



## Legislation Details (With Text)

**File #:** 22-606      **Version:** 1      **Name:**  
**Type:** Request      **Status:** Agenda Ready  
**File created:** 5/4/2022      **In control:** City Commission  
**On agenda:** 6/14/2022      **Final action:**  
**Title:** APPROVE A NO COST TIME EXTENSION AMENDMENT NO. 02 TO THE GRANT AGREEMENT 4600004144 (CONSIDERED PHASE 1 OF RECLAIMED AREA 10), WITH SOUTH FLORIDA WATER MANAGEMENT DISTRICT FOR PROVIDING SUPPLEMENTARY FUNDING FOR CONSTRUCTION OF RECLAIMED WATER MAIN WITHIN THE SW NEIGHBORHOOD IMPROVEMENTS PROJECT AND AS PART OF THEIR COOPERATIVE FUNDING PROGRAM FOR ALTERNATIVE WATER SUPPLY.  
**Sponsors:** Utilities Department  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Agenda Cover Report, 2. Amd #2 to Agreement No. 4600004144 with SFWMD for grant funds.pdf, 3. Legal Review Amd. #2 to grant Agreement with SFWMD.pdf

Date	Ver.	Action By	Action	Result
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**TO:** Mayor and Commissioners  
**FROM:** Hassan Hadjimiry, P.E. Utilities Director  
**THROUGH:** Terrence R. Moore, ICMA-CM  
**DATE:** June 14, 2022

APPROVE A NO COST TIME EXTENSION AMENDMENT NO. 02 TO THE GRANT AGREEMENT 4600004144 (CONSIDERED PHASE 1 OF RECLAIMED AREA 10), WITH SOUTH FLORIDA WATER MANAGEMENT DISTRICT FOR PROVIDING SUPPLEMENTARY FUNDING FOR CONSTRUCTION OF RECLAIMED WATER MAIN WITHIN THE SW NEIGHBORHOOD IMPROVEMENTS PROJECT AND AS PART OF THEIR COOPERATIVE FUNDING PROGRAM FOR ALTERNATIVE WATER SUPPLY.

### **Recommended Action:**

Motion to approve and execute amended Grant Agreement No. 4600004144-A02 with South Florida Water Management District (SFWMD) for providing supplementary funding for installation of reclaimed water main within the SW Neighborhood Improvement Project, and for remaining work along NE 2nd Street, from NE 4th Avenue, to NW 2nd Avenue (considered Phase 1 of Reclaimed Area 10), as part of their Cooperative Funding Program for Alternative Water Supply (AWS).

### **Background:**

The SFWMD Governing Board at its December 12, 2019 meeting, approved entering into a Grant Agreement (Agreement) No. 4600004144 with the City of Delray Beach in the amount of \$450,000 for AWS reclaimed water main construction along SW 4th Street, including SW 6th Street, SW 7th Avenue and SW 3rd Court (considered Reclaimed Area 14), as well as NE 2nd Street from NE 4th Avenue to NW 2nd Avenue (considered Phase 1 of Reclaimed Area 10). The original term of the

Agreement was five hundred sixty-six (566 days). On May 18, 2021, City Commission approved a no cost time extension first amendment Grant Agreement No. 4600004144-A01, with an effective date of July 1, 2021, and to extend the Agreement by one (1) year to June 30, 2022. All other terms of the Agreement remained unchanged. Pending work under (Phase 1 Reclaimed Area 10), to install approximately 1,600 linear feet of 12-inch reclaimed water pipeline, and has been delayed due to supply chain materials, and pending permit from Florida East Coast Railway for Jack and Bore, to complete the construction.

The Agreement is being amended to extend the period of performance, revise the Statement of Work, and revise the Payment Deliverable Schedule of the Agreement.

The new terms and conditions of the amended Agreement are as follows:

The term of the Agreement is hereby extended by one (1) year and the expiration date as amended, is June 20, 2023. Regardless of the actual date of execution of AMENDMENT NO. 02 shall be effective July 1, 2022.

This AMENDMENT NO. 02 shall be a no additional cost to SFWMD.

The Statement of Work, attached as Exhibit "A1" to the Agreement, is hereby amended by revising the Work Breakdown Structure as set forth "A2", attached hereto and made a part of this AMENDMENT NO. 2.

The Payment and Deliverable Schedule are also hereby revised in accordance with Exhibit "B2", attached here and made part of this AMENDMENT NO. 02.

All other terms and conditions of the Agreement remain unchanged.

Staff requests Commission to accept the amended grant award agreement and authorize the Mayor to execute the agreement for the City.

**City Attorney Review:**

This document is approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

Not Applicable

**Timing of Request:**

This request is time sensitive and it keeps the project on schedule.