

TAB 6



City of Palmetto Agenda Item

Meeting Date

02/07/11

Presenter: **Allen Tusing**

Department: **Public Works**

Title: LP 8966 Palmetto Collection System Rehabilitation System (I & I)

Background: The City was awarded a \$500,000 grant from DEP to improve the Collection Rehabilitation System within the City.

The City has completed the Annual progress report for 1/1/10-12/31/10 and due to cost savings has determined that there are remaining funds of \$98,733.49. City wants to continue the rehabilitation of old sewer lines and manholes in System I. The City has requested an additional 1 year extension from the grant agency for the period of 2/1/11-1/31/12 to complete the work. The additional work that will be done will be lining of additional lines in System I which is the area closest to the Wastewater Treatment Plant. This work will be completed within 90 days and the grant will be finished. The reports that have been generated pre and post has shown a significant improvement during rain events. We still have a lot of work to perform and I&I is an ongoing project.

Budgeted Amount: \$0.00 **Budget Page No(s):** **Available Amount:** \$0.00 **Expenditure Amount:** \$0.00

Additional Budgetary Information:

Funding Source(s): Grant **Sufficient Funds Available:** Yes No **Budget Amendment Required:** Yes No **Source:**

City Attorney Reviewed: Yes No N/A **Advisory Board Recommendation:** For Against N/A **Consistent With:** Yes No N/A

Potential Motion/Direction Requested: Approve the Mayor to execute and sign Amendment 2 to extend the grant end date.

Staff Contact: Allen Tusing

Attachments: Amendment 2 - LP8966

**STATE FINANCIAL ASSISTANCE AGREEMENT
DEP AGREEMENT NO. LP8966
CITY OF PALMETTO
AMENDMENT NO. 2**

THIS AGREEMENT as entered into on the 12th day of January, 2009, and amended on the 1st day of February, 2010, between the FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (hereinafter referred to as the "Department") and the CITY OF PALMETTO (hereinafter referred to as the "Grantee" or "Recipient") is hereby amended.

WHEREAS, the Grantee has requested an extension of the term of the Agreement in order to complete the project as planned; and,

WHEREAS, it has been determined that an extension of time to complete the project would be in the best interest of the State; and,

WHEREAS, the Grantee understands that certification forward of State Fiscal Year 2008-2009 funds supporting this Amendment beyond June 30th of each year is subject to the approval of the Governor's Office; and,

WHEREAS, the Grantee has requested an end date that extends beyond the current authorized funding period; and,

WHEREAS, the Grantee understands that if the Governor's Office does not approve the Department's request to certify the funds forward, the Grantee will not be eligible for reimbursement for the activities covered by the remaining unpaid State Fiscal Year 2008-2009 funds; and,

WHEREAS, it is necessary to reinstate this Agreement and extend it in order to allow the Grantee to complete the project; and,

WHEREAS, additional changes to the Agreement are necessary;

NOW, THEREFORE, the parties hereto agree as follows:

1. Section 2. is hereby revised to change the completion date of the Agreement from January 31, 2010, to January 31, 2011, and to include the following language as a separate paragraph.

The Grantee understands and agrees that certification forward of the State Fiscal Year 2008-2009 funds supporting this Agreement beyond June 30th of each year is subject to the approval of the Governor's Office.

2. Attachment A, Project Work Plan, is hereby amended to extend the date of completion for the project to January 31, 2012.

3. The Agreement, as amended, is modified to include the following:

The Immigration Reform and Control Act of 1986 prohibit employers from knowingly hiring illegal workers. The Grantee shall only employ individuals who may legally work in the United States - either U.S. citizens or foreign citizens who are authorized to work in the U.S. The Grantee shall use the U.S. Department of Homeland Security's E-Verify Employment Eligibility Verification system (<http://www.uscis.gov/portal/site/uscis>) to verify the employment eligibility of:

- all persons employed by the Grantee, during the term of this Agreement, to perform employment duties within Florida; and,
- all persons (including subcontractors and subrecipients) assigned by the Grantee to perform work pursuant to this Agreement.

The Grantee shall include this provision in all subcontracts/subgrants it enters into for the performance of work under this Agreement.

In all other respects, the Agreement of which this is an Amendment, and attachments relative thereto, shall remain in full force and effect.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

This Amendment 2 to State Financial Assistance Agreement LP8966 shall be executed in two or more counterparts, either of which shall be regarded as an original and all of which constitute but one and the same instrument.

IN WITNESS WHEREOF, the Department has caused this amendment to the State Financial Assistance Agreement to be executed on its behalf by the Deputy Director of the Department and the Grantee has caused this amendment to be executed on its behalf by its Authorized Representative. The effective date of this amendment shall be as set forth below by the Deputy Director of the Department of Environmental Protection, Division of Water Resource Management.

CITY OF PALMETTO

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: _____
Mayor

By: _____
Deputy Director
Division of Water Resource Management

Date: _____

Date: _____

Tommy Williams, DEP Grant Manager

*For Agreements with governmental boards/commissions: If someone other than the Chairman signs this Amendment, a resolution, statement or other document authorizing that person to sign the Amendment on behalf of the Grantee must accompany the Amendment.