Agenda Report



2725 Judge Fran Jamieson Way Viera, FL 32940

Consent

F.9. 9/13/2022

Subject:

Accept and permission for County Manager to execute Florida Department of Environmental Protection (FDEP) Grant Agreement associated with the Riverside Drive Force Main Improvements - Phase 3.

Fiscal Impact:

The FDEP grant was awarded for \$14 million for the above-mentioned project with no match requirement from the County. The project cost is estimated to be \$14M. If additional funds are required to complete the project they will be provided by Utility Services funds.

Dept/Office:

Utility Services Department

Requested Action:

It is requested that the Board of County Commissioners accepts an FDEP grant for the Riverside Drive Force Main Phase 3 project and delegate authority to the County Manager to execute contracts and reimbursement requests for the grant and authorize any associated Budget Change Requests (BCR).

Summary Explanation and Background:

The Utility Services Department submitted the above mentioned project to the Florida Senate Local Funding Initiative Request for Fiscal Year 2022-23 on January 26, 2022. The requested grant amount was for \$14 million, with no matching contribution from the County. The Utility Services Department received notice of award on June 22, 2022. Project cost will be included in any needed BCR and in the Utility CIP budget for FY 2023. If additional funds are needed, the Utility Services Department has sufficient funds for the project to be completed.

The awarded funds will be applied toward installing an interconnect force main along South Patrick Drive with a ground storage tank to address surge flow conditions. This project is identified as a resiliency project to reduce discharge during high rain events. This upgrade will meet the requirements as stated in Florida Statute 403.086, which requires all wastewater discharge of domestic wastewater through ocean outfalls to be prohibited after December 31, 2025.

Deadline for the County to notify the FDEP to enter into an agreement is September 30, 2022. Upon the County's notification, the FDEP will prepare the agreement for County execution.

Clerk to the Board Instructions:

E-mail Clerk Memo to <u>karina.perez@brevardfl.gov <mailto:karina.perez@brevardfl.gov></u> and mail original Memo to Utility Services Department.



FLORIDA'S SPACE COAST

Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001 Fax: (321) 264-6972 Kimberly.Powell@brevardclerk.us



September 14, 2022

MEMORANDUM

TO: Edward Fontanin, Utility Services Director

RE: Item F.9., Accept and Permission for County Manager to execute Florida Department of Environmental Protection (FDEP) Grant Agreement associated with the Riverside Drive Force Main Improvements

The Board of County Commissioners, in regular session on September 13, 2022, accepted the FDEP grant for the Riverside Drive Force Main Phase 3 project; and delegated authority to the County Manager to execute contracts and reimbursement requests for the grant, and to authorize any associated Budget Change Requests.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

RACHEL, M. SADOFF, CLERK,

Kimberly Powell, Clerk to the Board

/ds

cc: County Manager

Finance Budget

Agreement Initiation Form

Agreement Info

Agreement Number:	LPA0418
Project Title:	Brevard County Riverside Drive Force Main Improvements
Grantee:	Brevard County
Award Amount:	\$14,000,000
Funding Source:	LP, GAA LI 1650A, FY 22-23, GR

Project Info

Answer the questions below. Enter N/A for questions that do not apply to this project.

1) What is the estimated completion date for this project?			06/29/2026	
2) What type of project delivery method will be used for this project?			Design-Bid-Build	
3) Is this project a continuation of a project for which there is already an agreement in place with DEP?			No	
4) If yes, what is the DEP Agreement Number? N/A				N/A
5) Is the project geographically located within a DEP-approved Restoration Plan (i.e. Basin Management Action Plan or Reasonable Assurance Plan) area? Yes				
6) If yes, what is the name of the Restoration Plan? Indian River Lagoon BMAP				
 The following link can be used as an interactive map to identify the BMAP status for the project: https://floridadep.gov/dear/water-quality-restoration/content/impaired-waters-tmdls-and-basin-management-action-plans 				
7) If the project is geographically located within a Restoration Plan area, will the project be identified with a project number on the Statewide Annual Report?				
8) If yes, enter the Project Name and Unique ID from the Statewide Annual Report below.				
Project Number:	Project Number: Unique ID:			
 The following link is for the Statewide Annual Report: https://floridadep.gov/dear/water-quality-restoration/content/statewide-annual-report 				

Project Location

Indicate the municipal area (e.g. city of ____, town of ____, etc.), county, project coordinates, and if work will be performed on State-owned land.

