

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

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Meeting Date:	September 12, 2006	Consent <input checked="" type="checkbox"/> [X]	Regular <input type="checkbox"/> [ ]
		Public Hearing <input type="checkbox"/> [ ]	

Submitted By: Water Utilities Department  
Submitted For: Water Utilities Department

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**I. EXECUTIVE BRIEF**

**Motion and title:** Staff recommends motion to approve: Amendment No. 2 to Cost-sharing Agreement No. OT040195 (R2004-1568) with the South Florida Water Management District (SFWMD) for design, permitting, and construction of the Lake Region Water Treatment Plant (LRWTP).

**Summary:** On July 13, 2004, the Board of County Commissioners approved a cost sharing agreement with SFWMD (R2004-1568) for design, permitting, and construction of the LRWTP. The Board of County Commissioners committed \$12,500,000 and SFWMD committed \$4,500,000 to be disbursed in three (3) installments of \$1,500,000 each in FY 2004, FY 2005, and FY 2006. SFWMD provided the County with the first two (2) \$1,500,000 installments in September 2004 and September 2005. Amendment No. 2 to the agreement revises the scope of work for the FY 2006 installment to include construction tasks and amends the payment and delivery schedule accordingly. These cost-sharing funds will be used to reduce the net cost of the LRWTP to the Cities of Belle Glade, Pahokee and South Bay.

(WUD Project No. 03-169)

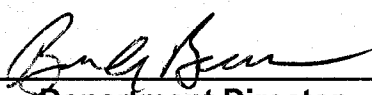

District 6

(MJ)

**Background and Justification:** The Lake Region communities are facing many challenges regarding existing and future public water supply. These challenges include operating outmoded water treatment plants, dealing with a rapidly changing regulatory environment, and coping with a lack of funding. The pooling of resources from the affected communities, County, SFWMD, State of Florida, and the Federal Government to construct the LRWTP is the most efficient way to ensure a safe and reliable drinking water supply. The \$1,500,000 in FY 2006 cost-share funding will be used to lower the net cost of the LRWTP to the three cities.

**Attachments:**

1. Two (2) Original Amendment No. 02 to Agreement No. OT040195
2. Location Map

Recommended By:		<u>8/25/06</u>	
	Department Director	Date	
Approved By:		<u>9/5/06</u>	
	Assistant County Administrator	Date	

## **II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2006	2007	2008	2009	2010
Capital Expenditures	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	<u><b>(\$ 1,500,000 )</b></u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Program Income (County)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
In-Kind Match County	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
NET FISCAL IMPACT	<u><b>(\$ 1,500,000 )</b></u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

**Budget Account No.:** Fund 4011 Agency 721 Org. 4211 Rev Source 3703

Is Item Included in Current Budget?      Yes **X**      No

Reporting Category N/A



**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

The Water Utilities Department will receive \$1,500,000 in grant revenue from the SFWMD under Amendment No. 2 to the cost-share agreement for Fiscal Year 2006.

C. Department Fiscal Review: Delora M West

### III. REVIEW COMMENTS


**A. OFMB Fiscal and/or Contract Development and Control Comments:**


 8.29.06  
 SS OFMB  
 8/29/06  
  
 Legal Sufficiency:

Mr. A. J. Jurek 8/31/06  
Contract and Development Control  
8/31/06

**B. Legal Sufficiency:**

**This amendment complies with  
our review requirements.**

 8/31/06  
Assistant County Attorney

**C. Other Department Review:**

Department Director

**This summary is not to be used as a basis for payment.**



# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT AMENDMENT**

**3600000770-A02**

**AMENDMENT NO. 02**

**TO AGREEMENT NO. 3600000770 (OT040195)**

**BETWEEN THE**

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

**AND**

**PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS (BOCC)**

This **AMENDMENT NO. 02** entered into on \_\_\_\_\_, to that **AGREEMENT** dated August 6, 2004, as amended on May 24, 2005 between "the Parties," the South Florida Water Management District (**DISTRICT**) and Palm Beach County BOCC (**COUNTY**).

