

**Lee County Board of County Commissioners  
Agenda Item Summary**

Blue Sheet No. 20060604-UTL

**1. Action Requested/Purpose:**

Authorize Chairwoman, on behalf of the BOCC, to sign Amendment No. 01 to Agreement No. DG061178, an Alternative Water Supply Grant Funding Agreement between Lee County and South Florida Water Management District (SFWMD) for *Pinewoods Lower Hawthorne Wells and R.O. Treatment Plant*, authorizing revision of the "Schedule of Deliverables", Exhibit B.

**2. What Action Accomplishes:**

Revises the deliverables schedule for construction deadlines and payments.

**3. Management Recommendation:**

Approval.

**4. Departmental Category: 10**

**C10B**

**5. Meeting Date:**

**05-30-2006**

**6. Agenda:**

- Consent
- Administrative
- Appeals
- Public
- Walk-On

**7. Requirement/Purpose (specify)**

- Statute
- Ordinance
- Admin. Code
- Other **Approval**

**8. Request Initiated:**

Commissioner  
Department **Public Works**  
Division **Utilities**  
By: *[Signature]* 5/9/06  
**S. Ivan Velez, P.E., Acting Director**

**9. Background:**

This planned capital project for increasing the capacity of Lee County Utilities' potable water system was identified as potentially qualifying for grant funding under the SFWMD Alternative Water Supply Program, as established under Florida Statutes 373.1961. Lee County Utilities staff prepared the grant application for this and other projects. The project was approved by the SFWMD. Lee County Utilities is responsible for the engineering, construction and operation of the project, as well as administration of the grant. The project will result in additional assets for the Lee County Utilities System and is described as follows:

Phase 1 of this project has proven to be successful, as the first pilot well is producing an acceptable volume of water. This next phase consists of the construction of four additional Lower Hawthorne production wells, a monitoring well, and an associated 3.2 MGD R. O. Plant. The total project cost is estimated at \$10,898,000. The SFWMD District Funding Amount is \$1,000,000; and the balance will be funded from CIP 7155-Pinewoods Lower Hawthorne Wells & R.O. Plant Project. Funds will be made available in Account No. 20715548730.506540.

On 5-5-06, the attached Amendment No. 01 was received revising the Schedule of Deliverables (Exhibit B1) to the existing Funding Agreement No. DG061178, approved by the BOCC on 11-29-05 and the SFWMD on 12-28-05.

Attachments: 2 Originals (Signatures required on Page 2 of 2)  
No additional funds are required.

**10. Review for Scheduling**

| Department Director                            | Purchasing or Contracts                      | Human Res.   | Other  | County Attorney                                   | Budget Services                       |                                      |                                     |                               | County Manager / P.W. Director                 |
|--|--|--------------|--|---|---------------------------------------|--------------------------------------|-------------------------------------|-------------------------------|--|
|  |  |              |  |   | Analyst                               | Risk                                 | Grants                              | Mgr.                          |  |
| <i>[Signature]</i><br>Lavender<br>Date: 5-9-06 | <i>[Signature]</i><br>C. Logan<br>Date: 5/11 | N/A<br>Date: | <i>[Signature]</i><br>B. Dearborn<br>Date: 5/15/06 | <i>[Signature]</i><br>S. Coovert<br>Date: 5/14/06 | <i>[Signature]</i><br>P. M<br>5/16/06 | <i>[Signature]</i><br>CWO<br>5/15/06 | <i>[Signature]</i><br>Ry<br>5/18/06 | <i>[Signature]</i><br>5/18/06 | <i>[Signature]</i><br>Lavender<br>Date: 5-9-06 |

**11. Commission Action:**

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: *[Signature]*  
5-16-06  
3:20  
COUNTY ADMIN FORWARDED TO: *[Signature]*  
5/15/06  
3:30pm

Rec. by CoAtty  
Date: 5/16/06  
Time: 2:10pm  
Forwarded To: *[Signature]*



## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045 • TDD (561) 697-2574  
 Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • www.sfwmd.gov

May 3, 2006

Kim Hoskins, P.E.  
 Lee County Utilities  
 1500 Monroe Street  
 Fort Myers, FL 33902

**VIA OVERNIGHT DELIVERY**

Dear Kim:

**Subject: Contract # DG061178-A01  
 PINEWOODS RO TREATMENT PLANT**

Please find enclosed two (2) copies of the subject document. Please have them signed by an individual with signature authority on behalf of your organization. Please include documentation to demonstrate official delegation of signature authority up to the contract monetary limits.

Please return both copies to my attention, along with, if applicable and not previously submitted, a Certificate of Insurance reflecting the required coverage(s). Do not date the documents, a fully signed document will be returned to you upon execution by the South Florida Water Management District (District). Note that this document is not binding on the parties until it is approved by the appropriate level of authority within the District and executed by both parties.

