

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: December 18, 2012 Consent [X] Regular []
 Public Hearing []

Department: Water Utilities Department

I. EXECUTIVE BRIEF

Motion and title: Staff recommends motion to approve: Amendment No. 2 to the Alternative Water Supply Agreement (AWS-FY2012 LEC116/#4600002550) with the South Florida Water Management District (SFWMD) for a time extension of 45 days.

Summary: On December 6, 2011, the Palm Beach County Board of County Commissioners (BCC) approved the Alternative Water Supply Agreement (R-2011-1954) which provides grant funding from the South Florida Water Management District (SFWMD) in the amount of \$500,000 for construction of the Lake Region Floridan Well Field Improvement Project. Amendment No. 2 to the Agreement provides a 45 day time extension to the grant deadline to accommodate the delays associated with custom fabrication of the stainless steel wellhead tee. There are no additional funds or costs associated with Amendment No. 2. (WUD Project No. 11-113) District 6 (MJ)

Background and Justification: The Lake Region Water Treatment Plant (LRWTP) was funded in cooperation with the SFWMD and placed into service in May 2008. The plant is supplied raw water from seven (7) existing Upper Floridan Wells, all designed to pump 1500 gallons per minute (GPM). Over the last three (3) years of operation, a significant decline in the raw water quality from these wells has occurred. Amendment No. 1 to the SFWMD Alternative Water Supply Agreement was approved by Palm Beach County Purchasing Department on September 11, 2012, (R-2012-1268) in order to extend the expiration date by three (3) months to properly sequence the construction activities and to continuously provide sufficient potable water for the Glades.

Attachments:

1. Two (2) Originals of Amendment No. 2
-

Recommended By:  12/3/12
 Department Director Date

Approved By:  12/12/12
 Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2013	2014	2015	2016	2017
Capital Expenditures	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	<u>0</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>0</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** **Dept** **Unit** **Object**

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

Reporting Category **N/A**

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

No Fiscal Impact

C. Department Fiscal Review: *Selena M. West*

III. REVIEW COMMENTS

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

 [Signature] *[Signature]*
 OFMB 12/12/12 12/15/12 Contract Development and Control
 143 *24 (SC)*

B. Legal Sufficiency:
 [Signature] 12/12/12
 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

4600002550-A02

AMENDMENT NO. 02

TO AGREEMENT NO. 4600002550

BETWEEN THE

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

AND

PALM BEACH COUNTY

This **AMENDMENT NO. 02**, entered into on _____, to that **AGREEMENT** dated December 16, 2011, and as amended on June 22, 2012, between "the Parties," the South Florida Water Management District (**DISTRICT**), and Palm Beach County (**COUNTY**).

WITNESSETH THAT:

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

WHEREAS, the Parties wish to amend the **AGREEMENT** in order to revise the Statement of Work; revise the Payment and Deliverable Schedule and revise the Final Project Summary Report of the **AGREEMENT**;

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. The term of the **AGREEMENT** is hereby extended by Forty-Five (45) days and the expiration date, as amended is January 14, 2013. This **AMENDMENT NO. 02** shall be effective upon the date of execution by the Parties.
2. This **AMENDMENT NO. 02** shall be at no additional cost to the **DISTRICT**.
3. The Statement of Work, attached as Exhibit "A1" to the **AGREEMENT**, is hereby amended as set forth in Exhibit "A2", attached hereto and made a part of this **AMENDMENT NO. 02**.



SOUTH FLORIDA WATER MANAGEMENT DISTRICT AMENDMENT

4. The Payment and Deliverable Schedule is also hereby revised in accordance with Exhibit "B2", attached hereto and made a part of this **AMENDMENT NO. 02**.

5. The Final Project Summary Report, Exhibit "D" of the **AGREEMENT** is hereby deleted and replaced with Exhibit "D2" attached hereto and made a part of this **AGREEMENT**.

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: _____
 Dorothy A. Bradshaw, Procurement Bureau Chief

SFWMD PROCUREMENT APPROVED

BY:
 DATE: 11/02/12 pm

PALM BEACH COUNTY
 A POLITICAL SUBDIVISION OF THE
 STATE OF FLORIDA
 BOARD OF COUNTY COMMISSIONERS
 OF PALM BEACH COUNTY, FLORIDA

By: _____
 Title: Steven L. Abrams, Chairman

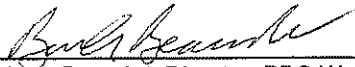
APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

ATTEST:
Sharon R. Bock, Clerk & Comptroller

(Deputy Clerk)

(County Attorney)

APPROVED AS TO TERMS AND CONDITIONS



Bevin A. Beaudet, Director, PBC Water Utilities Dept.

