### Agenda Item #:

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



Meeting Date: February 7, 2012	{X } Conse		{ } Regular { } Public H	
Department: Submitted By: Engineer Submitted For: Westgate	ring & Public W e CRA	orks		
	XECUTIVE BRI			
Motion and Title: Staff recommenderally Funded Subgrant Agreeme Division of Emergency Management (2008910 (Project), to reinstate and was approved on November 14, 2 authority in accordance with R2006-0	nt (Grant), Modi (DEM) for the Wo extend the expi 2011 by the Co	fication On estgate L-2 ration date	e with the State Pump Station, of the Grant.	e of Florida Project No. This Grant
SUMMARY: On January 11, 2011 Westgate/Belvedere Community Recognity funding from the DEM. Palm Below. 11HM-2Y-10-60-01-010, with the Grant be executed by an official funded by the CRA based on the reimbursement of the funds. Modific August 23, 2012.	development Are each County (Col e DEM for this Pl al government e ne Grant betwe	ea (CRA)   unty) enter roject beca ntity. The een the C	previously app red into the Gra luse the DEM r Project was i county and DI	lied for the int, Contract equires that nitiated and EM for the
District 2 (MRE)				
Background and Justification: approved the Federally Funded Sub State of Florida Division of Emerger (Project); in accordance with R2006 execute certain operational agreemed Grant, Modification One allows suf Redevelopment Area to be reimburse of the construction of a stormwater Community on the County's L-2 Can the Westgate subdivision.	ogrant Agreemen ncy Management 5-0401, which au ents with the Sta ficient time for ed for construction r pumping station	at (Grant), t for the Voltantiate of Flore the Western of the Property	Modification Ovestgate L-2 Pose County Admida. The extergate/Belvedere Project. The Provestgate/Belve	ne with the ump Station inistrator to his community ject consists dere Homes
Attachments: 1. Location Sketch 2. Modification One	·	=======		==== \
Recommended by:	WW ingineer		/// ७// ೧ Date	Mille
Approved By: NA	tration		Date	

#### II. FISCAL IMPACT ANALYSIS

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

Fiscal Years	2012	2013	2014	2015	2016
Capital Expenditures	-0-	-0-		0	-0-
Operating Costs	-0-	-0-			<u>-0-</u>
Grant Revenues	-0-	<u>-0-</u>	-0-	0	-0-
CRA Match Revenue	-0-	-0-			<u>-0-</u>
In-Kind Match (County)	-0-	-0-	-0-		-0-
NET FISCAL IMPACT	\$ -0-	-0-		0	-0-
# ADDITIONAL FTE					
POSITIONS (Cumulative)					
•					
Is Item Included in Cur	rrent B	udget?	Yes .	No	
Budget Acct No.: Fund_	De	ept	Unit	Object	

#### Recommended Sources of Funds/Summary of Fiscal Impact:

This receive and file item has a no fiscal impact. The budget for this grant was approved by the BCC on January 11, 2011.

C.	Departmental Fiscal Review:	MENTS
<b>A</b> .	OFMB Fiscal and/or Contract Dev. and Contract De	Contract Dev and Control

