RESOLUTION NO. 23R-06-154

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE FIRST AMENDMENT TO AGREEMENT NUMBER LPA0181 BETWEEN THE CITY OF LAUDERHILL AND THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) FOR THE LAUDERHILL SOUTHEAST WATER SERVICE PROJECT TO EXTEND THE POTABLE WATER SYSTEM TO WEST KEN LARK AND THE SURROUNDING COMMUNITY; PROVIDING FOR AN EXTENSION OF TIME THROUGH APRIL 30, 2025 TO COMPLETE THE PROJECT; PROVIDING FOR TERMS AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, DESORAE GILES-SMITH)

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA:

SECTION 1. The First Amendment to Agreement Number LPA0181 between the City of Lauderhill and the Florida Department of Environmental Protection (FDEP) for the Lauderhill Southeast Water Service Project to extend the potable water system regarding West Ken Lark and the surrounding community, providing for an extension of time through April 30, 2025 to complete the project, a copy of which is attached hereto and incorporated herein is hereby approved.

SECTION 2. Authorizing the City Manager to execute the First Amendment to Agreement Number LPA0181 between the City of Lauderhill and the Florida Department of Environmental Protection (FDEP) for the Lauderhill Southeast Water Service Project regarding West Ken Lark, and any other documents necessary to effectuate the intent of this Resolution.

SECTION 3. Providing that a copy of this Resolution shall be forwarded to the Florida Department of Environmental Protection.

SECTION 4. This Resolution shall become effective immediately upon adoption.

DATED this 26 day of June, 2023.

PASSED AND ADOPTED on first reading this 26 day of June, 2023.

PRESIDING OFFICER

ATTEST:

CITY CLERK

MOTION	L. Martin
SECOND	S. Martin

M. DUNN	Yes
D. GRANT	Yes
L. MARTIN	Yes
S. MARTIN	Yes
K. THURSTON	Yes

Approved as to Form

Angel Petti Rosenberg

Angel Petti Rosenberg
City Attorney

City of Lauderhill

City Commission
Chambers at City Hall
5581 W. Oakland Park Blvd.
Lauderhill, FL, 33313
www.lauderhill-fl.gov

File Details

File Number: 23R-5139

File ID:	23R-5139	**Type:**	Resolution	**Status:**	Agenda Ready
Version:	1	**Reference:**		**In Control:**	City Commission Meeting
				File Created:	05/30/2023
File Name:	First Amendment to Southeast Water Connect LPA0181			**Final Action:**	

Title: **RESOLUTION NO. 23R-06-154: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE FIRST AMENDMENT TO AGREEMENT NUMBER LPA0181 BETWEEN THE CITY OF LAUDERHILL AND THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) FOR THE LAUDERHILL SOUTHEAST WATER SERVICE PROJECT TO EXTEND THE POTABLE WATER SYSTEM TO WEST KEN LARK AND THE SURROUNDING COMMUNITY; PROVIDING FOR AN EXTENSION OF TIME THROUGH APRIL 30, 2025 TO COMPLETE THE PROJECT; PROVIDING FOR TERMS AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, DESORAE GILES-SMITH).**

Notes:

Sponsors:	Giles	**Enactment Date:**	
Attachments:	RES-23R-06-154-1st Amdmt Grant Agreemt-FDEP-West Ken Lark.pdf, FDEP Grant No. LPA0181 - Amendment No. 1	**Enactment Number:**	
Contact:		**Hearing Date:**	
*** Drafter:**	tdorsett@lauderhill-fl.gov	**Effective Date:**	
Related Files:			

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File 23R-5139

RESOLUTION NO. 23R-06-154: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE FIRST AMENDMENT TO AGREEMENT NUMBER LPA0181 BETWEEN THE CITY OF LAUDERHILL AND THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) FOR THE LAUDERHILL SOUTHEAST WATER SERVICE PROJECT TO EXTEND THE

POTABLE WATER SYSTEM TO WEST KEN LARK AND THE SURROUNDING COMMUNITY; PROVIDING FOR AN EXTENSION OF TIME THROUGH APRIL 30, 2025 TO COMPLETE THE PROJECT; PROVIDING FOR TERMS AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, DESORAE GILES-SMITH).

Request Action:

A resolution is requested from the City Commission to approve the first amendment to agreement No. LPA0181 between the City and FDEP to extend the allowable time for completion to April 30, 2025.

Need:

Action is required to extend the terms of the contract to April 30, 2025 which will allow the city to extend the potable water system to the West Ken Lark and the surrounding community.

