



SOUTH FLORIDA WATER MANAGEMENT DISTRICT AMENDMENT

4600004144-A02

AMENDMENT NO. 02

TO AGREEMENT NO. 4600004144

BETWEEN THE

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

AND

CITY OF DELRAY BEACH

This **AMENDMENT NO. 02**, is entered into on _____ to that Agreement dated December 12, 2019, and as amended on June 8, 2021 (A1), between "the Parties," the South Florida Water Management District (District), and City of Delray Beach (Recipient).

Background

1. The Governing Board of the District, at its December 12, 2019 meeting, approved entering into this Agreement with the Parties for Alternative Water Supply – Reclaimed Water Main Construction along SW 4th Street.
2. The term of the Agreement was Five Hundred and Sixty-Six (566) days.
3. The Parties amended the Agreement to extend the period of performance, revise the Statement of Work, and revise the Payment and Deliverable Schedule (A1) of the Agreement.
4. The Parties wish to amend the Agreement to extend the period of performance, revise the Statement of Work, Payment and Deliverable Schedule, Quarterly Status Report, and Final Project Status Report of the Agreement.

Terms and Conditions

5. The term of the Agreement is hereby extended by one (1) year and the expiration date, as amended, is June 30, 2023. Regardless of the actual date of execution, this **AMENDMENT NO. 02** shall be effective as of July 1, 2022.
6. The Statement of Work, attached as Exhibit "A1" to the Agreement, is hereby amended by revising "Work Breakdown Structure" as set forth in Exhibit "A2", attached hereto and made a part of this **AMENDMENT NO. 02**.



SOUTH FLORIDA WATER MANAGEMENT DISTRICT AMENDMENT

7. The Payment and Deliverable Schedule is also hereby revised with Exhibit "B2", attached hereto and made a part of this **AMENDMENT NO. 02**.
8. The Quarterly Status Report is hereby revised with Exhibit "C2", attached hereto and made a part of this **AMENDMENT NO. 02**.
9. The Final Project Summary Report is hereby revised with Exhibit "D2", attached hereto and made a part of this **AMENDMENT NO. 02**.
10. All other terms and conditions of the Agreement remain unchanged.

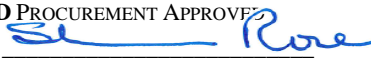
IN WITNESS WHEREOF, the Parties or their duly authorized representatives hereby execute this **AMENDMENT NO. 02** on the date first written above.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

By:

Candida Heater, Director
Administrative Services Division

SFWMD PROCUREMENT APPROVED

By: 

DATE: 5/20/2022

CITY OF DELRAY BEACH

By: _____

Title: _____

EXHIBIT “A2”
STATEMENT OF WORK

Reclaimed Water Main Construction along SW 4th Street
City of Delray Beach

A. INTRODUCTION/BACKGROUND

The City of Delray Beach (City or Recipient) established alternative water supply goals in conjunction with their South Florida Water Management District (District) Water Use Permit. Implementation of the City’s reclaimed water system will provide an alternative water supply and reduce demands on both the surficial aquifer and on their potable water system.

Delray Beach’s Reclaimed Water Master Plan Update, completed in December 2016, identified Area 14 as the ninth project of the City’s total reclaimed water system, which will provide up to 0.21 million gallons per day (mgd) of additional reclaimed water use. The City plans to implement other projects identified in the Master Plan Update on a continual basis over the next 8 years, and the total program will provide up to 5.1 mgd of reclaimed water available for the entire system. The Reclaimed Water Master Plan Update is consistent with the City’s comprehensive plan, which specifically encourages more reuse of effluent from the South-Central Regional Wastewater Treatment Plant to reduce the demands on the potable water system.

B. OBJECTIVES

The objective of this project is to install reclaimed water pipeline within Area 14 of the City’s Reclaimed Water Master Plan, thus providing an additional 0.21 mgd of additional reclaimed water use and continuing the expansion of the City’s reclaimed water system.