B. Approved as to Form and Legal Sufficiency:

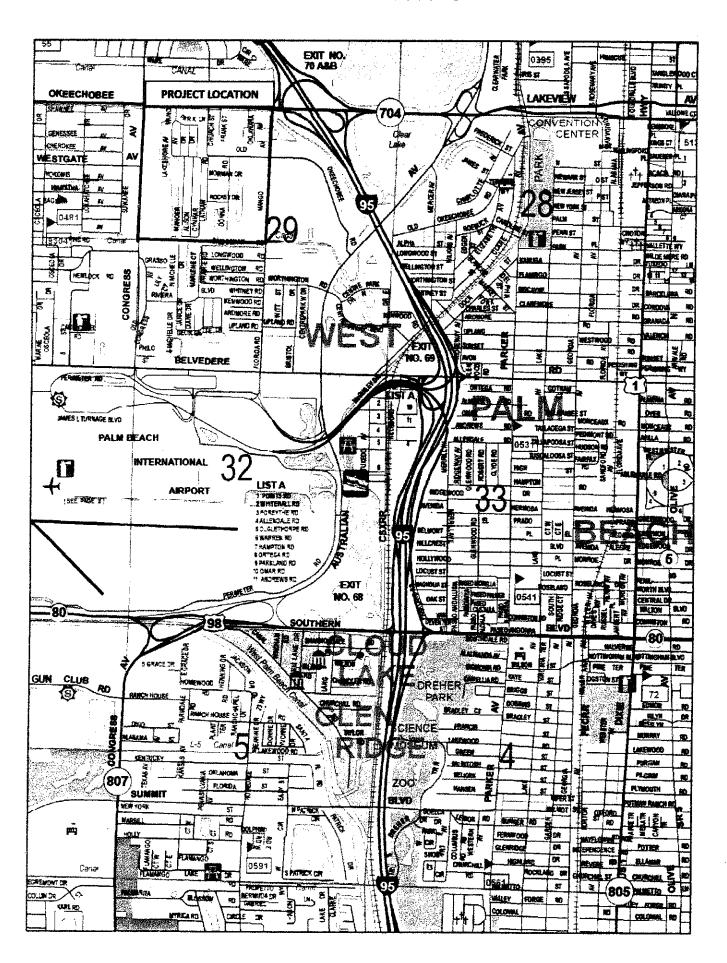
Assistant County Attorney

C. Other Department Review:

Department Director

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

# LOCATION SKETCH WESTGATE L-2 PUMP STATION PROJECT NO. 2008910





#### EMERGENCY MANAGEMENT DIVISION OF

RICK SCOTT Governor

BRYAN W. KOON Director

November 30, 2011

Mr. Elizee Michel, ACIP Executive Director Westgate Belvedere Homes CRA 1280 North Congress Avenue, Suite 215 West Palm Beach, Florida 33409

> FEMA Project Number 1561-136-R, Palm Beach County Re:

**Drainage Project** 

Dear Mr. Michel:

Enclosed is the executed Hazard Mitigation Grant Program contract modification number (1) (DEM No. 11HM-2Y-10-60-01-010) between Palm Beach County and the Division of Emergency Management. Additional assistance is available regarding your Project on the Florida Division of Emergency Management Website:

http://www.floridadisaster.org/mitigation/hazard/index.htm. Please reference the heading: "Grant Management Tools Listed Below" which contains sample documents that will provide guidance for completing requests for reimbursement, reporting requirements and supporting documents containing important points, and subgrantee close-out checklists.

Please forward all Requests for Reimbursement (Attachment D) to the Division of Emergency Management at the following address:

> Velma Ellis, Project Manager Florida Division of Emergency Management State Logistics Response Center 2702 Directors Row Orlando, Florida 32809

If you have any specific questions regarding the contract or the Request for Reimbursement form, please contact Velma Ellis at (407) 888-37812.

Respectfully,

53 S Miles E. Anderson Bureau Chief, Mitigation State Hazard Mitigation Officer

MEA:km/a **Enclosures** 

www.FloridaDisaster.org

Contract Number: 11HM-2Y-10-60-01-010

Project Number: 1561-136-R

#### MODIFICATION TO SUBGRANT AGREEMENT BETWEEN THE DIVISION OF EMERGENCY MANAGEMENT AND PALM BEACH COUNTY

This Modification Number One is made and entered into by and between the State of Florida, Division of Emergency Management ("the Division"), and Palm Beach County ("the Recipient") to modify DEM Contract Number: 11HM-2Y-10-60-01-010, dated February 23, 2011 ("the Agreement").

WHEREAS, the Division and the Recipient have entered into the Agreement, pursuant to which the Division has provided a subgrant to the Recipient under the Hazard Mitigation Grants Program of \$2,585,735.00; and

WHEREAS, the Agreement expired on November 23, 2011; and

WHEREAS, the Division and the Recipient desire to reinstate the Agreement and extend the terms of the Agreement.

NOW, THEREFORE, in consideration of the mutual promises of the parties contained herein, the parties agree as follows:

- 1. The Agreement is hereby reinstated as thought it had never expired.
- 2. Paragraph 3 of the Agreement is hereby amended to read as follows:

This Agreement shall begin August 23, 2010, and shall end August 23, 2012, unless terminated earlier in accordance with the provisions of paragraph (12) of this Agreement.

- 3. The Budget and Scope of Work, Attachment A to the Agreement, are hereby modified as set forth in the Revised Attachment A to this Modification, a copy of which is attached hereto and incorporated herein by reference.
- 4. All provisions of the Agreement being modified and any attachments in conflict with this Modification, shall be and are hereby changed to conform with this Modification, effective on the date of execution of this Modification by both parties.
- 5. All provisions not in conflict with this Modification remain in full force and effect, and are to be performed at the level specified in the Agreement.
- 6. Quarterly reports are due to the Division no later than 15 days after the end of each quarter of the program year and shall be sent each quarter until submission of the administrative close-out report. The ending dates for each quarter of the program year are March 31, June 30, September 30, and December 31.

