

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:	April 21, 2026	Consent <input checked="" type="checkbox"/>	Regular <input type="checkbox"/>
		Public Hearing <input type="checkbox"/>	
Department:	Water Utilities Department		

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Amendment No. 1 to the Drinking Water State Revolving Fund (DWSRF) Planning and Design Loan Agreement No. DW5020C0 (Agreement) with Florida Department of Environmental Protection (FDEP).

Summary: On May 14, 2024, the Board of County Commissioners (BCC) approved the Agreement (R2024-0557) in the amount of \$9,968,768 for Planning and Design for upgrades to Water Treatment Plant (WTP) Nos. 2, 3, 8 & 9 to remove perfluoroalkyl and polyfluoroalkyl substances (PFAS). The DWSRF Program provides low-interest loans to eligible entities for planning, design and construction of public water facilities. The State Revolving Fund (SRF) received an additional funding source for the SRF Emerging Contaminants (SRF EC) program, which supports projects primarily aimed at addressing emerging contaminants in drinking water, such as PFAS. Under the SRF EC program, 100% of the funding will be given as principal forgiveness. FDEP requested Amendment No. 1 to Agreement No. DW5020C0 to address compliance with the following provisions: 1) Signage to enhance public awareness of the Environmental Protection Agency; 2) Civil Rights Act of 1964; and 3) Contract document submittal. There is no fiscal impact related to Amendment No. 1 to the Agreement. Countywide (MWJ)

Background and Justification: Former President Biden signed the Bipartisan Infrastructure Law (BIL) on November 15, 2021. The BIL provides \$5 billion through the SRFs to reduce exposure to PFAS and other emerging contaminants through drinking water. The BIL provides emerging contaminants funding through the SRF that must be distributed to communities entirely as forgivable loans or grants.

Attachments:

1. Two (2) Originals Amendment No. 1 to Agreement No. DW5020C0
2. Location Map

Recommended By: Ali Boyal 3/18/26
 Department Director Date

Approved By: [Signature] 3/30/26
 Deputy County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2026	2027	2028	2029	2030
Capital Expenditures	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Operating Costs	<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 X No

Does this item include the use of Federal Funds? Yes X No

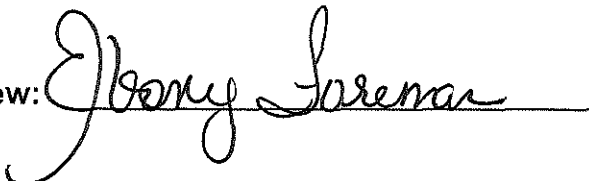
Does this item include the use of State Funds? Yes No X

Reporting Category N/A

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

There is no fiscal impact.

C. Department Fiscal Review:

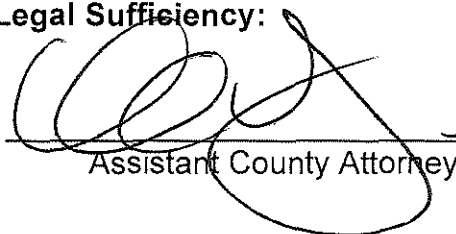


III. REVIEW COMMENTS

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

 OFMB 3/26/2026 JA 3/25 ESW 3-26	 Contract Development and Control 3/26/26 2023.26.26
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B. Legal Sufficiency:


 Assistant County Attorney 3/27/26

C. Other Department Review:

 Department Director

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

**STATE REVOLVING FUND
AMENDMENT 1 TO LOAN AGREEMENT DW5020C0
PALM BEACH COUNTY**

This amendment is executed by the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (Department) and PALM BEACH COUNTY, FLORIDA, (Project Sponsor) existing as a local governmental entity under the laws of the State of Florida. Collectively, the Department and the Project Sponsor shall be referred to as "Parties" or individually as "Party".

The Department and the Project Sponsor entered into a State Revolving Fund Loan Agreement, Number DW5020C0; and

Certain provisions of the Agreement need revision.