C. SCOPE OF WORK

Construct approximately 10,270 linear feet of reclaimed water pipeline in the area along SW 4th Street from SE 1st Avenue to SW 4th Avenue. The reclaimed water pipeline will be 12-inch diameter along SW 4th Street. The remainder of the reclaimed water pipeline will be between 4- and 8-inch diameter (**Figure 1**). The reclaimed water pipeline will be routed west at the intersection of Auburn Avenue and Auburn Drive along the City’s existing force main easement. The route will continue over to SW 6th Street where the reclaimed water service will be installed from the entrance to the back of the Catherine Strong Center/Boys & Girls Club for future connection. The route will continue along NE 2nd Street from NE 4th Avenue to NW 2nd Avenue.

The reclaimed water pipeline will be installed as a dry line with service stubs for the following future customers: Merritt Park, Catherine Strong Center/Boys & Girls Club, Delray Beach Cemetery, and Toussaint L’ouverture High School for the Arts and Village Academy for the Arts. The installation of the reclaimed water pipeline necessary to provide those customers is proposed for FY23.

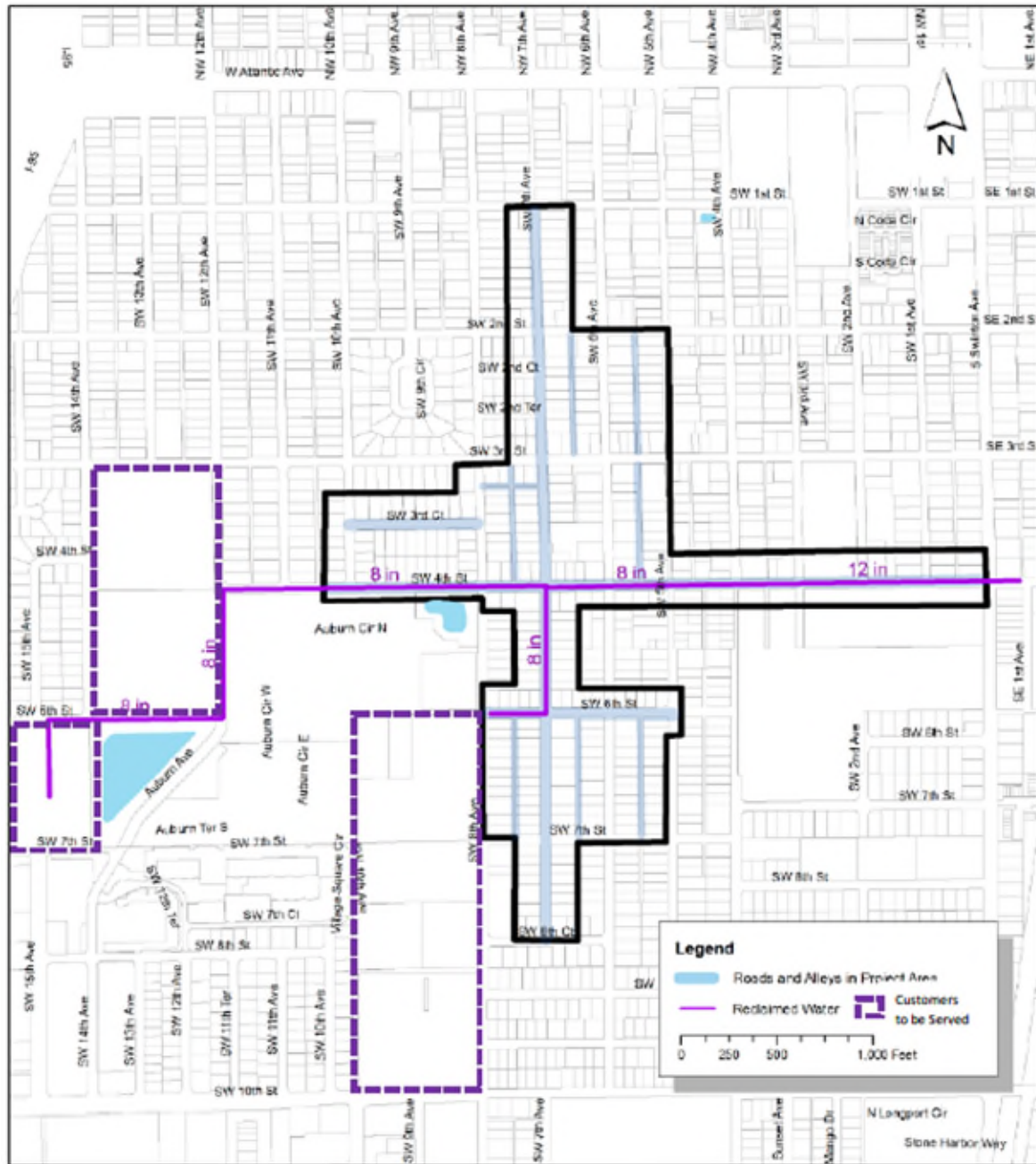


Figure 1. Proposed reclaimed water pipeline

D. WORK BREAKDOWN STRUCTURE

The work breakdown structure associated with this project is described below. Note that if the project is complete prior to the due date of a Status Report (Tasks 2-6), then Exhibit “D” shall replace the Status Report and subsequent Status Reports shall not be required.

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 by May 31, 2023.

Due Date: Upon contract execution

Task 2 – Exhibit “C” Quarterly 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, 2020

Task 3 – Exhibit “C” Quarterly 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, 2020

Task 4 – Exhibit “C” Quarterly 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, 2020

Task 5 – Exhibit “C” Quarterly 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, 2020

Task 6 – Exhibit “C” Quarterly 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, 2021

