



SOUTH FLORIDA WATER MANAGEMENT DISTRICT AMENDMENT

4600002841-A01

AMENDMENT NO. 01

TO AGREEMENT NO. 4600002841

BETWEEN THE

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

AND

CITY OF NAPLES

This **AMENDMENT NO. 01**, is entered into on JUN 18 2013, to that **AGREEMENT** dated June 1, 2013, between "the Parties," the South Florida Water Management District (**DISTRICT**), and City of Naples (**CITY**).

WITNESSETH THAT:

WHEREAS, the **AGREEMENT** may be amended with the prior written approval of the Parties; and

WHEREAS, the Parties wish to amend the **AGREEMENT** in order to extend the period of performance, revise the Statement of Work, and revise the Payment and Deliverable Schedule of the **AGREEMENT**;

NOW THEREFORE, the **DISTRICT** and the **CITY**, in consideration of the mutual benefits flowing from each to the other, do hereby agree as follows:

1. The term of the **AGREEMENT** is hereby extended by four (4) months and the expiration date, as amended, is September 30, 2014. This **AMENDMENT NO. 01** shall be effective upon the date of execution by the Parties.
2. This **AMENDMENT NO. 01** shall be at no additional cost to the **DISTRICT**.
3. The Statement of Work, attached as Exhibit "A" to the **AGREEMENT**, is hereby amended in accordance with Exhibit "A1" attached hereto and made a part of this **AMENDMENT NO. 01**.

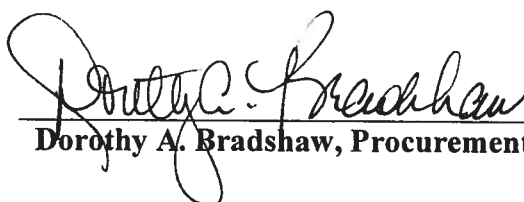


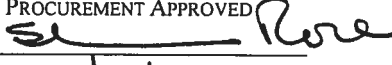

SOUTH FLORIDA WATER MANAGEMENT DISTRICT AMENDMENT

- 4. The Payment and Deliverable Schedule is also hereby revised in accordance with Exhibit "B1", attached hereto and made a part of this AMENDMENT NO. 01.
- 5. All other terms and conditions of the AGREEMENT remain unchanged.

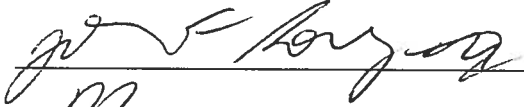
IN WITNESS WHEREOF, the Parties or their duly authorized representatives hereby execute this AMENDMENT NO. 01 on the date first written above.


SOUTH FLORIDA WATER MANAGEMENT DISTRICT

By: 
 Dorothy A. Bradshaw, Procurement Bureau Chief

SFWMD PROCUREMENT APPROVED
 BY: 
 DATE: 5/2/14 

CITY OF NAPLES

By: 
 Title: Mayor

Approved as to form and legality
 By 
 Robert D. Pritt, City Attorney

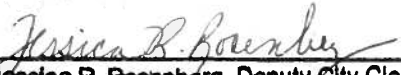
Attest:

 Jessica R. Rosenberg, Deputy City Clerk

EXHIBIT "A1"
STATEMENT OF WORK

LWC-80 – Reclaimed Water System Expansion, Phase II - North of Central Avenue
City of Naples

A. INTRODUCTION/BACKGROUND

The City of Naples (City or Recipient) is expanding the City's reclaimed water distribution system to water customers currently using potable water for irrigation. Reclaimed water as an alternative water supply for irrigation will include reclaimed water from the City's Water Reclamation Facility, the Golden Gate Canal surface water, and a combination of both stored in the City's Aquifer Storage and Recovery (ASR) wells.