The Parties hereto agree as follows:

1. Section 8.08 of the Agreement is deleted and replaced as follows:

8.08. SIGNAGE.

The Project Sponsor agrees to comply with signage guidance in order to enhance public awareness of EPA assistance agreements nationwide. A copy of this guidance is listed on the Department's webpage at <https://floridadep.gov/wra/srf/content/state-revolving-fund-resources-and-documents> as "Guidance for Meeting EPA's Signage Requirements".

2. Section 8.12 of the Agreement is deleted and replaced as follows:

8.12. CIVIL RIGHTS.

The Project Sponsor shall comply with all Title VI requirements of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975, which prohibit activities that are intentionally discriminatory and/or have a discriminatory effect based on race, color, national origin (including limited English proficiency), age, disability, or sex.

3. Article IX of the Agreement is deleted and replaced as follows:

ARTICLE IX – CONTRACTS AND INSURANCE

9.01. CONTRACTS.

(1) The following documentation is required to receive the Department's authorization to award construction contracts which are funded under this Loan Agreement:

- (a) Proof of advertising.

(b) Award recommendation, bid proposal, and bid tabulation (certified by the responsible engineer).

(c) Certification of compliance with the conditions of the Department's approval of competitively or non-competitively negotiated procurement, if applicable.

(d) Certification Regarding Disbarment, Suspension, Ineligibility and Voluntary Exclusion.

(e) Certification by the Authorized Representative that affirmative steps were taken to encourage Disadvantaged Business Enterprises participation in Project construction.

(f) Current certifications for Disadvantaged Business Enterprises participating in the contract. If the goals as stated in the plans and specifications are not met, documentation of actions taken shall be submitted.

(g) Certification that the Project Sponsor and contractors are in compliance with labor standards, including prevailing wage rates established for its locality by the DOL under the Davis-Bacon Act for Project construction.

(2) The following must be provided to the Department for professional services contract(s):

(a) Certification by the Authorized Representative that affirmative steps were taken to encourage Disadvantaged Business Enterprises participation.

(b) Current certifications for Disadvantaged Business Enterprises participating in the contract.

9.02. SUBMITTAL OF CONTRACT DOCUMENTS.

(1) After the Department's authorization to award construction contracts has been received, the Project Sponsor shall submit the following documents:

(a) Contractor insurance certifications.

(b) Executed Contract(s).

(c) Notices to proceed with construction.

(2) After the Project Sponsor has awarded the professional services contract(s), the Project Sponsor shall submit the following documents:

(a) Executed Contract(s).

(b) Professional Services Procurement Certification.

9.03. RESERVED.

4. All other terms and provisions of the Loan Agreement shall remain in effect.

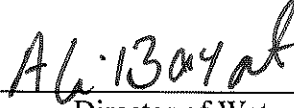
This Amendment 1 to Loan Agreement DW5020C0 may be executed in two or more counterparts, any of which shall be regarded as an original and all of which constitute but one and the same instrument.

IN WITNESS WHEREOF, the Department has caused this amendment to the Loan Agreement to be executed on its behalf by the Secretary or Designee and the Project Sponsor has caused this amendment to be executed on its behalf by its Authorized Representative and by its affixed seal. The effective date of this amendment shall be as set forth below by the Department.

for
PALM BEACH COUNTY



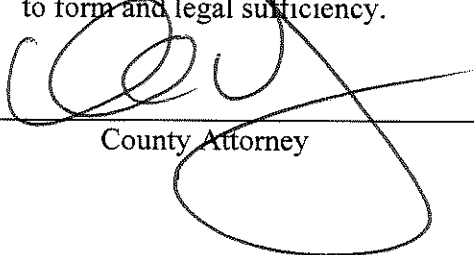
Sara Baxter, Mayor



Director of Water Utilities

Attest:

I attest to the opinion expressed in Section 2.02, entitled Legal Authorization; approved as to form and legal sufficiency.