Summary Explanation/ Background:

The City and FDEM entered onto the original agreement for the purpose of bringing potable water to the West Ken Lark area and the surrounding community. This project will extend the City's potable water system in an effort to provide the needed services and correct the poor water quality, low pressure and water loss within the system. The original date of completion was October 31, 2023.

Staff was required to complete an Environmental Review to ensure compliance with the funding source. The ER took approximately 8 months to complete, which caused a delay in the project. This extension will allow funding to remain active until April 30, 2025.

Attachments:

1. Amendment No. 1 - LPA0181

Cost Summary/ Fiscal Impact:

Funds are budgeted in the appropriate budget codes. No general funds expenditures are required.

Estimated Time for Presentation:

None.

Master Plan:

Goal 1: Clean, Green Sustainable Environment

[ ] Increase mass transit ridership [ ] Reduce City energy consumption
[ ] Reduce water consumption

Goal 2: Safe and Secure City of Lauderhill

[ ] Crime in lower 50% in Broward [ ] Residents feel safe in neighborhood
[ ] Reduce emergency fatalities

Goal 3: Open Spaces and Active Lifestyle for all ages

[ ] Increase participation in youth sports [ ] Add new park land and amenities
[ ] Increase attendance at cultural programs and classes

Goal 4: Growing Local Economy, Employment and Quality of Commercial Areas

[ ] Increase commercial tax base [ ] Increase employment in Lauderhill businesses

[ ] Decrease noxious and blighted uses in commercial areas

Goal 5: Quality Housing at all Price Ranges and Attractive Communities

[ ] Neighborhood signs and active HOAs [ ] Housing & streets improved, litter reduced

[ ] Increase proportion of single family homes and owner occupied housing

Goal 6: Efficient and Effective City Government, Customer Focused & Values Diversity

[ ] Improves City efficiency [ ] Increase use of Information Technology

[ ] Increases residents perception of Lauderhill as an excellent place to live

AMENDMENT NO. 1
TO AGREEMENT NO. LPA0181
BETWEEN
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
AND
CITY OF LAUDERHILL

This Amendment to Agreement No. LPA0181 (Agreement) is made by and between the Department of Environmental Protection (Department), an agency of the State of Florida, and the City of Lauderhill (Grantee), on the date last signed below.

WHEREAS, the Department entered into the Agreement with the Grantee for Lauderhill Southeast Water Service Project (Project), effective March 8, 2022; and,

WHEREAS, the Grantee has requested a budget reallocation for the Project; and,

WHEREAS, the Grantee has requested an extension of the Agreement due to permitting delays; and,

WHEREAS, other changes to the Agreement are necessary; and,

WHEREAS, the parties have agreed to amend the Agreement as set forth herein.

NOW THEREFORE, the parties agree as follows:

1. Section 3. of the Standard Grant Agreement is hereby revised to change the Date of Expiration to April 30, 2025. 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. Section 6. of the Standard Grant Agreement is hereby revised to the following:

Department's Grant Manager	**Grantee's Grant Manager**
Name: Katie Verdesca	Name: Tameka L. Dorsett-Black
Address: Fl. Dept of Environmental Protection	Address: City of Lauderhill
3900 Commonwealth Blvd.	5581 W. Oakland Park Boulevard
Tallahassee, FL 32399	Lauderhill, FL 33313
850-245-2840	Phone: 954-777-2045
Email: katie.verdesca@FloridaDEP.gov	Email: tdorsett@lauderhill-fl.gov

3. Attachment 3, Grant Work Plan, is hereby deleted in its entirety and replaced with Attachment 3-1, Revised Grant Work Plan, as attached to this Amendment and hereby incorporated into the Agreement. All references in the Agreement to Attachment 3 shall hereinafter refer to Attachment 3-1, Revised Grant Work Plan.

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.

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 LAUDERHILL

By: _____
Authorized Signature

Desorae Giles-Smith, City Manager
Print Name and Title

Date: 5-18-2023

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: _____
Secretary or Designee

Angela Knecht, Division Director
Print Name and Title

Date: _____

Katie Verdesca, DEP Grant Manager

Kathleen Downey, DEP QC Reviewer

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

Specify Type	Letter/ Number	Description
Attachment	3-1	Revised Grant Work Plan

ATTACHMENT 3-1
REVISED GRANT WORK PLAN

PROJECT TITLE: Lauderhill Southeast Water Service Project

PROJECT LOCATION: The Project will be located in the City of Lauderhill, within Broward County; Lat/Long (26.1415, -80.1921) See Figure 1 for a location map.

PROJECT BACKGROUND: The City of Lauderhill (Grantee) previously annexed the area adjacent to Ken Lark Park from Broward County. In an effort to bring potable water to the surrounding community, the Grantee plans to install the required infrastructure in phases. This project will extend the City's potable water system in an effort to provide the needed services and correct the poor water quality, low pressure and water loss within the system.