Task 7 – Exhibit “C” Quarterly 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, 2021

Task 8 – Exhibit “C” Quarterly 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, 2021

Task 9 – Exhibit “C” Quarterly 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, 2021

Task 10 – Exhibit “C” Quarterly 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, 2022

Task 11 – Exhibit “C” Quarterly 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, 2022

Task 12 – Exhibit “C” Quarterly 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, 2022

Task 13 – Exhibit “C” Quarterly 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, 2022

Task 14 – Exhibit “C” Quarterly 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, 2023

Task 15 – **Recipient** shall install approximately 7,000 linear feet of 8-inch diameter reclaimed water pipeline in the area Auburn Avenue and Auburn Drive as well as to the entrance of Catherin Strong Center/Boys & Girls Club along SW 6th Street including all valves, fittings, piping appurtenances, and restoration/Reimbursement Request Package.

Due Date: Upon Task Completion

Task 16 – **Recipient** shall install approximately 1,670 linear feet of 12-inch diameter reclaimed water pipeline in the area along SW 4th Street from SE 1st Avenue to SW 4th Avenue including all valves, fittings, piping appurtenances, and restoration/Reimbursement Request Package.

Due Date: Upon Task Completion

Task 17 – **Recipient** shall install approximately 1,600 linear feet of 12-inch diameter reclaimed water pipeline in the area along NE 2nd Street from NE 4th Avenue to NW 2nd Avenue including all valves, fittings, piping appurtenances, and restoration/Reimbursement Request Package.

Due Date: Upon Task Completion

Task 18 – Final Reimbursement Request Package & Project Summary Sheet (Exhibit “D”): **Recipient** shall submit to the project manager the final reimbursement request package, to include but not limited to, signed certification letter that the project is complete per the agreement, recipient invoice, copies of vendor invoices, and Final Project Summary Report (Exhibit “D”).

Due Date: May 31, 2023

EXHIBIT “B2”

