement. He provided the following reasons:

“First, I was required to replace my initial choice of contractor requiring further due diligence in selecting my current contractor”

“Second, as we moved further in the design process the budget of the project became an issue due to the repair and renovation required in the existing basement area of my building given the scope of the plan. As possible solutions were presented then other issues arose requiring further time and effort to resolve. One such issue dealt with property lines and the effect this project would have on my neighbors. Once a resolution was reached with my neighbors I was again required to adjust the basement engineering requiring further input from engineers, architects and subcontractors. The detailed engineering of the basement and the lengthy negotiations with the adjacent property owners have contributed largely to the delay.”

Mr. Williams informed OEWD that the initial demolition and the uncovering of the basement area is now complete, with the project begun within the nine month period required by the original agreement. While work has begun, it is not anticipated that it will be completed within the 12 month time frame stipulated in the contract and policy.

The improvement of the building at 205 N. Church Street will contribute to goals of the Parrish Street Project and to economic development in Downtown Durham. Although one of the objectives of the Building Improvement Grant Program is to fund projects to be completed within twelve months, staff recommends approval of the extension because such an approval would be consistent with the broader visions of the New Era on Parrish Street and Downtown Master Plans, which include upgrading the aesthetics of street level spaces and creating more viable spaces for the delivery of professional services. Both plans are consistent with the Citywide Strategic Plan goal for a strong and diverse economy.

### **Alternatives**

The City Manager may choose to reject the recommendation extend the agreement or approve a different length of time for the extension. Such decisions may impact the abilities of this project to meet the broader visions of the aforementioned plans.

### **Financial Impact**

Extending the contract by five months will have no financial impact as the amount of the grant will not change.

**SDBE**

An SDBE summary is inapplicable because no project-specific goals have been set and no SDBE's are involved in this item.

**Attachments:**

Amendment to Agreement between N. Cole Williams and the City of Durham for Building Improvement Incentives for Economic Development.