IN WITNESS WHEREOF, the parties hereto have executed this Modification as of the dates set out below.

RECIPIENT: PALM BEACH COUNTY	DIVISON OF EMERGENCY MANAGEMENT
By: dalla	By: AZ
Name and Title: <u>Robert W. Weisman</u> County Administrator	Name and Title: Bryan W. Koon, Director
Date: 11 14 11	Date: 4/33/4

#### Attachment A (Revised)

#### **Budget and Scope of Work**

#### Scope of Work

As a Hazard Mitigation Grant Program project, the Recipient, Palm Beach County, proposes to improve the drainage at the Lakeside Mobile Home Park located in West Palm Beach, Florida 33406, by constructing a storm water pumping state, including three 55,000 gallons per minute submersible electric pump, a gravity sluice gate with 48 linear feet of 72" CAP and flap gate, a generator building, and a 4,000 gallon above ground diesel fuel tank in the L-2 Canal just west of North Florida Mango Road and North of Bridgeman Drive. The completed project will provide protection against a 10-year storm event.

#### **Environmental Review Project Conditions:**

- The Recipient must follow all applicable state, local and federal laws regulations and requirements, and obtain (before starting project work) and comply with all required permits and approvals. If project work is delayed for a year or more after the date of the CATEX, then coordination with and project review by regulatory agencies must be redone.
- Any change, addition or supplement to the approved Scope of Work that alters the project (including other work not funded by FEMA, but done substantially at the same time) will require re-submission of the application to the Federal Emergency Management Agency for National Environmental Policy Act (NEPA) re-evaluation before starting project work.
- If any historical or archaeological material is discovered during project work, the Recipient shall cease work immediately in that area and contact the State Historic Preservation Officer (SHPO) and DHS/FEMA Region IV Environmental Officer and FDEM State Environmental Liaison Officer for further guidance.
- Construction vehicles and equipment used for this project shall be maintained in good working order to minimize pollutant emissions.
- 5. Best management practices will be used during project work to minimize soil erosion, sediment migration and turbidity. The Recipient will need to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP). The Recipient must obtain a National Pollutant Discharge Elimination System (NPDES) stormwater permit (if area of disturbance will be greater than one acre). The Applicant will need to provide a copy of the Notice of Intent (NOI) submitted to use the State of Florida Generic Permit for storm water discharge from construction activities; response letter from Florida Department of Environmental Protection (FDEP) if provided; and a copy of the Notice of Termination (NOT) at project closeout.
- For projects involving groundwater dewatering activities at the construction site, provide documentation of coverage under the Florida Department of Environmental Protection (FDEP) "Generic Permit for the Discharge of Produced Ground Water from any Non-contaminated Site Activities."

This is FEMA project 1561-136-R, funded under 1561-DR-FL.

The Period of Performance for this project ends on August 23, 2012.

#### Schedule of Work

Execution of Construction Contracting:	2 Months
Acquisition, Clearing and Grubbing:	6 Months
Excavation:	6 Months
Sodding and General Cleanup:	6 Months
Project Completion:	2 Months
State Final Inspection and Closeout:	1 Month
Potential Weather Delays:	1 Month
Total Period of Performance:	24 Months

#### <u>Budget</u>

Line Item Budget			
	Project Cost	Federal Share	Local Share
Phase I Construction:	33,408,486.00	<b>\$2,556,365.00</b>	\$ 852,121.00
Sub-Totak	\$3,408,486.00	\$2,556,365.00	\$ 852,121,00
Administrative Cost:	0.00	\$ 29,370.00	\$ 0.00
Total (1)	3.408,486.00	\$2,585,735.00	\$ 852,121.00
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<sup>\*</sup> Any line item amount in this Budget may be increased or decreased 10% or less without an amendment to this Agreement being required, so long as the overall amount of the funds obligated under this Agreement is not increased.

#### **Funding Summary**

 Federal Share:
 \$2,556,365.00 (75%)

 Local Share:
 \$852,121.00 (25%)

 Total Project Cost
 \$3,408,486.00 (100%)

Recipient Administrative Allowance up to \$29,370.00