**WITNESSETH THAT:**

WHEREAS, the **AGREEMENT** may be amended with the prior written approval of the parties; and

WHEREAS, the Governing Board of the **DISTRICT**, at its April 12, 2006 meeting, approved entering into this **AMENDMENT NO. 02** with the **COUNTY**; and

WHEREAS, the Parties wish to amend the **AGREEMENT** in order to increase the funding, revise the Statement of Work, revise the Summary Schedule of Tasks and Deliverables of the **AGREEMENT** and amend the Agreement Number;

NOW THEREFORE, the **DISTRICT** and the **COUNTY** in consideration of the mutual benefits flowing from each to the other do hereby agree as follows:

1. This **AMENDMENT NO. 02** shall be effective upon the date of execution by the Parties.
2. The monetary consideration for the **AGREEMENT** is hereby increased by an amount not-to-exceed One Million Five Hundred Thousand Dollars and No Cents (\$1,500,000.00), for a total revised **AGREEMENT** amount not-to-exceed Four Million Five Hundred Dollars and No Cents (\$4,500,000.00).
3. The Statement of Work, attached as Exhibit "C" to the **AGREEMENT**, is hereby amended as set forth in Exhibit "C2", attached hereto and made a part of this **AMENDMENT NO. 02**.



# SOUTH FLORIDA WATER MANAGEMENT DISTRICT AMENDMENT

4. The Summary Schedule of Tasks and Deliverables is also hereby revised in accordance with Exhibit "D2", attached hereto and made a part of this **AMENDMENT NO. 02**.
5. The **AGREEMENT** Number is hereby amended to 3600000770 (from OT040195) to correspond with the **DISTRICT's** new database. All future correspondence (notices, invoices, etc.) shall reference the new **AGREEMENT** Number.
6. All other terms and conditions of the **AGREEMENT** remain unchanged.

IN WITNESS WHEREOF, the parties or their duly authorized representatives hereby execute this **AMENDMENT NO. 02** on the date first written above.

## SOUTH FLORIDA WATER MANAGEMENT DISTRICT BY ITS GOVERNING BOARD

By: \_\_\_\_\_  
Frank Hayden, Procurement Director

### SFWMD PROCUREMENT APPROVED

BY: Bernadette Harrison

DATE: 8/22/06

### APPROVED AS TO TERMS AND CONDITIONS

By: B. A. Bock  
Department Director

### PALM BEACH COUNTY BOCC

By: \_\_\_\_\_

Title: \_\_\_\_\_

### APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: \_\_\_\_\_  
County Attorney

Sharon R. Bock, Clerk & Comptroller

By: \_\_\_\_\_

**EXHIBIT "C-2"**  
**STATEMENT OF WORK**

***Final Design, Bidding, Permitting, And Construction***  
***Lake Region Water Treatment Plant***

**Introduction and Background:**

The Palm Beach County Water Utilities Department (PBCWUD) will design and construct a new water treatment plant to provide potable water on a wholesale basis to communities located on the south and southeastern shore areas of Lake Okeechobee, hereafter referenced as the Lake Region area. The proposed Lake Region Water Treatment Plant (LRWTP) will utilize low pressure reverse osmosis technology to treat source water pumped from the Upper Floridan aquifer (UFA).

The total cost of the project is approximately \$52 million. The project will be managed and funded by the County. Additional funding will be provided by the District. The District funds are being disbursed in three installments of \$1.5 million each for FY-2004, FY-2005, and FY-2006, each installment being subject to Governing Board approval.

**Scope of Work:**

This amendment represents a continuation of the construction work that was started with design in FY 2004, with the tasks described in Exhibit "A" (Engineering Services) of the original contract. In FY 2005 the original agreement was amended and included hydrogeologic services that are described in detail and attached as Exhibit "B1" to Amendment No. 01. This Amendment No. 02 defines the scope of work for FY-2006. The County will furnish materials and construction management services for the Lake Region Water Treatment Plant (LRWTP) as noted in the Work Breakdown Structure.

**Work Breakdown Structure:**

The County will furnish the following materials for the Lake Region Water Treatment Plant (LRWTP): ductile iron pipe and fittings for underground potable water piping on the LRWTP site; HDPE pipe and fittings for the Floridan raw water, concentrate and permeate on the LRWTP site; five (5) membrane feed pumps (one is a spare) with 450 Hp motors and four (4) variable frequency drives; high service pumps and motors to pump potable water to the cities of Belle Glade, Pahokee and South Bay; membrane trains (vessels and stainless steel piping) used to treat the Floridan water; and provide in-kind construction management services from County staff. The County shall perform the work for FY 2006 in accordance with Exhibit "D-2", attached hereto as a part of this amended Statement of Work.

**Summary Schedule of Tasks and Deliverables:**

The County shall submit to the District all deliverables in accordance with Exhibit "D-2".