PROJECT DESCRIPTION: The Project will cover Phase 1 of the Lauderhill Southeast Water Service (Ken Lark Park Watermain), which starts at the Southeast corner of the Cassa at Georgetown subdivision and connects to the existing Broward County watermain. The Grantee will install approximately 711 linear feet of 12-inch watermain, terminating at NW 33rd Avenue.

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 Lauderhill Southeast Water Service Project 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 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: 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 3: Construction

Deliverables: The Grantee will construct the Lauderhill Southeast Water Service Project 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.

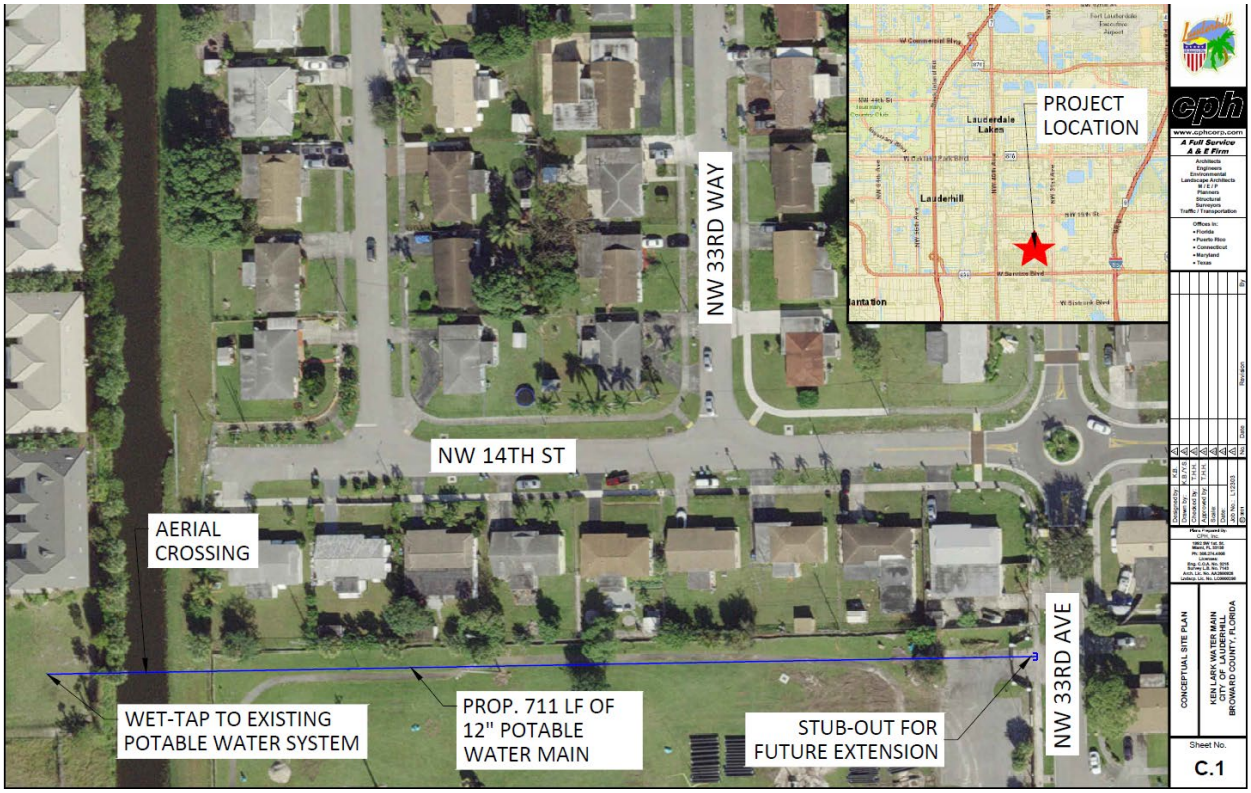
PROJECT TIMELINE & BUDGET DETAIL:

The tasks must be completed by, and all documentation received by, the corresponding task end date. Cost reimbursable grant funding must not exceed the budget amounts as indicated below.

Task No.	Task Title	Budget Category	Grant Amount	Task Start Date	Task End Date
1	Design and Permitting	Contractual Services	$46,125.00	07/01/2021	10/31/2024
2	Project Management	Contractual Services	$3,500.00	07/01/2021	10/31/2024
3	Construction	Contractual Services	$200,375.00	07/01/2021	10/31/2024
		Total:	$250,000.00		

Note that, per Section 8.h. of Attachment 1 in the Agreement, 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



REMAINDER OF PAGE INTENTIONALLY LEFT BLANK