In October 2008, the City Council adopted the Integrated Water Resources Plan (IWRP) along with a 5-year Capital Improvement Plan to provide an alternative water supply to residents currently using potable water for irrigation needs. The 5-year plan includes ASR wells to store excess reclaimed water and water from the Golden Gate Canal. Two ASR wells are installed and currently in cycle testing. The Golden Gate Canal pump station and transmission main was completed on October 30, 2012.

With the expanded alternative water supply, the City Council approved a Professional Services Agreement in May 2012 to provide professional engineering services for the expansion of the reclaimed water distribution system. Design is currently underway to expand the reclaimed water distribution system to customers currently using potable water for irrigation needs north of Central Avenue. The Engineer's total construction estimate to expand the reclaimed water distribution system north of Central Avenue is \$12,255,600.

On February 19, 2013, City staff presented to City Council options to expand the reclaimed water distribution system, in order to begin construction during FY2013 and take advantage of \$750,000 in funding from the South Florida Water Management District. City Council directed staff to proceed with Option T-7 to extend the reclaimed water distribution system to a portion of Gulf Shore Boulevard North at an estimated cost of \$2,032,372.00. The option chosen considers future extensions to expand the reclaimed water distribution system further as the City has budgeted \$9,000,000 for the expansion of the reclaimed water distribution system.

Construction of the reclaimed water distribution system expansion began in June 2013.

B. OBJECTIVES

The objectives of the Integrated Water Resources Plan are:

- Extend the useful life of the City's water treatment plant by delaying or eliminating the expansion of the City's water treatment plant by adding a Reverse Osmosis treatment process with brackish water supply and injection wells.

- Reduce freshwater flows to Naples Bay and eliminate discharge of reclaimed water to the Gordon River.
- Provide an inexpensive alternative water supply to the City's water customers to reduce potable water demands on the Lower Tamiami Aquifer.

The objective of the project is to expand the reclaimed water distribution system to provide alternative water supply to residents currently using potable water for irrigation.

C. SCOPE OF WORK

The scope of work for this phase of the Integrated Water Resources Plan includes the following:

- Connect to the City's existing 24-inch reclaimed water distribution main located along Goodlette Frank Road,
- Installation of approximately 7,700 linear feet of 12-inch reclaimed water distribution main and all associated valves and appurtenances from Goodlette Frank Road west along Park Shore Drive to Gulf Shore Boulevard North and south to Harbor Drive.
- Provide reclaimed water services to residential, multi-family, parks, and commercial properties along the project route.

D. WORK BREAKDOWN STRUCTURE

The work breakdown structure associated with this project is described below.

Task 1: Recipient shall submit to the **District** Project Manager(s) an electronic submittal of final project bid amount and/or vendor estimates for tasks to be completed in FY13-FY14.

Due Date: Upon Contract Execution

Task 2: Exhibit "C" – Quarterly Status Report: **Recipient** shall submit to the **District** Project Manager(s) a status report summarizing progress made to date, issues of concern potentially affecting project performance, and any other information pertinent to the project.

Due Date: September 30, 2013

Task 3: Exhibit "C" – Quarterly Status Report: **Recipient** shall submit to the **District** Project Manager(s) a status report summarizing progress made to date, issues of concern potentially affecting project performance, and any other information pertinent to the project.

Due Date: December 31, 2013

Task 4: Exhibit "C" – Quarterly Status Report: **Recipient** shall submit to the **District** Project Manager(s) a status report summarizing progress made to date, issues of concern potentially affecting project performance, and any other information pertinent to the project.

Due Date: March 31, 2014

Task 5: Exhibit "C1" – Quarterly Status Report: **Recipient** shall submit to the **District** Project Manager(s) a status report summarizing progress made to date, issues of concern potentially affecting project performance, and any other information pertinent to the project.