The Lake Region Water Transmission Mains includes 6,600 linear feet of 30" pipe; 16,120 linear feet of 24" pipe; 800' linear feet of 20" pipe; 63,925 linear feet of 16" pipe; and 800' linear feet of 12" pipe. The deliverables include owner furnished materials and construction of the raw water mains from the seven Floridan Wells to the Lake Region Water Treatment Plant, the finished water transmission mains to the cities of Belle Glade, Pahokee, South Bay, and the meter assemblies. The Purchase Orders for the Floridan raw water mains were issued to Corel Corp. and delivery of the piping will commence in late June of 2006.

All deliverables detailed in this amendment are depicted in Exhibit "D-2" and will be completed on or before September 30, 2006.

**EXHIBIT "D-2"**  
**SUMMARY SCHEDULE OF TASKS AND DELIVERABLES**

The Lake Region Water Treatment Plant construction contract was awarded to Poole & Kent Company on September 27, 2005. Materials and equipment for the Lake Region Water Treatment Plant were procured on October 18, 2005. The estimated deliverable values related to these Purchase Orders are:

Task No.	Deliverables	Due Date	Payment By District FY 2004	Payment By County FY 2004	Payments By District FY 2005	Payments By County FY 2005	Payments By District FY 2006	Payments By County FY 2006
A-1.5	30% Design Report for Contracts A and B	6/30/04	\$653,426	\$0.00	-	-		
A-1.5	30% Value Engineering Report	6/30/04	\$45,000	\$0.00	-	-		
A-1.3	Site Boundary and Topographic Survey	6/30/04	\$17,927.21	\$0.00	-	-		
A-1.2	Geotechnical Services, Monitoring Well Installation and Phase I Environmental Site Assessment	6/30/04	\$17,010	\$0.00	-	-		
A-2 (i)	60% Contract Documents and Plans for Contracts A and B	9/29/04	\$721,636.79	\$0.00	-	-		
A-2 (ii)	60% Value Engineering Report	9/29/04	\$45,000	\$0.00	-	-		
	Other Services include land acquisition and additional design fees			\$2,500,000	-	-		
A-2.5	90% Contract Documents and Plans for Contracts A and B	12/31/04	-	-	\$759,462.21	\$0.00		
A-2.6	100% Contract Documents and Plans for Contracts A and B	3/1/05	-	-	\$43,562	\$0.00		
A-2.8	90% Value Engineering Report	1/31/05	-	-	\$75,000	\$0.00		
B-1.1 to B-2.5	Florida Aquifer Well Design, Modeling, Contract Documents and Bidding Services	3/1/05	-	-	\$517,401	\$0.00		
B-4.1 to B-4.4	Deep Injection Well Design, FDEP Permit Application & Bidding Services	3/1/05	-	-	\$90,000	\$0.00		
	LRWTP Construction - Phase I	9/30/05	-	-	\$14,574.79	\$2,500,000		
	LRWTP Construction - Phases TBD	TBD	-	-	-	-		
	Purchase Order No. 03-169-07 Corel Corp. (Ductile Iron Pipe and Fittings) is the large diameter underground potable water piping on the LRWTP site	9/30/06					\$0.00	\$220,000
	Purchase Order No. 03-169-08 Corel Corp. (HDPE Pipe and Fittings) is the high density polyethylene plastic pipe used for the Floridan raw water, concentrate and permeate on the LRWTP site	9/30/06					\$0.00	\$215,000
	Purchase Order No. 03-169-013 Corel Corp. (Membrane Feed Pumps) are the four (4) membrane feed pumps with 450 Hp motor, pump cans and variable frequency drives	9/30/06					\$750,000	\$160,000
	Purchase Order No. 03-169-014 Corel Corp. (High Service Pumps) are the potable water distribution pumps and motors to the cities of Belle Glade, Pahokee and South Bay	9/30/06					\$530,000	\$65,000
	Purchase Order No. 03-169-016 Advanced Environmental Water Technologies (Membrane Trains, membrane vessels, stainless steel piping and support skids)	9/30/06					\$0.00	\$700,000
	Construction Services	9/30/06					\$0.00	\$1,100,000
	Spare Membrane Pump; bids to be received on June 15, 2006 *	9/30/06					\$220,000	\$2,000
	<b>Totals:</b>		<b>\$1,500,000</b>	<b>\$2,500,000</b>	<b>\$1,500,000</b>	<b>\$2,500,000</b>	<b>\$1,500,000</b>	<b>\$2,462,000</b>

\*Spare Membrane Pump: The Palm Beach County Health Department permit required a spare membrane feed pump which is estimated at \$222,000.00.