

TAB 6



City of Palmetto Agenda Item

Meeting Date

5/16/11

Presenter: Allen R. Tusing, Director

Department: Public Works

Title:

**Aquifer Storage and Recovery (ASR) Project
COP Job # 04- 427**

Background:

The City of Palmetto is currently pursuing the use of Reclaimed Water Aquifer Storage Recovery (ASR) as a means to better manage the existing reuse system and maximize reclaimed water supplies. This project will also insure that sufficient reclaimed water is available for reuse customers, facilitate continued expansion of the City's reuse system and offset potable water usage typically used for irrigation.

On January 24, 2007, SWFWMD and the City entered into an Agreement for the design, construction testing, and operational permitting for the ASR well. Funding was approved by the Basin Board, for fifty percent (50%) of the total project cost.

The project has been on hold due to processes being developed to resolve the mobilization of arsenic in the aquifer, SWFWMD and staff is proposing to revise the project timelines and extend the contract period as outlined in the attached Amendment.

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

Additional Budgetary Information:

Funding Source(s): **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: Authorize Mayor to execute Amendment to Agreement with SWFWMD.

Staff Contact: Allen R. Tusing, Director

Attachments: - First Amendment to Agreement

FIRST AMENDMENT
TO AGREEMENT BETWEEN THE
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
AND
CITY OF PALMETTO
FOR
CITY OF PALMETTO RECLAIMED WATER ASR PROJECT (L608)

This FIRST AMENDMENT entered into and effective this 29th day of April 2011 by and between the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT, a public corporation of the State of Florida, whose address is 2379 Broad Street, Brooksville, Florida 34604-6899, for itself and on behalf of the Manasota Basin Board, hereinafter collectively referred to as the "DISTRICT," and CITY OF PALMETTO, a municipal corporation of the State of Florida, whose address is 516 8th Avenue West, Palmetto, Florida, 34220-1209, hereinafter referred to as the "CITY."

WITNESSETH:

WHEREAS, the DISTRICT and the CITY entered into an Agreement effective January 24, 2007 (Original Agreement), for the design, construction, testing, and operational permitting of a reclaimed water Aquifer Storage and Recovery (ASR) well; and

WHEREAS, the parties hereto wish to amend the Original Agreement to revise the project timelines and extend the contract period due to project delays from the need to develop processes to overcome the mobilization of arsenic in the aquifer as a result of the ASR.

NOW THEREFORE, in consideration of the mutual terms, covenants and conditions contained herein, the parties hereby mutually agree to amend the Original Agreement, effective January 24, 2007, as follows:

1. Paragraph 6, Contract Period, is hereby amended to extend the expiration date of June 30, 2011, in the Original Agreement to June 30, 2014.
2. Exhibit "A," Paragraph 5, Completion Dates, is hereby amended to commence construction on the PROJECT by October 1, 2011, and complete construction by September 30, 2012.
3. Exhibit "B," Paragraph 9, Completion Schedule, is hereby replaced in its entirety with the Completion Schedule set forth below:

9. COMPLETION SCHEDULE:

Task 1 – ASR Well System Design
Begin: By March 1, 2007

Completed: By September 30, 2011

Task 2 – ASR Well System Construction
Begin: By October 1, 2011

Completed: By September 30, 2012

Task 3 -- ASR Cycle Testing & Operational Permit
Begin: By October 1, 2012

Completed: June 30, 2014

4. The terms, covenants and conditions set forth in the Original Agreement that have not been specifically amended herein, will continue in existence, are hereby ratified, approved and confirmed, and will remain binding upon the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this FIRST AMENDMENT on the day and year set forth next to their signatures below.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

By: _____
David L. Moore, Executive Director Date

CITY OF PALMETTO

By: _____
Shirley Groover Bryant, Mayor Date

Approved as to form:

Attest:

City Attorney

By: _____
James R. Freeman, City Clerk Date

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AND
CITY OF PALMETTO
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DISTRICT APPROVAL	INITIALS	DATE
LEGAL	<i>msm</i>	<i>7/1/11</i>
RISK MGMT	<i>N/A</i>	
CONTRACTS	<i>gmx</i>	<i>4/4/11</i>
DEPT DIRECTOR	<i>MSM</i>	<i>4/14/11</i>
DEPUTY EXEC DIR	<i>G</i>	<i>4-20-11</i>
GOVERNING BOARD		<i>N/A gmx</i>