



## Legislation Details (With Text)

<b>File #:</b>	22-1131	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Request	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	8/17/2022	<b>In control:</b>		City Commission	
<b>On agenda:</b>	9/19/2022	<b>Final action:</b>			
<b>Title:</b>	APPROVE A NO COST TIME EXTENSION AMENDMENT NO. 01 TO GRANT AGREEMENT 46000004358 (CONSIDERED PHASE 2 OF RECLAIMED AREA 10), WITH SOUTH FLORIDA WATER MANAGEMENT DISTRICT FOR PROVIDING SUPPLEMENTARY FUNDING FOR CONSTRUCTION OF RECLAIMED WATER TRANSMISSION ALONG SE 1st AVE, SE 1st ST, SW 1st ST, NE 2nd Ave, AND NE 1st St.				
<b>Sponsors:</b>	Utilities Department				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Agenda Cover Report, 2. Legal Review Amd #1 to Grant Agreement with SFWMD Reclaimed Area 10_.pdf, 3. Amd #1 to Agreement No. 4600004358 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:** September 19, 2022

APPROVE A NO COST TIME EXTENSION AMENDMENT NO. 01 TO GRANT AGREEMENT 46000004358 (CONSIDERED PHASE 2 OF RECLAIMED AREA 10), WITH SOUTH FLORIDA WATER MANAGEMENT DISTRICT FOR PROVIDING SUPPLEMENTARY FUNDING FOR CONSTRUCTION OF RECLAIMED WATER TRANSMISSION ALONG SE 1<sup>st</sup> AVE, SE 1<sup>st</sup> ST, SW 1<sup>st</sup> ST, NE 2<sup>nd</sup> Ave, AND NE 1<sup>st</sup> St.

### **Recommended Action:**

Motion to approve and execute amended Grant Agreement (Agreement) No. 46000004358-A01 with the South Florida Water Management District (SFWMD) for providing supplementary funding for construction of reclaimed water transmission main for Area 10 (Phase 2) project, along SE 1<sup>st</sup> Ave, SE 1<sup>st</sup> St, SW 1<sup>st</sup> St, NE 2<sup>nd</sup> Ave, and NE 1<sup>st</sup> St, as part of their Cooperative Funding Program for Alternative Water Supply (AWS).

### **Background:**

On November 12, 2020, the SFWMD Board approved a list of grant recipients which included the City of Delray Beach in the amount of \$660,000 for the reference project. On May 18, 2021, the City Commission approved Grant Agreement No. 4600004358 for AWS, Reclaimed Water Construction along SE 1<sup>st</sup> Ave, SE 1<sup>st</sup> St, SW 1<sup>st</sup> St, NE 2<sup>nd</sup> Ave, and NE 1<sup>st</sup> St. The original term of the Agreement was seven hundred eighteen days (718) days effective November 12, 2020, through October 31, 2022. Pending work under this Agreement has been delayed due to supply chain in receiving materials, and Florida East Coast Railway (FEC) Permit.

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 eight (8) months and the expiration date, as amended, is June 30, 2023. Regardless of the actual date of execution, this AMENDMENT NO. 01 shall be effective upon the date of execution.

This AMENDMENT NO. 01 shall be at no additional cost to SFWMD.

The Statement of Work, attached as Exhibit "A" to the Agreement, is hereby amended by revising the Work Breakdown Structure as set forth in Exhibit "A1", attached hereto and made a part of this AMENDMENT NO. 01.

The Payment and Deliverable Schedule is also hereby revised in accordance with Exhibit "B1" attached hereto and made part of this AMENDMENT NO. 01.

All other terms and conditions of the Agreement remain unchanged.

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

**City Attorney Review:**

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.

**Attachments:**

1. SFWMD Grant Agreement No. 46000004358-A01
2. Legal Review Checklist