

MEETING DATE: **March 3, 2022**

AGENDA ITEM#: III-A



**BOARD OF
PUBLIC WORKS
ACTION REQUEST**

SUBJECT: SBP Project Development Agreement with Kent County Bioenergy Facility LLC (CM+A)

DIVISION: Administration

PREPARED BY: Darwin J. Baas, Director

ACTION REQUESTED:

To approve and authorize the Director to sign the Project Development Agreement with Kent County Bioenergy Facility, LLC as anchor tenant for the Sustainable Business Park.

SUMMARY OF REQUEST:

At its October 2021 meeting, the Board of Public Works authorized the Director to negotiate terms of a Project Development Agreement (PDA) with Continuous Materials + Anaergia (CM+A), the anchor tenant for the Sustainable Business Park recommended by the business development team.

The agreement between Kent County Bioenergy Facility, LLC (CM+A) and Kent County defines the term, tasks and responsibilities, schedule, early termination/payments by which Kent County DPW and CM+A will continue to advance 30 percent site and facility design, permits, utilities, terms of the service and lease agreements, feedstock agreements and business park design to finalize the project capital costs, tipping fees, and financing.

The PDA scope of work and outcomes will be used to negotiate a final project Service Agreement and the PDA is required for grant application to state and federal economic and community development grant programs.

Kent County Administration and DPW will convene stakeholder meetings to share information and receive feedback as work, governed by the PDA, advances over the next 12 months. The project development team will provide monthly updates and schedule a work session with the BPW to review project development milestones including preliminary design, regulatory approvals, grants, terms of the service agreement and project cost estimates and request approval to proceed to final design.

SUGGESTED MOTION:

It was moved by Commissioner Skaggs and seconded by Commissioner Yonker to approve and authorize the Director to sign the Project Development Agreement with Kent County Bioenergy Facility, LLC as anchor tenant for the Sustainable Business Park.

ATTACHMENTS:

Project Development Agreement – Kent County and Kent County Bioenergy Facility, LLC

GOVERNING/ADVISORY BOARD APPROVAL DATE: 03/03/2022

DEPARTMENT DIRECTOR: _____

DATE: 02.22.2022