



Agenda Item Request Form

1-25-2022 Commission Meeting

ITEM: Consideration of Amendment No.3 to extend the subrecipient agreement between the Department of Environmental Protection and the City of Panama City for the Panama City Kings Bayou / Pretty Bayou Sewer and Water Expansion Phase II

BACKGROUND INFORMATION: Amendment No. 3 increases the amount of the original Agreement (effective May 18, 2020 for \$499,520) by \$3,000,000 as requested under the 2021- 2022 General Appropriations Act. The total funding for this Agreement is now \$3,499,520.

The project will include installation of approximately 16,000 linear feet of low-pressure sewer in the planning area with connection to existing sewer main. 15,400 linear feet of potable water main are also to be installed in the planning area to connect to the existing water system. 35 added fire hydrants in the planning area will increase coverage and provide more fire protection.

DEPARTMENT HEAD RECOMMENDATION: Recommendation to approve by the Public Works Director

Budget Impact

Budgeted? Yes: No: How Much budgeted?

If more, where do you suggest funds come from?

Cost Center Affected:

Personnel \$ Click here to enter text.

Operating \$

Capital \$

Revenue \$

Requested By: Jared Jones

Date: 01/20/2022

**AMENDMENT NO. 3
TO AGREEMENT NO. LPA0035
BETWEEN
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
AND
CITY OF PANAMA CITY**

This Amendment to Agreement No. LPA0035 (Agreement), as previously amended on October 10, 2020 and May 5th 2021, is made by and between the Department of Environmental Protection (Department), an agency of the State of Florida, and City of Panama City (Grantee), on the date last signed below.

WHEREAS, the Department entered into the Agreement with the Grantee for Panama City Kings Bayou/Pretty Bayou Sewer and Water System Expansion Phase II (Project), effective May 18, 2020; and,

WHEREAS, funding in the amount of \$499,520 was provided under Line Item 1635A of the 2020-2021 General Appropriations Act for this Project; and,

WHEREAS, \$3,000,000 in additional funding for this Project was provided under Line Item 1607A of the 2021-2022 General Appropriations Act; and the total funding for this Agreement is now \$3,499,520; and,

WHEREAS, the Grantee has requested a revision in the scope of work, a reallocation of the budget for the project, and an extension of the Agreement is needed to complete the work with the additional funding; and,

WHEREAS, the parties wish to amend the Agreement as set forth herein, needed due to unforeseen circumstances and delays; and,

WHEREAS, certain provisions of the Agreement need revision.

NOW THEREFORE, the parties agree as follows:

1. The Agreement is effective until March 31, 2024. The reimbursement period for this Agreement begins on July 1, 2020 and ends at the expiration of the Agreement. The Department and the Grantee shall continue to perform their respective duties during this extension period pursuant to the same terms and conditions provided in the Agreement.
2. **Attachment 3-2, Grant Work Plan**, is hereby deleted in its entirety and replaced with **Attachment 3-3, Revised Grant Work Plan**, as attached to this Amendment and hereby incorporated into the Agreement. All references in the Agreement to **Attachment 3-2** shall hereinafter refer to **Attachment 3-3, Revised Grant Work Plan**.
3. **Attachment 5, Special Audit Requirements**, is hereby deleted in its entirety and replaced with **Attachment 5-1, Revised Special Audit Requirements**, attached hereto and made a part of the Agreement. All references in the Agreement to **Attachment 5**, shall hereinafter refer to **Attachment 5-1, Revised Special Audit Requirements**.
4. All other terms and conditions of the Agreement remain in effect. If and to the extent that any inconsistency may appear between the Agreement and this Amendment, the provisions of this Amendment shall control.

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The parties agree to the terms and conditions of this Amendment and have duly authorized their respective representatives to sign it on the dates indicated below.

CITY OF PANAMA CITY

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: _____
Greg Brudnicki, Mayor

By: _____
Secretary or Designee

Date: _____

Date: _____

George Frisby, DEP Grant Manager

Gabby Vega-Molnar, DEP QC Reviewer

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

Specify Type	Letter/ Number	Description (include number of pages)
<u>Attachment</u>	<u>3-3</u>	<u>Revised Grant Work Plan (4 Pages)</u>
<u>Attachment</u>	<u>5-1</u>	<u>Revised Special Audit Requirements (6 Pages)</u>

**ATTACHMENT 3-3
REVISED GRANT WORK PLAN**

PROJECT TITLE: Panama City Kings Bayou/Pretty Bayou Sewer and Water System Expansion Phase II

PROJECT LOCATION: The Project will be located in the Pretty Bayou Subdivision, within the City of Panama City, in Bay County; Lat/Long (30.12025, -85.6972). See Figure 1 for a location map and planning area.