Date: 12/3/12

Signature Page (County)

EXHIBIT "B2"
SUMMARY SCHEDULE OF TASKS AND DELIVERABLES

1.3 MGD Lake Region WTP Floridan Wellfield Improvements
Palm Beach County Utilities

- The schedule set forth below is October 1, 2011 to January 14, 2013 for completed work.
- All deliverables submitted hereunder are subject to review and acceptance by the **District** Project Manager. Acceptability of all work will be based on the judgment of the **District** that the work is technically complete and accurate.
- Payment shall be made following receipt and acceptance by the **District** of the Reimbursement Request Package(s) in accordance with the schedule set forth below. The **Recipient** shall submit a reimbursement request upon completion of each Task noted below. If applicable, the **Recipient** shall submit a final reimbursement request for payment and Exhibit "D" on or before December 31, 2012 for reimbursement, *no exceptions or extensions*. All reimbursement requests shall be accompanied by adequate documentation to demonstrate completion of each Task in accordance with Exhibit "A2" the Statement of Work (SOW).
- Reimbursement Request Packages shall include, but not be limited to, a copy of the **Recipient's** invoice, signed certification letter for partial payment that the Task(s) is (are) complete per the SOW or that the project is complete per the SOW, copies of vendor invoices, and any other documentation supporting payment. Reimbursement Request Packages shall adequately demonstrate completion of each Task in accordance with Exhibit "A2" the SOW.
- The **District** shall only be obligated to pay for documented actual FY2012-FY2013 construction⁴ costs within the not-to-exceed amounts specified below. In the event actual construction costs by the **Recipient** are less than the not-to-exceed amount for a particular Task, the **Recipient** shall have the right to apply the unexpended balance toward another Task, unless the total current fiscal year construction cost has decreased. The **Recipient** shall provide prior written notice of its decision to exercise this right to the **District** Project Manager. If the **Recipient** does not exercise this right, the **Recipient** agrees to amend the contract to revise the approved funding consistent with the original percentage to the lower construction cost. In *no event* shall the **District's** total obligation exceed the amount specified below for this **Agreement**; however, an actual construction cost less than the estimated construction cost may result in a reduced final payment. The **Recipient** is responsible for any additional funds either through local revenues, grants, other appropriations, and/or other funding sources.
- Total payment by the **District** for all work completed herein *shall not exceed* the amount of \$500,000.00. If the total consideration for this **Agreement** is subject to multi-year funding allocations, funding for each applicable fiscal year will be subject to Governing Board budgetary appropriation. In the event the **District** does not approve funding for any subsequent fiscal year, this **Agreement** shall terminate upon expenditure of the current funding, notwithstanding other provisions in this **Agreement** to the contrary.

Task No.	Deliverable(s)	Invoice Date ¹	Report Due Date	District Not-To-Exceed Payment
1	Electronic submittal of final project bid amount and/or vendor estimates for tasks to be completed in FY12	N/A	Upon Contract Execution ²	N/A
2	Exhibit "C" – Status Report ³	N/A	December 31, 2011	N/A
3	Exhibit "C" – Status Report ³	N/A	March 31, 2012	N/A
4	Exhibit "C" – Status Report ³	N/A	June 30, 2012	N/A
5	Exhibit "C" – Status Report ³	N/A	September 30, 2012	N/A
5	Complete site work and mobilization/demobilization / Reimbursement Request Package	Upon Task Completion	N/A	\$4,200
6	Purchase and install Floridan Aquifer Well #8 to approximately 1,150 feet / Reimbursement Request Package	Upon Task Completion	N/A	\$233,300
7	Purchase and install 80 linear feet of 12-inch raw water main / Reimbursement Request Package	Upon Task Completion	N/A	\$22,500
8	Purchase and install Floridan Well #8, wellhead, all mechanical, electrical, and instrumentation controls / Reimbursement Request Package	Upon Task Completion	N/A	\$126,900
9	Convert and install four 60 hp pumps / Reimbursement Request Package	Upon Task Completion	N/A	\$75,400
10	Convert and install two 60 hp pumps / Reimbursement Request Package	Upon Task Completion	N/A	\$37,700
11	a) Final Reimbursement Request Package (if applicable) b) Project Summary Report (Exhibit "D2")	December 31, 2012	December 31, 2012	N/A
Total District Funding				\$500,000
Current Fiscal Year Construction Cost				\$1,168,867
Total Project Construction Cost				\$1,496,596

¹ If applicable, interim Reimbursement Request Packages shall be submitted upon completion of the task(s) noted above. Reimbursement Request Packages must be submitted on or before December 31, 2012 for reimbursement, *no exceptions or extensions*.

² If construction bids and vendor estimates have not been completed upon execution of the **Agreement**, the **Recipient** shall submit this information as soon as it is available to the **District** Project Manager. The **District** recognizes that the per task construction costs may vary.

³ Exhibit "C" Status Reports are due within ten (10) business days of the due date.

⁴ Ineligible costs include, but are not limited to, permits, as-builts, videos, early completion bonus, bonds and insurance, etc.

Note: If the project includes well drilling and testing, deliverables must include copies of all hydrogeologic data collected in the course of drilling and testing, in the **District** specified format. An electronic copy of the **District** specified format is available via email. Contact the appropriate **District** Project Manager to request one.

