

TOWN OF CAPE ELIZABETH, MAINE

Vote authorizing expenditures of up to \$390,429
for school renovations
and the issuance of bonds therefore

WHEREAS, the Town desires to obtain a loan through the Maine Municipal Bond Bank's (the "Bond Bank") School Revolving Renovation Fund ("SRRF") under the Maine School Facilities Finance Program to finance renovations to Pond Cove Elementary School, the Middle School and the High School; and

WHEREAS, the Town expects to enter into a loan agreement with the Bond Bank in an amount not to exceed \$390,429, of which the Town anticipates that 30% of said loan (estimated to be \$117,129) will be forgiven and that the Town will be obligated to repay the 70% balance of said loan (estimated to be \$273,300);

NOW, THEREFORE,

Be it hereby voted by the Cape Elizabeth Town Council as follows:

VOTED: That the Town be authorized to expend up to \$390,429 to fund the costs of the following school renovations and improvements (including costs of issuance, capitalized interest, and any other costs related or ancillary thereto) (referred to as the "Projects"):

Amount	Description
\$12,706	Pond Cove Elementary - Emergency Plumbing Fixtures
\$52,135	Middle School - Emergency Plumbing Fixtures
\$325,588	High School - Emergency Plumbing Fixtures / HVAC / Roof / Intercom and Public Address System

VOTED: In order to provide funds for the Projects, the Treasurer be and hereby is authorized to borrow up to \$390,429 in the name of and on behalf of the Town and that to effect such borrowing, the Treasurer be and hereby is authorized to enter into a loan agreement between the Town and the Bond Bank, such loan agreement to contain the usual and customary terms as is required by the Bond Bank under its SRRF program, such loan to be in the amount not to exceed \$390,429, of which 30% (estimated to be \$117,129) is expected be forgiven and 70% (estimated to be \$273,300) is expected to be repaid under the terms of the SRRF program (the "SRRF Loan"), such SRRF Loan to be evidenced by the Town's general obligation bonds in the amount to be repaid under said SRRF program (anticipated to be an amount not to exceed \$273,300), the proceeds of which loan are hereby appropriated to fund the costs of the Projects.

VOTED: The loan agreement and the bonds shall be signed by the Treasurer, countersigned by the Chairman of the Town Council and attested by the Town Clerk, all in the name of and on behalf of the Town.

VOTED: The form, maturity, interest rate, terms and other details of said bonds and loan agreement shall be as determined by the Treasurer and the Chairman of the Town Council by their

execution thereof, not inconsistent herewith, but the bonds or lease shall have a final maturity not later than 5.5 years from their date of issuance or effective date, as applicable.

VOTED: That the Treasurer, Chairman of the Town Council and Clerk and other proper officials of the Town be, and hereby are authorized and empowered in its name and on its behalf to do or cause to be done all such acts and things, not inconsistent herewith, as may be necessary or desirable in order to effect the issuance, sale and delivery of the bonds or loan agreement hereinabove authorized.

VOTED: That if any of the officers or officials of the Town who have signed or sealed the bonds or loan agreement shall cease to be such officer or official before the bonds or loan agreement so signed and sealed shall have been actually authenticated or delivered by the Town, such bonds or loan agreement nevertheless may be authenticated, issued, delivered and implemented with the same force and effect as though the person or persons who signed or sealed such bonds or loan agreement had not ceased to be such officer or official; and also any such bonds or loan agreement may be signed and sealed on behalf of the Town by those persons who, at the actual date of execution, shall be the proper officers or officials of the Town, although at the nominal date of such execution, any such person shall not have been such officer or official.

VOTED: That if the Treasurer, Chairman of the Town Council or Clerk are for any reason unavailable to approve and execute the bonds or loan agreement or any other documents necessary or convenient to the issuance, execution and delivery of the bonds or loan agreement, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, be and hereby is authorized to act for such official with the same force and effect as if such official had performed such act.



FEB 03 2020

STATE OF MAINE
DEPARTMENT OF EDUCATION
23 STATE HOUSE STATION
AUGUSTA, ME 04333-0023

FEB 03 2020

JANETT T. MILLS
GOVERNOR

PENDER MAKIN
COMMISSIONER

January 31, 2020

Donna Wolfrom
Superintendent of Schools
Cape Elizabeth School Department
P.O. Box 6267
Cape Elizabeth, ME 04107

RE: Eligibility Certificates – SRRF Projects #1323, 1326, 1329, 1331, 1332, and 1333

Dear Superintendent Wolfrom:

I am pleased to inform you that your School Revolving Renovation Fund applications for Projects #1323, 1326, 1329, 1331, 1332, and 1333 have been approved for funding for the amounts listed on the attached eligibility certificates.

The loan process for your projects must be initiated within 30 days. Please contact Toni Reed, Program Loan Officer, Maine Municipal Bond Bank at 622-9386 for assistance.

Awardees must comply with all applicable statutory and rule requirements for public improvement projects. Please see the attached post award guidance. You may contact Valerie Chiang, School Construction Coordinator, at 624-6693 for technical assistance.

