

**STATE FINANCIAL ASSISTANCE AGREEMENT  
DEP AGREEMENT NO. LP8910  
CITY OF CORAL GABLES  
AMENDMENT NO. 2**

THIS AGREEMENT as entered into on the 26<sup>th</sup> day of June, 2009, and amended on the 28<sup>th</sup> day of January, 2011, between the FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (hereinafter referred to as the "Department") and the CITY OF CORAL GABLES (hereinafter referred to as the "Grantee" or "Recipient") is hereby amended.

WHEREAS, the Grantee has requested an extension of the term of the Agreement in order to complete the project as planned; and,

WHEREAS, it has been determined that an extension of time to complete the project would be in the best interest of the State; and,

WHEREAS, the Grantee has requested an end date that extends beyond the current authorized funding period; and,

WHEREAS, additional changes to the Agreement are necessary.

NOW, THEREFORE, the parties hereto agree as follows:

1. Section 2. is hereby revised to change the completion date of the Agreement from December 31, 2011, to April 30, 2012.
2. **Attachment A**, Project Work Plan, is hereby deleted in its entirety and replaced with **Attachment A-2**, Revised Project Work Plan, attached hereto and made a part of the Agreement. All references in the Agreement to **Attachment A**, Project Work Plan, shall hereinafter refer to **Attachment A-2**, Revised Project Work Plan.
3. In all other respects, the Agreement of which this is an Amendment, and attachments relative thereto, shall remain in full force and effect.

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This Amendment 2 to State Financial Assistance Agreement LP8910 shall be executed in two or more counterparts, either 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 State Financial Assistance Agreement to be executed on its behalf by the Deputy Director of the Department and the Grantee has caused this amendment to be executed on its behalf by its Authorized Representative. The effective date of this amendment shall be as set forth below by the Deputy Director of the Department of Environmental Protection, Division of Water Resource Management.

CITY OF CORAL GABLES

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: \_\_\_\_\_  
Patrick G. Salerno  
City Manager

By: \_\_\_\_\_  
Deputy Director  
Division of Water Resource Management

Date: \_\_\_\_\_

Approved by  
Department Director or head of the  
Negotiations team as to  
the negotiated business terms:

\_\_\_\_\_  
Tommy Williams, DEP Grant Manager

\_\_\_\_\_  
Glenn R. Kephart  
Public Works Director

ATTEST:

APPROVE AS TO FORM AND  
LEGAL SUFFICIENCY:

\_\_\_\_\_  
Walter J. Foeman  
City Clerk

\_\_\_\_\_  
Craig E. Leen  
City Attorney

\*For Agreements with governmental boards/commissions: If someone other than the Chairman signs this Amendment, a resolution, statement or other document authorizing that person to sign the Amendment on behalf of the Grantee must accompany the Amendment.

List of attachments/exhibits included as part of this Amendment:

Specify Type	Letter/Number	Description (include number of pages)
Attachment	A-2	Revised Project Work Plan (3 pages)

**ATTACHMENT A-2  
REVISED GRANT WORK PLAN  
CITY OF CORAL GABLES  
LP8910**

**Project Title:** DEP Grant LP 8910 City 3 Pump Station Rehabilitation

**Project Location:** The project is located at the northeast corner of the intersection of Coral Way and South Greenway Drive, Coral Gables, Florida.

**Project Status:** The City of Coral Gables is requesting an extension of the term of the Agreement from December 31, 2011 to April 30, 2012 in order to complete the project as planned. The contractor, Governor Construction Inc., has been working diligently on the project; however, as a result of issues related to the pump station's permanent power connection by the local utility, Florida Power and Light, the project has been delayed. The final completion and closeout will carry the project beyond the present grant expiration deadline of December 31, 2011.

**Project Background:** City 3 Sanitary Sewer Pump Station is the City's second largest pump station. The facility serves mostly single family residential districts as well as some multifamily residential districts. The service area encompasses 587 acres of mostly private developed land and public right-of-way. A complete rehabilitation of the pump station is needed as the equipment has reached the end of its service life and can no longer be effectively maintained.

**Are disbursements from state appropriations projected by December 2011?**

All disbursement requests from State appropriations will be submitted to DEP by April 30, 2012.

**What is the current and projected status of local funds for the project?**

As per the contract agreement, the City of Coral Gables has the local funds available for this project.