EXHIBIT "A2"
STATEMENT OF WORK

1.3 MGD Lake Region WTP Floridan Wellfield Improvements
Palm Beach County Utilities

A. INTRODUCTION/BACKGROUND

Palm Beach County Utilities (PBC Utilities or Recipient) will be conducting wellfield improvements at the Lake Region Water Treatment Plant (LRWTP). The LRWTP was funded in cooperation with the South Florida Water Management District (SFWMD) and placed into service in May 2008.

The plant is supplied by raw water from seven existing Upper Floridan Wells, all designed to pump 1,500 gpm. Over the last three years of operation, a significant decline in the raw water quality from these wells has occurred. Detailed evaluation in coordination with the SFWMD has revealed that the pumping levels in the wellfield must be immediately reduced or the sustainability of the water to meet drinking water standards will be comprised. Presently, one well is no longer usable and the water plant is experiencing operational problems. Modeling has concluded that the flow from the existing wells needs to be reduced to 900 gpm to prevent further decline in the raw water quality. In order to supplement this reduction in flow, four new wells need to be drilled; one well will be installed during FY12 to ensure the continued operation of the LRWTP.

B. OBJECTIVES

The objective of the project is to construct one Floridan Aquifer well at the LRWTP and convert the pumps at the existing Floridan wells to ensure safe yield.

C. SCOPE OF WORK

PBC Utilities will construct one Floridan Aquifer well, including wellhead mechanical, electrical, and instrumentation control systems, raw water main, and startup services during FY12. PBC Utilities will also complete the conversion of six existing Floridan wells from 150 hp pumps to 60 hp pumps to ensure a safe yield.

D. WORK BREAKDOWN STRUCTURE

The work breakdown structure associated with this project is described below.

Task 1: Recipient shall submit to the project manager an electronic submittal of final project bid amount and/or vendor estimates for tasks to be completed in FY12-FY13.

Due Date: Upon Contract Execution

Task 2: Exhibit "C" – Status Report: **Recipient** shall submit to the project manager a status report summarizing progress made to date, issues of concern potentially affecting project performance, and any other information pertinent to the project.

Due Date: December 31, 2011

Task 3: Exhibit "C" – Status Report: **Recipient** shall submit to the project manager a status report summarizing progress made to date, issues of concern potentially affecting project performance, and any other information pertinent to the project.

Due Date: March 31, 2012

Task 4: Exhibit "C" – Status Report: **Recipient** shall submit to the project manager a status report summarizing progress made to date, issues of concern potentially affecting project performance, and any other information pertinent to the project.

Due Date: June 30, 2012

Task 5: Exhibit "C" – Status Report: **Recipient** shall submit to the project manager a status report summarizing progress made to date, issues of concern potentially affecting project performance, and any other information pertinent to the project.

Due Date: September 30, 2012

Task 6: **Recipient** shall complete site work and mobilization/demobilization / Reimbursement Request Package.

Due Date: Upon Task Completion

Task 7: **Recipient** shall purchase and install Floridan Aquifer Well #8 to approximately 1,150 feet / Reimbursement Request Package.

Due Date: Upon Task Completion

Task 8: **Recipient** shall purchase and install 80 linear feet of 12-inch raw water main / Reimbursement Request Package.

Due Date: Upon Task Completion

Task 9: **Recipient** shall purchase and install Floridan Aquifer Well #8 wellhead, all mechanical, electrical and instrumentation controls / Reimbursement Request Package.

Due Date: Upon Task Completion

Task 10: **Recipient** shall convert and install four 60 hp pumps / Reimbursement Request Package

Due Date: Upon Task Completion

Task 11: **Recipient** shall convert and install two 60 hp pumps / Reimbursement Request Package.

Due Date: Upon Task Completion

Task 12: Final Reimbursement Request and Project Summary Report (Exhibit "D2"): **Recipient** shall submit to the project manager the final reimbursement request package and Project Summary Report (Exhibit "D2").

Due Date: December 31, 2012



Exhibit "D2"
South Florida Water Management District
FY2012-2013 Alternative Water Supply
Final Project Summary Report

LEC-116 – 1.5 MGD Lake Region Floridan
Wellfield Improvements
Project Title

Brian Shields, P.E.
Entity Project Manager

4600002550 / 9500005142
SFWMD Contract / Purchase Order Number

Palm Beach County Utilities
Entity Project Owner

Describe Project constructed: _____

Type of Alternative Water Supply	Quantity of Water Made Available (MGD) Upon Completion of This Phase		Construction Duration	
	Proposed	Actual	Start	Finish
Brackish	1.30			

Cost for this Phase (Phase refers to the current FY work)		
	Proposed (this FY)	Actual (this FY)
Total Construction Cost – This Phase	\$ 1,168,867.00	\$
Funding Breakdown for this Phase		
District funding this phase	\$ 500,000.00	\$
Local funds	\$ 668,867.00	\$
Other funding source		
From:	\$	\$
TOTAL	\$ 1,168,867.00	

Attach map and photo(s) of project on CD, if available. The District will make funding payments only to reimburse for work completed between October 1, 2011 and December 31, 2012.

To the best of my knowledge, the above information is correct.

Selma M West

Chief Financial Officer

[Signature]

Project Manager

Brian Shields, P.E., Deputy Director