Your cooperation and timely response will be greatly appreciated. Should there be any questions, or if you require any additional information, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Bernadette Harrison".

Bernadette Harrison  
 Contract Specialist  
 Procurement Department  
 bharriso@sfwmd.gov  
 (561) 682-6378  
 FAX: (561) 681-6275

BH /sm

Enclosures

c: Steven Anderson, MSC 4360

MAY 05 2006

### GOVERNING BOARD

Kevin McCarty, *Chair*  
 Irela M. Bagué, *Vice-Chair*  
 Miya Burt-Stewart

Alice J. Carlson  
 Michael Collins  
 Nicolás J. Gutiérrez, Jr., Esq.

Lennart E. Lindahl, P.E.  
 Harkley R. Thornton  
 Malcolm S. Wade, Jr.

### EXECUTIVE OFFICE

Carol Ann Wehle, *Executive Director*



**SOUTH FLORIDA WATER MANAGEMENT DISTRICT  
AMENDMENT**

**DG061178-A01**

**AMENDMENT NO. 01**

**TO AGREEMENT NO. DG061178**

**BETWEEN THE**

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

**AND**

**LEE COUNTY UTILITIES**

This **AMENDMENT NO. 01**, entered into on \_\_\_\_\_, to that **AGREEMENT** dated December 28, 2005, between "the Parties," the South Florida Water Management District (**DISTRICT**), and Lee County Utilities (**RECIPIENT**).

**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 Schedule of Deliverables of the **AGREEMENT**;

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

1. This **AMENDMENT NO. 01** shall be effective upon the date of execution by the Parties.
2. This **AMENDMENT NO. 01** shall be at no additional cost to the **DISTRICT**.
3. The Schedule of Deliverables is hereby revised in accordance with Exhibit "B1", attached hereto and made a part of this **AMENDMENT NO. 01**.
4. All other terms and conditions of the **AGREEMENT** remain unchanged.



# SOUTH FLORIDA WATER MANAGEMENT DISTRICT AMENDMENT

IN WITNESS WHEREOF, the Parties or their duly authorized representatives hereby execute this **AMENDMENT NO. 01** on the date first written above.

## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

By: \_\_\_\_\_  
**Carrie Hill, Interim Procurement Director**

### SFWMD PROCUREMENT APPROVED

BY: *Bernadette Harrison*

DATE: *1/2/16* *JML*

## LEE COUNTY BOARD OF COUNTY COMMISSIONERS

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

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

**Tammara Hall, Chairwoman**

APPROVED AS TO FORM

By: \_\_\_\_\_  
**Office of the County Attorney**  
**Scott S. Coover, Esquire**

**EXHIBIT "B1"**  
**SCHEDULE OF DELIVERABLES**

Total payment by the **District** to Lee County Utilities shall not exceed the amount of **\$1,000,000.00**. Payment shall be made following receipt and acceptance by the **District** of project deliverables in accordance with the schedule set forth below. The **Recipient** hereby agrees to provide the **District** all deliverables, data and information described in the Statement of Work.

Invoices for completed deliverables shall be submitted to the **District** for payment by September 30, 2006. However, the **Recipient** is encouraged to arrange for deliverable inspection and invoicing as soon as a deliverable has been completed.

Reporting requirements are also part of this exhibit. The **Recipient** shall provide regular project update/status reports by December 1, 2005; February 1, 2006; April 1, 2006 and June 1, 2006. Reports will provide detail on progress of the project and outline any potential issues affecting project completion or overall schedule. Status reports may be submitted in any form agreed to by the **District** project manager and the **Recipient**, and could include emails, memos, and letters.

| <b>Task No.</b> | <b>Deliverable(s)</b>             | <b>Invoice Date</b> | <b>Report Due Date</b> | <b>District Not-To-Exceed Payment</b> |
|-----------------|-----------------------------------|---------------------|------------------------|---------------------------------------|
| 1               | Status Report                     | N/A                 | December 1, 2005       | N/A                                   |
| 2               | Status Report                     | N/A                 | February 1, 2006       | N/A                                   |
| 3               | Status Report                     | N/A                 | April 1, 2006          | N/A                                   |
| 4               | Status Report                     | N/A                 | June 1, 2006           | N/A                                   |
| 5               | Construction of 1 MG Storage Tank | September 30, 2006  | N/A                    | \$612,500.00                          |
| 6               | Construct RO Building             | September 30, 2006  | N/A                    | \$387,500.00                          |
| 7               | Annual Status Report              | N/A                 | September 30, 2006     | N/A                                   |
|                 | <b>TOTAL SFWMD PAYMENT</b>        |                     |                        | <b>\$1,000,000.00</b>                 |