PAYMENT AND DELIVERABLE SCHEDULE

Reclaimed Water Main Construction along SW 4th Street

City of Delray Beach

- A summary deliverable schedule associated with this project is set forth below.
- The **Recipient** shall submit all deliverables to the **District’s** project manager. All deliverables submitted hereunder are subject to review by the **District**. The **Recipient** hereby agrees to provide the **District** all deliverables, data and information described in the Statement of Work.
- 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 package for payment and Exhibit “D2” on or before May 31, 2023 for reimbursement. All reimbursement request packages 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 **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, Exhibit “D2” Final Project Summary Report, copies of vendor invoices and payments, and any other documentation supporting payment. Timely payment of invoices shall be contingent upon the District’s review and acceptance of all invoice(s). Final payment is subject to the final project construction cost. The Reimbursement Request Package shall be submitted on or before May 31, 2023.
- The **District** shall only be obligated to pay for documented actual construction 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 construction cost has decreased. The **Recipient** shall provide prior written notice of its decision to exercise this right to the **District’s** 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 the total **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 reimbursement payment by the **District** for all work completed herein shall not exceed the amount of \$450,000. If the total consideration for this **Agreement** is subject to multi-year funding allocations, funding for each applicable fiscal year of this **Agreement** 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 Date¹	Report Due Date	District Not-To-Exceed Payment
1	Electronic submittal of final project bid and/or vendor estimates for tasks to be completed by May 31, 2022	N/A	Upon Contract Execution ²	N/A
2	Exhibit “C” – Quarterly Status Report ³	N/A	March 31, 2020	N/A
3	Exhibit “C” – Quarterly Status Report ³	N/A	June 30, 2020	N/A
4	Exhibit “C” – Quarterly Status Report ³	N/A	September 30, 2020	N/A
5	Exhibit “C” – Quarterly Status Report ³	N/A	December 31, 2020	N/A
6	Exhibit “C” – Quarterly Status Report ³	N/A	March 31, 2021	N/A
7	Exhibit “C1” – Quarterly Status Report ³	N/A	June 30, 2021	N/A
8	Exhibit “C1” – Quarterly Status Report ³	N/A	September 30, 2021	N/A
9	Exhibit “C1” – Quarterly Status Report ³	N/A	December 31, 2021	N/A
10	Exhibit “C1” – Quarterly Status Report ³	N/A	March 31, 2022	N/A
11	Exhibit “C2” – Quarterly Status Report ³	N/A	June 30, 2022	N/A
12	Exhibit “C2” – Quarterly Status Report ³	N/A	September 30, 2022	N/A
13	Exhibit “C2” – Quarterly Status Report ³	N/A	December 31, 2022	N/A
14	Exhibit “C2” – Quarterly Status Report ³	N/A	March 31, 2023	N/A
15	Install approximately 7,000 liner feet of 8-inch diameter reclaimed water pipeline in the area Auburn Avenue and Auburn Drive as well as to the entrance of Catherin Strong Center/Boys & Girls Club along SW 6th Street including all valves, fittings, piping appurtenances, and restoration/ Reimbursement Request Package	Upon Task Completion	Upon Task Completion	\$217,700

16	Install approximately 1,670 linear feet of 12-inch diameter reclaimed water pipeline in the area along SW 4th Street from SE 1st Avenue to SW 4th Avenue including all valves, fittings, piping appurtenances, and restoration/ Reimbursement Request Package	Upon Task Completion	Upon Task Completion	\$77,500
17	Install approximately 1,600 linear feet of 12-inch diameter reclaimed water pipeline in the area along NE 2nd Street from NE 4th Avenue to NW 2nd Avenue including all valves, fittings, piping, appurtenances, and restoration/Reimbursement Request Package	Upon Task Completion	Upon Task Completion	\$154,800
18	Reimbursement Request Package & Project Summary Report (Exhibit “D2”)	May 31, 2023	May 31, 20223	N/A
Total District Funding				\$450,000
Current Fiscal Year(s) Construction Costs				\$1,162,731
Total Project Construction Cost				\$1,162,731

¹If applicable, interim Reimbursement Request Package shall be submitted upon completion of the task(s) noted above. Reimbursement Request Packages must be submitted on or before May 31, 2023 for reimbursement, no exceptions.

²If construction bids and vendor estimates have not been completed upon execution of the **Agreement**, the **Recipient** shall submit this information as soon as it’s available to the **District** Project Manager.

³Exhibit “C” Quarterly Status Reports are due within ten (10) days of the due date.

Note: Ineligible costs include, but 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 "C2"
Alternative Water Supply
 Quarterly Status Report

To comply with the AWS quarterly status report requirements specified in your contract, this form shall be completed and submitted via email to your **District** Project Manager. Please attach backup documentation (e.g. pictures, drawings, etc.) that will provide an understanding of project construction to date.