County Clerk

County Attorney

SEAL

for
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

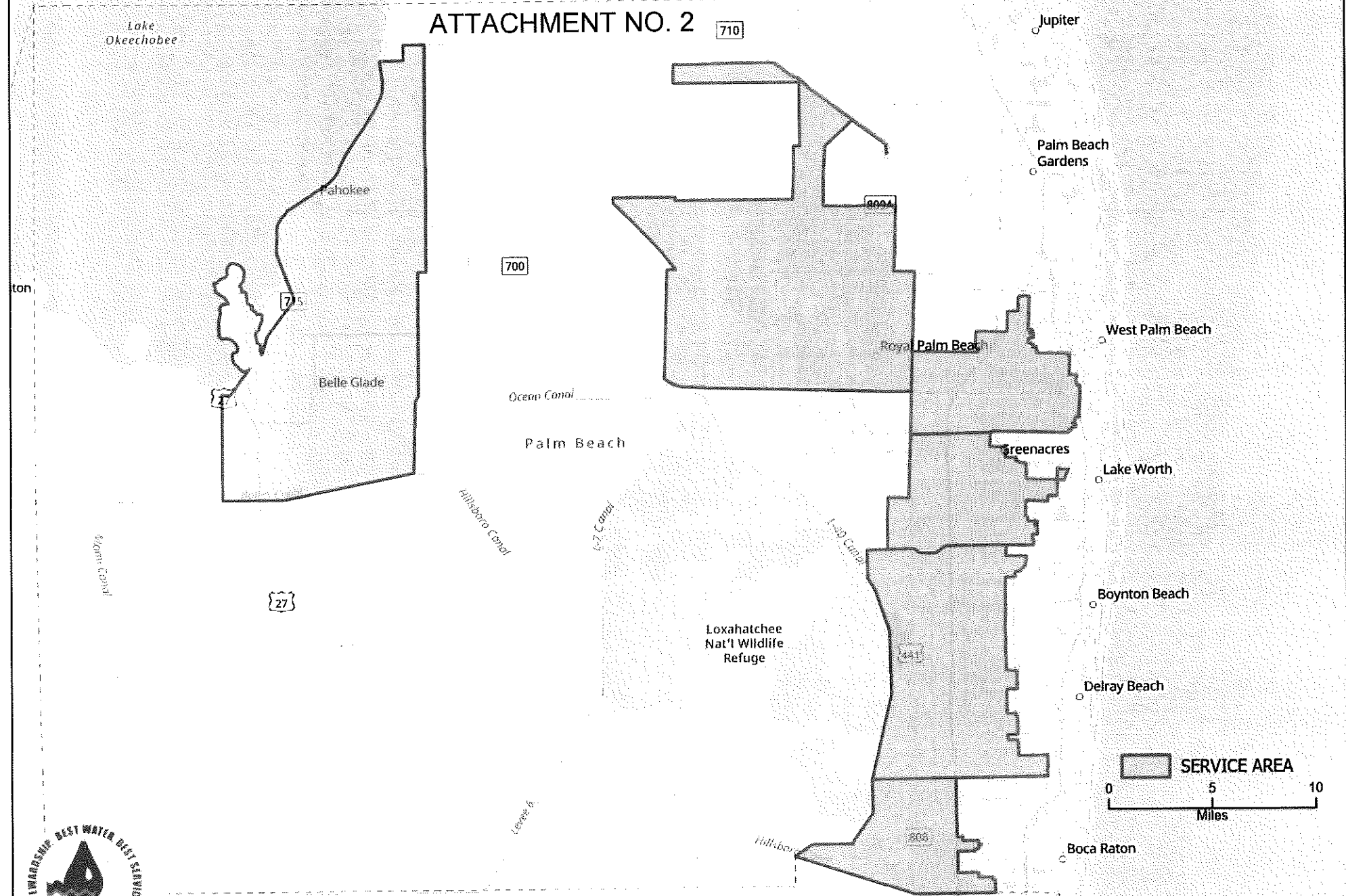
Secretary or Designee

Date

PALM BEACH COUNTY WATER UTILITIES DEPARTMENT SERVICE AREA (SA) 2023



ATTACHMENT NO. 2



Approved By: 1/16/2023 10:05 AM
Date: 02/16/2023
W:\GIS\Projects\2023 Service Area\2023 SA Map