Due Date: June 30, 2014

Task 6: Recipient shall construct approximately 7,700 linear feet of 12-inch reclaimed water distribution main all associated valves and appurtenances / Reimbursement Request Package.
Due Date: Upon Task Completion

Task 7: Final Reimbursement Request and Project Summary Report (Exhibit "D1"): Recipient shall submit to the District Project Manager(s) the final reimbursement request package and Project Summary Report (Exhibit "D1").
Due Date: September 30, 2014

EXHIBIT "B1"
SUMMARY SCHEDULE OF TASKS AND DELIVERABLES

LWC-80 – Reclaimed Water System Expansion, Phase II - North of Central Avenue
City of Naples

- The schedule set forth below is June 1, 2013 to September 30, 2014.
- All deliverables submitted hereunder are subject to review and acceptance by the **District** Project Manager(s). Acceptability of all work will be based on the judgment of the **District** that the work is technically complete and accurate.
- Payment shall be made following receipt and acceptance by the **District** of the Reimbursement Request Package(s) in accordance with the schedule set forth below. The **Recipient** shall submit a reimbursement request upon completion of each Task noted below. If applicable, the **Recipient** shall submit a final reimbursement request package and Exhibit "D1" for payment on or before August 29, 2014. All reimbursement request packages shall be accompanied by adequate documentation to demonstrate completion of each Task in accordance with Exhibit "A1", the Statement of Work (SOW).
- Reimbursement Request Packages shall include, but not be limited to, a copy of the **Recipient's** invoice, signed certification letter for partial payment that the Task(s) is (are) complete per the SOW or that the project is complete per the SOW, copies of vendor invoices (pay applications), and any other documentation supporting payment. Reimbursement Request Packages shall adequately demonstrate completion of each Task in accordance with Exhibit "A1", the SOW.
- The **District** shall only be obligated to pay for documented actual FY2013 and FY2014 construction⁴ costs within the not-to-exceed amounts specified below. In the event actual construction costs by the **Recipient** are less than the not-to-exceed amount for a particular Task, the **Recipient** shall have the right to apply the unexpended balance toward another Task, unless the total current fiscal year construction cost has decreased. The **Recipient** shall provide prior written notice of its decision to exercise this right to the **District** Project Manager(s). If the **Recipient** does not exercise this right, the **Recipient** agrees to amend the contract to revise the approved funding consistent with the original percentage to the lower construction cost. In *no event* shall the **District's** total obligation exceed the amount specified below for the total **Agreement**; however, an actual construction cost less than the estimated construction cost *may* result in a reduced final payment. The **Recipient** is responsible for any additional funds either through local revenues, grants, other appropriations, and/or other funding sources.
- Total payment by the **District** for all work completed herein *shall not exceed* the amount of \$750,000.00. If the total consideration for this **Agreement** is subject to multi-year funding allocations, funding for each applicable fiscal year will be subject to Governing Board budgetary appropriation. In the event the **District** does not approve funding for any subsequent fiscal year, this **Agreement** shall terminate upon expenditure of the current funding, notwithstanding other provisions in this **Agreement** to the contrary.

Task No.	Deliverable(s)	Invoice Date ¹	Report Due Date	District Not-To-Exceed Payment
1	Electronic submittal of final project bid amount and/or vendor estimates for tasks to be completed in FY13-FY14	N/A	Upon Contract Execution ²	N/A
2	Exhibit "C" – Quarterly Status Report ³	N/A	September 30, 2013	N/A
3	Exhibit "C" – Quarterly Status Report ³	N/A	December 31, 2013	N/A
4	Exhibit "C" – Quarterly Status Report ³	N/A	March 31, 2014	N/A
5	Exhibit "C1" – Quarterly Status Report ³	N/A	June 30, 2014	N/A
6	Construct approximately 7,700 linear feet of 12-inch reclaimed water distribution main all associated valves and appurtenances / Reimbursement Request Package	Upon Task Completion	Upon Task Completion	\$750,000
7	a) Final Reimbursement Request Package (if applicable) b) Project Summary Report (Exhibit "D1")	August 29, 2014	August 29, 2014	N/A
Total District Funding				\$750,000
Current Fiscal Year(s) Construction Cost				\$2,032,372
Total Project Construction Cost				\$12,255,600

¹ If applicable, interim Reimbursement Request Packages shall be submitted upon completion of the task(s) noted above. Reimbursement Request Packages must be submitted on or before August 29, 2014 for FY2013-2014 tasks.