PROJECT BACKGROUND: The Grantee has a five-mile service area within Bay County that is currently using septic systems. Most of the area is located bayfront or on man-made canals ultimately draining into St. Andrews Bay. The project will include installation of low- pressure sewer in the planning area and connection to existing sewer main, which will require capacity upgrades to one municipal lift station. Additionally, a new potable water main and more fire hydrants are also to be installed in the planning area. The new water main will connect to the existing water system in the surrounding area, improve fire hydrant area coverage, and limit the number of dead-end water mains. The project will benefit the public by improving water quality and providing centralized sewer collection, potable water distribution, and additional fire protection.

PROJECT DESCRIPTION: The Project will include the design and construction of approximately 16,000 linear feet of low-pressure sewer, capacity upgrades to one existing municipal lift station, 15,400 linear feet of potable water main, and installation of 35 fire hydrants in the planning area; and connection to existing central sewer and potable drinking water system.

The Grantee does not anticipate that the funding under this Agreement will result in a fully completed project, so this Agreement will cover a portion of the work.

TASKS: All documentation should be submitted electronically unless otherwise indicated.

Task 1: Design and Permitting

Deliverables: The Grantee will complete the design of the Sewer and Water System Expansion and obtain all necessary permits for construction of the project.

Documentation: The Grantee will submit: 1) a signed acceptance of the completed work to date, as provided in the Grantee's Certification of Payment Request; and 2) a summary of design (or preconstruction) activities to date, indicating the percentage of design completion for the time period covered in the payment request. For the final documentation, the Grantee will also submit a copy of the design completed with the funding provided for this task and a list of all required permits identifying issue dates and issuing authorities.

Performance Standard: The Department's Grant Manager will review the documentation to verify that the deliverables have been completed as described above. Upon review and written acceptance by the Department's Grant Manager, the Grantee may proceed with payment request submittal.

Payment Request Schedule: The Grantee may submit a payment request for cost reimbursement no more frequently than monthly.

Task 2: Bidding and Contractor Selection

Deliverables: The Grantee will prepare a bid package, publish a public notice, solicit bids, conduct pre-bid meetings, and respond to bid questions in accordance with the Grantee's procurement process, to select one or more qualified and licensed contractors to complete construction of the Sewer and Water System Expansion.

Documentation: The Grantee will submit: 1) the public notice of advertisement for the bid; 2) the bid package; and 3) a written notice of selected contractor(s).

Performance Standard: The Department's Grant Manager will review the documentation to verify that the deliverables have been completed as described above. Upon review and written acceptance by the Department's Grant Manager, the Grantee may proceed with payment request submittal.

Payment Request Schedule: The Grantee may submit a payment request for cost reimbursement following the conclusion of the task.

Task 3: Project Management

Deliverables: The Grantee will perform project management, to include field engineering services, construction observation, site meetings with construction contractor(s) and design professionals, and overall project coordination and supervision.

Documentation: The Grantee will submit interim progress status summaries including summary of inspection(s), meeting minutes and field notes, as applicable.

Performance Standard: The Department's Grant Manager will review the documentation to verify that the deliverables have been completed as described above. Upon review and written acceptance by the Department's Grant Manager, the Grantee may proceed with payment request submittal.

Payment Request Schedule: The Grantee may submit a payment request for cost reimbursement no more frequently than monthly.

Task 4: Construction

Deliverables: The Grantee will construct Sewer and Water System Expansion in accordance with the construction contract documents.

Documentation: The Grantee will submit 1) a copy of the final design; 2) a signed acceptance of the completed work to date, as provided in the Grantee's Certification of Payment Request; and 3) a signed Engineer's Certification of Payment Request.

Performance Standard: The Department's Grant Manager will review the documentation to verify that the deliverables have been completed as described above. Upon review and written acceptance by the Department's Grant Manager, the Grantee may proceed with payment request submittal.

Payment Request Schedule: The Grantee may submit a payment request for cost reimbursement no more frequently than monthly.

PROJECT TIMELINE & BUDGET DETAIL: The tasks must be completed by, and all documentation received by, the corresponding task end date.

Task No.	Task Title	Budget Category	Budget Amount	Task Start Date	Task End Date
1	Design and Permitting	Contractual Services	\$5,000	07/01/2019	09/30/2023
2	Bidding and Contractor Selection	Contractual Services	\$5,000	07/01/2019	09/30/2023
3	Project Management	Contractual Services	\$5,000	07/01/2019	09/30/2023
4	Construction	Contractual Services	\$3,484,520	07/01/2019	09/30/2023
Total:				\$3,499,520	

Note that, per Section 8.h. of Attachment 1, authorization for continuation and completion of work and any associated payments may be rescinded, with proper notice, at the discretion of the Department if the Legislature reduces or eliminates appropriations. Extending the contract end date carries the risk that funds for this project may become unavailable in the future. This should be a consideration for the Grantee with this and future requests for extension.

Figure 1. Location Map and Planning Area

