

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

BLUE SHEET NO: 20040337-UTL

1. REQUESTED MOTION:

ACTION REQUESTED:

Authorize the Chairman, on behalf of the Board of County Commissioners, to sign Amendment No. 1 authorizing a two-year extension of Agreement No. C-15920, an Alternative Water Supply Grant Funding Agreement between Lee County and the South Florida Water Management District (SFWMD) for the North Lee County Water Treatment Plant Project.

WHY ACTION IS NECESSARY:

Execution of the Amendment to the Agreement requires a signature by the Board Chairman.

WHAT ACTION ACCOMPLISHES:

Allows Lee County to work cooperatively with the SFWMD to complete the project that will provide additional alternative water supply within the Lee County Utilities system.

2. DEPARTMENTAL CATEGORY: 10
COMMISSION DISTRICT #: 4

C10F

3. MEETING DATE:

04-13-2004

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED: _____

5. REQUIREMENT/PURPOSE:

(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER Agreement Amendment
(Extension of Time)

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER: _____
- B. DEPARTMENT: Lee County Public Works
- C. DIVISION/SECTION: Utilities Division
- BY: Rick Diaz, P.E., Utilities Director
- DATE: 3/18/04

7. BACKGROUND:

In 2001 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. This project was approved by the SFWMD. Lee County Utilities is responsible for the engineering, construction and operation of the project, as well as

(CONT'D.)

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL

(A) DEPARTMENT DIRECTOR	(B) PURCH. OR CONTRACTS	(C) HUMAN RESOURCES	(D) OTHER	(E) COUNTY ATTORNEY	(F) BUDGET SERVICES				(G) COUNTY MANAGER
					OA	OM	Risk	GC	
J. Lavender Date: 3-19-04	C. Logan Date: 3/19/04	N/A Date:	N/A Date:	S. Powell Date: 3/23/04	2.6M 3-24-04	4.5M 3/24/04	30404	1M 3/24/04	J. Lavender Date: 3-19-04

10. COMMISSION ACTION:

- _____ APPROVED
- _____ DENIED
- _____ DEFERRED
- _____ OTHER

Rec. by CoAtty
Date: 3/23/04
Time: 1:50 PM
Forwarded to:
R.M. in
3/23/04

RECEIVED BY
COUNTY ADMIN: JLV
3/23/04
3:50 PM SET
COUNTY ADMIN
FORWARDED TO: PJC
3/23/04
4 PM

administration of the grant. The project will result in additional assets for the Lee County Utilities System and is described as follows:

This project includes the design and construction of a 5.0 million gallons per day (MGD) capacity Reverse Osmosis Water Treatment Plant with an ultimate expansion capacity of 10.0 MGD, including construction of 8 production wells. The total project cost is estimated at \$24,200,000.00. The SFWMD grant was for \$300,000.000 and the balance is proposed to be funded from Lee County Utilities approved Capital Improvement Program budget.

On November 19, 2002, under BS 20021227-UTL, the BOCC approved the South Florida Water Management District Funding Agreement and the balance of the funding from CIP budgeted funds.

On February 12, 2004, the Governing Board of the South Florida Water Management District approved entering into the attached Amendment No. 1 in order to extend the period of performance twenty-four months, to December 15, 2005. This Amendment No. 1 shall be effective as of December 16, 2003, regardless of the actual date of execution.

No additional funds are required.

Attachments: 2 Originals of Amendment No. 1 to Agreement C15920 (NLCWTP)
Copy of SFWMD Letter dated 2-26-04





ORIGINAL

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
AMENDMENT**

C-15920-A01

AMENDMENT NO. 01

TO AGREEMENT NO. C- 15920

BETWEEN THE

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

AND

LEE COUNTY UTILITIES

This **AMENDMENT NO. 01**, entered into on _____, to that **AGREEMENT** dated December 12, 2002, 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 Governing Board of the **DISTRICT**, at its February 12, 2004 meeting, approved entering into this **AMENDMENT NO. 01** with the **RECIPIENT**; and

WHEREAS, the parties wish to amend the **AGREEMENT** in order to extend the period of performance;

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. The expiration date of the **AGREEMENT** is hereby extended by Twenty Four (24) Months, extending the **AGREEMENT** term to December 15, 2005. Regardless of the actual date of execution, this **AMENDMENT NO. 01** shall be effective as of December 16, 2003.
2. This **AMENDMENT NO. 01** shall be at no additional cost to the **DISTRICT**.
3. All other terms and conditions of the **AGREEMENT**, as amended, 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 ITS GOVERNING BOARD

By: _____
Frank Hayden, Procurement Director

SFWMD PROCUREMENT APPROVED

By: *Frank Hayden*
Date: 2-13-24

LEE COUNTY BOARD OF COUNTY COMMISSIONERS

By: _____

Title: _____



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

ADM 28-06

February 26, 2004

~~Mr. Rick Diaz~~
Lee County
1500 Monroe Street
Ft. Myers, FL 33902

**Subject: Contract No. C-15920-A01
N Lee Co. Reverse Osmosis**

Dear Mr. Diaz:

Enclosed are two (2) copies of the subject amendment. Please have them signed by an individual with signature authority on behalf of your organization, and return both copies to my attention. Do not date the documents; a fully signed and dated amendment will be returned to you upon execution by the District.

Kindly return the executed documents within **ten (10) business days** of receipt. Please include documentation to demonstrate official delegation of signature authority on behalf of your firm up to the contract monetary limits.

Note that this amendment 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, please contact me at (561) 682-2536.

Sincerely,

Penelope Burger
Associate Contract Specialist
Procurement Department

/kr
Enclosure

c: w/ attachment
Cynthia Houston, 7420

MAR 17 2004
MAR 03 2004

COPY

GOVERNING BOARD

Nicolás J. Gutiérrez, Jr., Esq., *Chair*
Pamela Brooks-Thomas, *Vice-Chair*
Irela M. Bague

Michael Collins
Hugh M. English
Lennart E. Lindahl, P.E.

Kevin McCarty
Harkley R. Thornton
Trudi K. Williams, P.E.

EXECUTIVE OFFICE

Henry Dean, *Executive Director*