**What is the fiscal impact of the project if funds are not certified forward?**

The City does not have the fiscal capacity to complete this project without the DEP grant funding. Loss of DEP grant funding for this project would negate the City's ability to rebuild its sanitary sewer infrastructure.

**Are there any legal obligations that will be impacted if funds are not certified forward?**

Yes. The City of Coral Gables has a contract with Governor Construction, Inc. for the construction of this project. The contract is predicated upon the State funds as well as local funds. If the State funds are withdrawn, this would expose the City to claims and damages.

**Project Objectives:**

- Objective 1: Provide pumping capacity for projected growth within the service area until at least the year 2030.
- Objective 2: Ensure compliance with the yearly Nominal Annual Pump Operating Time (NAPOT). Presently, City 3 has capacity issues and is not able to operate below the 10-hour NAPOT limit as required by regulatory agencies.
- Objective 3: Reduce maintenance costs by replacing existing vertical drive pumps with submersible pumps.
- Objective 4: Reduce exposure of electrical equipment and components to existing corrosive environment by installing improved ventilation and new air conditioning.
- Objective 5: Ensure that the existing or new generator housed nearby has adequate capacity to operate the station during emergency power situations.

**Project Description:****TASK 1: Engineering Design and Permitting**

- Prepare and submit to the Department 100% engineering plans.
- Prepare and submit to the Department construction cost estimates for the proposed work.
- Submit to the Department proof of application for applicable permits.
- Prepare and submit Summary Report.

**Deliverables/Outputs:** Summary Report, 100% Engineering Design Plans, Cost Estimates, Permit Applications to Agencies.

**Timeline for completion:** June 30, 2009

**Budget Information:** The funding for this task was incurred by the City. DEP Funding was not be used for Task 1.

**TASK 2: Preparation of Bid Documents and Specifications**

- Prepare and submit to the Department all Bid Documents and Contract Specifications.
- Advertise Bid and conduct pre-bid meeting, if appropriate.
- Receive and open Bids. Submit Bid Tabulations and evaluate for successful bidder.
- Award Bid and submit bid and contract award documents (City Resolution and executed Contract) to the Department.
- Secure all Permits and provide copies of same to the Department.
- Conduct pre-construction meeting with contractor and other interested parties.
- Issue Notice to Proceed to contractor.
- Prepare and submit Summary Report.

**Deliverables/Outputs:** Summary Report, Submit Bid Documents and Specifications, Bid Tabulation, Contract Award Documents, Provide Permits.

**Timeline for completion:** September 30, 2009

**Budget Information:** The funding for this task was incurred by the City. DEP Funding was not used for Task 2.

**TASK 3a: Construction, Monitoring and Reporting**

- Construct improvements as identified in the 100% design plans, specifications and applicable permits.
- Collaborate with contractor and engineer and submit to the Department a construction schedule. Provide schedule updates.
- Monitor the construction of the project and submit quarterly progress reports.
- Submit to the Department invoices and proof of payment to contractor.
- Prepare and submit Summary Report(s).

**Deliverables/Outputs:** Issue Notice to Proceed; Submit Project Summary, Quarterly Progress Reports, Construction Schedule and Schedule Updates, Pay Requests and Invoices.

**Timeline for completion:** April 30, 2012

**Budget Information:** The amount awarded to Governor Construction, Inc. for the construction and demolition phase for this project was \$764,000. DEP Funding of \$500,000 will be used for Task 3. The City will incur the remaining cost for this task.

**TASK 3b: Construction Certification**

- Provide Final Project Report.
- Provide to the Department the engineer’s certification and as-built drawings.
- Provide copy of operating manual.

**Deliverables/Outputs:** Provide Final Project Report, Provide Engineer’s Certification, As-Built Drawings, Operating Manual

**Timeline for completion:** April 30, 2012

**Budget Information:** Governor Construction, Inc. has been contracted to produce some of the deliverables. DEP Funding will not be used for Task 4. The City will incur the cost for this task.

**Total Budget by Task and Deliverables:**

Tasks		DEP Funding	Matching Funds and Source	
			Matching Funds	Source of Funds
1	Engineering Design/ Permitting	-	\$81,800	City Utility Fund
2	Bid Docs/ Specifications	-	\$8,940	City Utility Fund
3a	Construction, Monitoring & Reporting	\$500,000	\$264,000	DEP Grant/ City Utility Fund
3b	Construction Certification	-	\$62,260	City Utility Fund
Total:		\$500,000	\$417,000	
Project Total:		\$917,000		