Please note that failure to comply with SRRF program requirements and all applicable statutes, and rules may result in revocation of your SRRF eligibility certificates and cancellation of your SRRF awards.

I wish you good luck as you complete your projects. If you have any questions regarding the School Revolving Renovation Fund, please contact Ann Pinnette at 624-6885 or ann.pinnette@maine.gov.

Sincerely,

Pender Makin
Commissioner

Enclosures: SRRF Eligibility Certificates
SRRF Post Award Information

cc: Toni Reed, Maine Municipal Bond Bank

Information for SRRF Awardees

Professional Services Procurement and Document Development

Project estimates, budgets and bidding documents are to be developed by licensed architects and professional engineers. These professional services shall be procured by advertising a Request for Qualifications in the Kennebec Journal and a newspaper local to the project 2 times, in 2 separate weeks. Allow a minimum of 7 days after the second advertisement for the submissions to be received. Submissions shall be evaluated based on qualifications, firms short-listed and interviewed, and a contract negotiated with the highest ranked firm. The design professional will be responsible for assisting the SAU with meeting all regulatory code requirements.

Project Budget

The Department will not revise eligibility certificates for additional funding should conditions or estimates change during the course of a project or if the project is delayed. School administrative units are responsible for project cost overruns. The final loan amount may be adjusted downward to equal the approved costs incurred at project completion. Surplus funds from a project may not be used for another project.

Construction Procurement

Projects estimated to be under \$100,000 may make use of a select list of bidders, soliciting a minimum of 3 proposals. Projects over \$100,000 must be advertised for sealed proposals. The Request for Proposals advertisements shall appear in the Kennebec Journal and a newspaper local to the project 2 times, in 2 separate weeks. Allow a minimum of 7 days after the second advertisement, or the pre-bid site walk if applicable, whichever is the latter, for the closing of bids. Proposals shall remain sealed until publicly opened and read aloud. Construction shall be awarded to the lowest responsive bidder.

Project Loan

All SAUs with approved projects must contact the Maine Municipal Bond Bank (MMBB) within 30 days of award notification to begin the loan process. Loans must be closed within 6 months of the award date of the eligibility certificate. All requisitions for loan disbursements must be submitted to the MMBB within 18 months of the award date. SAUs with awards for multiple projects must track costs separately for each individual project by assigned SRRF project number.

Project Completion

Projects must be completed within 18 months of the award date.

Statutory and Rule Requirements

SAUs must comply with all applicable statutory requirements of 5 M.R.S. Chapter 153 and Rule Chapter 64: Maine School Facilities Program and School Revolving Renovation Fund. Failure to comply with statutes, rules and program requirements will result in revocation of the SRRF eligibility certificate and cancellation of any SRRF award.



School Revolving Renovation Fund
Eligibility Certificate

School Administrative Unit	Cape Elizabeth			
Facility	Cape Elizabeth High School			
Priority	1- Health, Safety and Compliance Repairs			
Project #	1329	1331	1332	1333
Scope of Work	Roof	Other - Security	Other - Safety	IAQ
Amount Funded	\$50,954	\$44,410	\$42,377	\$187,847
Maximum Loan Amount	\$325,588			
Portion of Loan to be Forgiven	\$97,676	30.00%		
Portion of Loan to be Repaid	\$227,912	70.00%		
Length of Loan	5 Years (loans \$500,00 or less)			

This Eligibility Certificate for the above listed School Revolving Renovation Fund projects is hereby approved. Work authorized under this certificate must be materially completed and all loan proceeds must be expended by July 31, 2021.

January 31, 2020
Date

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Project 4

**School Revolving Renovation Fund
Eligibility Certificate**

School Administrative Unit	Cape Elizabeth	
Facility	Cape Elizabeth Middle School	
Priority	1- Health, Safety and Compliance Repairs	
Project #	1326	
Scope of Work	ADA	
Amount Funded	\$52,135	
Maximum Loan Amount	\$52,135	
Portion of Loan to be Forgiven	\$15,641	30.00%
Portion of Loan to be Repaid	\$36,495	70.00%
Length of Loan	5 years	(loans \$500,000 or less)

This Eligibility Certificate for the above listed School Revolving Renovation Fund project is hereby approved. Work authorized under this certificate must be materially completed and all loan proceeds must be expended by July 31, 2021.

January 31, 2020
Date

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Project 1

**School Revolving Renovation Fund
Eligibility Certificate**

School Administrative Unit	Cape Elizabeth
Facility	Pond Cove Elementary
Priority	1- Health, Safety and Compliance Repairs
Project #	1323
Scope of Work	Other - Safety
Amount Funded	\$12,706
Maximum Loan Amount	\$12,706
Portion of Loan to be Forgiven	\$3,812 30.00%
Portion of Loan to be Repaid	\$8,894 70.00%
Length of Loan	5 years (loans \$500,000 or less)

This Eligibility Certificate for the above listed School Revolving Renovation Fund project is hereby approved. Work authorized under this certificate must be materially completed and all loan proceeds must be expended by July 31, 2021.

January 31, 2020
Date

Pender Makin
Pender Makin
Commissioner