² If construction bids and vendor estimates have not been completed upon execution of the **Agreement**, the **Recipient** shall submit this information as soon as it is available to the **District** Project Manager(s).

³ Exhibit "C" Quarterly Status Reports are due within ten (10) business days of the due date.

⁴ Ineligible costs include, but not limited to, permits, as-builts, videos, early completion bonus, bonds and insurance, etc.

Note: If the project includes well drilling and testing, deliverables must include copies of all hydrogeologic data collected in the course of drilling and testing, in the **District** specified format. An electronic copy of the **District** specified format is available via email. Contact the appropriate **District** Project Manager(s) to request one.

Exhibit "C1"

Alternative Water Supply Program Quarterly Status Report

To comply with the AWS Status Report requirements specified in your contract, this form shall be completed and submitted via e-mail to your South Florida Water Management District Project Manager(s). Please attach backup documentation (e.g., pictures, drawings, etc.) that will provide an understanding of project construction to date.

Status Report - Quarter 1 2 3 4 Date: _____

Name of Person Completing Form _____

Contract Number 4600002841 Proposal Number LWC-80

Entity Name: City of Naples

Project Title: LWC-80 Reclaimed Water System Expansion, Phase II - North of Central Avenue

1. Provide a brief description of project status.

2. What is the overall status of your project (check one)?

On Schedule

Behind Schedule? Explain why. Do you expect the project to be completed on time?

3. Actual Project Construction Cost Information

	Date	Amount
Bid Document		
Final Contract (with Vendor)		
Total Expended to Date		
Change Order(s)		

Exhibit "C1" Alternative Water Supply Program Status Report

4. Construction Deliverables Status – provide the following information for each deliverable listed in Exhibit "B" of the contract:

Task No.	Exhibit "B" Deliverables	Is the Task Complete? Y/N	Estimated Finish Date*	Task Status and Comments
1	Electronic submittal of final project bid amount and/or vendor estimates for tasks to be completed in FY13-FY14	Y	Upon contract execution	
2	Exhibit "C" – Status Report	Y	9/30/13	
3	Exhibit "C" – Status Report	Y	12/31/13	
4	Exhibit "C" – Status Report	Y	3/31/14	
5	Exhibit "C1" – Status Report		6/30/14	
6	Construct approximately 7,700 linear feet of 12-inch reclaimed water distribution main and all associated valves and appurtenances		Upon Task Completion	
7	Final Reimbursement Request Package & Exhibit "D1" Project Summary Report		8/29/14	

* Note that all tasks have to be completed and invoiced by August 29th.



Exhibit "D1"

**FY2013-2014 Alternative Water Supply
Final Project Summary Report**

LWC-80 - Reclaimed Water System Expansion,
Phase II - North of Central Avenue
Project Title

Entity Project Manager

4600002841 / 9500005694
SFWMD Contract/Purchase Order Number

City of Naples
Entity Project Owner

Describe Project constructed: _____

Type of Alternative Water Supply	Quantity of Water Made Available (MGD) Upon Completion of This Phase		Construction Duration	
	Proposed	Actual	Start	Finish
Reclaimed				

Cost for this Phase (Phase refers to the current FY work)		
	Proposed (this FY)	Actual (this FY)
Total Construction Cost – This Phase	\$2,032,372.00	\$
Funding Breakdown for this Phase		
District funding this phase	\$750,000.00	\$
Local funds	\$1,282,372.00	\$
Other funding source		
From:	\$	\$
TOTAL	\$2,032,372.00	

Attach map and photo(s) of project on CD, if available. The District will make funding payments only to reimburse for work completed between June 1, 2013 and August 29, 2014.

To the best of my knowledge, the above information is correct.

Chief Financial Officer

Entity Project Manager