Agreement Number:	4600004144	Purchase Order Number:	9500008483
Reporting Quarter: 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 10 <input type="checkbox"/> 11 <input type="checkbox"/> 12 <input type="checkbox"/> 13 <input type="checkbox"/>			
Project Title:	Reclaimed Water Main Construction along SW 4th Street	Recipient:	City of Delray Beach
Overall status of project:	On Schedule <input type="checkbox"/>		Behind Schedule <input type="checkbox"/>
If behind schedule, provide an explanation:			
Project Summary (to date):			
Actual Phase Construction Costs			
	Date	Amount	
Bid Document			
Final Contract (with vendor)			
Total expended to date			
Change order(s)			
Submitted by:		Title:	
Email:		Date:	
Report submittal and/or questions: Email or call Stacey Adams at sadams@sfwmd.gov or 561-682-2577			
SFWMD staff only:			
Date received:		Received by:	
Status:	Commenced <input type="checkbox"/>	On Schedule <input type="checkbox"/>	Behind Schedule <input type="checkbox"/> Completed <input type="checkbox"/> Closed <input type="checkbox"/>

Construction Deliverables Status – provide the following information for each deliverable listed in Exhibit “B2” of the Agreement:

Task No.	Exhibit “B2” Deliverables	Is the Task Complete? Y/N	Estimated Finish Date	Task Status and Comments
1	Electronic submittal of final project bid and/or vendor estimates for tasks to be completed by May 31, 2023		Upon contract execution	
2	Exhibit “C” – Quarterly Status Report		3/31/20	
3	Exhibit “C” – Quarterly Status Report		6/30/20	
4	Exhibit “C” – Quarterly Status Report		9/30/20	
5	Exhibit “C” – Quarterly Status Report		12/31/20	
6	Exhibit “C” – Quarterly Status Report		3/31/21	
7	Exhibit “C1” – Quarterly Status Report		6/30/21	
8	Exhibit “C1” – Quarterly Status Report		9/30/21	
9	Exhibit “C1” – Quarterly Status Report		12/31/21	
10	Exhibit “C1” – Quarterly Status Report		3/31/22	
11	Exhibit “C2” – Quarterly Status Report ³		6/30/22	
12	Exhibit “C2” – Quarterly Status Report ³		9/30/22	
13	Exhibit “C2” – Quarterly Status Report ³		12/31/22	
14	Exhibit “C2” – Quarterly Status Report ³		3/31/23	
15	Install approximately 7,000 feet of 8-inch diameter reclaimed water pipeline in the area Auburn Avenue and Auburn Drive as well as to the entrance of Catherin Strong Center/Boys & Girls Club along SW 6th Street including all valves, fittings, piping appurtenances, and restoration/ Reimbursement Request Package		Upon Task Completion	

16	Install approximately 1,670 feet of 12-inch diameter reclaimed water pipeline in the area along SW 4th Street from SE 1st Avenue to SW 4th Avenue including all valves, fittings, piping appurtenances, and restoration/ Reimbursement Request Package		Upon Task Completion	
17	Install approximately 1,600 linear feet of 12-inch diameter reclaimed water pipeline in the area along NE 2 nd Street from NE 4 th Avenue to NW 2 nd Avenue including all valves, fittings, piping, appurtenances, and restoration/Reimbursement Request Package		Upon Task Completion	
18	Reimbursement Request Package & Project Summary Report (Exhibit "D2")		5/31/23	

EXHIBIT "D2"**Alternative Water Supply****Final Project Summary Report**

Reclaimed Water Main Construction along
SW 4th Street

Project Title**Recipient Project Manager**

4600004144 / 9500008483

City of Delray Beach

SFWMD Agreement / PO Numbers**Recipient Name (Project Owner)****Describe project constructed:**

Type of Alternative Water Supply	Quantity of Water Made Available		Construction Duration	
	Proposed	Actual	Start Date	Finish Date
Reclaimed Water	0.21			

COST FOR THIS PHASE (Phase refers to the current work)		
	Proposed Costs	Actual Costs
Current Fiscal Year(s) Construction Cost	\$1,162,731	\$
FUNDING BREAKDOWN FOR THIS PHASE		
District Funding	\$450,000	\$
Local Funds	\$712,731	\$
Other Funding Source		
From:	\$	\$
TOTAL PHASE COSTS	\$1,162,731	\$

Attach map and photo(s) of project on CD, if available. The District will make funding payments only to reimburse for work completed between December 12, 2019 and May 31, 2023.

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

Chief Financial Officer

Recipient Project Manager