Municipal Area:	Indian Harbour Beach
County:	Brevard
Project Coordinates:	Lat/Long (28.1564, -80.5986)
Will work be performed on State-owned land?	No

	Pro	iect	Back	grou	nd
--	-----	------	------	------	----

The project background can be a brief summary (i.e. 4-6 sentences) that provides relevant information on the history and/or scope of the project. Identify: 1) what the water related issue is; 2) why the water related issue is a problem; 3) how the Grantee will provide a solution to the problem (i.e. the project); and 4) what water-related benefits will result from the completion of the project.

Summary: Large wet weather events in September 2017 resulted in extended system overflows concentrated at lift station B-20, located in the South Beaches WWTF wastewater collection system. The basin has two large stations, B-19 and B-20, which struggle to keep up with peak wet weather flows such as those experienced during the September 2017 event. A hydraulic model of the force main systems was generated to analyze the dry and wet weather flows in the system, and the performance efficiency of lift stations B-19 and B-20 was evaluated. Based on the modeling and evaluation results, the installation of a ground storage tank at lift station B-20 with pumps (a master lift station) and force main improvements to the South Beaches WWTF collection system are planned to increase system resiliency and prevent sewage overflows during storm events.

Project Decription

Provide a brief summary (2-4 sentences) that only details the work that will be completed and reimbursed with the grant funding provided under this Agreement. Indicate if the grant funding will result in a completed project.

Summary: Grant funding will be used for the design and construction of a ground storag 20, new pumps, and force main improvements to the South Beaches WWTF collection sy will result in a completed project.	
Will the funding provided in this agreement result in a fully completed project?	Yes
	L

Project Benefits

Identify the estimated future benefits that will be provided by the completion of this project. The estimated benefits should reflect the entire project. Enter N/A for the benefits that do not apply to this project.

Total Nitrogen Reduction (lb/yr):	N/A
% Reduction Total Nitrogen (lb/yr):	N/A
Total Phosphorus Reduction (lb/yr):	N/A
% Reduction Total Phosphorus (lb/yr):	N/A
# of Potential Sewer Connections:	N/A
Septic Tanks Eliminated:	N/A
Septic Systems Upgraded/Enhanced:	N/A

<u>Tasks</u>

Indicate the tasks below that apply to this project and will have costs that will be reimbursed with the grant funding provided under this Agreement. For tasks that do not apply to this project, select No and leave the corresponding questions blank.

Due Design Study	Include task in Grant Work Plan?		
Pre-Design Study	No		
This task includes studies that will be completed prior to the design phase of the project. Examples: feasibility studies, environmental assessments, etc.			
1) Provide a brief summary below of the pre-design studies that will be completed under this task.			
Summary:			
2) What type of final report/documentation will be submitted u	pon completion of th	is task?	
Summary:			
3) Will the work under this task be completed by a contractor/o	consultant?	[Select Option]	
4) If no, provide a brief summary below of how the work will be completed.			
Summary:			

Danis 1 Danis 1441	Include task in	Grant Work Plan?
Design and Permitting		Yes
This task includes activities within the design phase that are ne Design, permitting, and other preconstruction activites can be of		_
Examples: design, permits, geotechnical or topographic survey	s, hydro-analysis, wa	ter modeling, etc.
1) Will other preconstruction activities (i.e. not design/permi included within this task?	ting) be included	No
2) If yes, provide a brief summary below of the other precons	struction activities.	
Summary:		
3) Will the work under this task be completed by a contractor	c/consultant?	Yes
4) If no, provide a brief summary below of how the work wil	l be completed.	
Summary:		

n: a	lika a and Gardan dan Saladan	Include task in	Grant Work Plan?
BIO	lding and Contractor Selection	١,	Yes
This	s task includes activities within the bid phase of the project.		
Exa	mples: bidding services, public notices, pre-bid meetings, bid	packages, etc.	
1)	Will the contractor(s) for this project be selected through a c bidding process?	ompetitive	Yes
2)	If no, provide a brief summary below of how the contractor(s) will be selected.	
<u>Sum</u>	nmary:		
3)	Will the work under this task be completed by a contractor/c	consultant?	No
4)	If no, provide a brief summary below of how the work will b	pe completed.	
Sum	nmary: Bidding and contractor selection tasks will be completed	ted by Brevard Cou	unty staff.

Commention to Comment Survey	Include task in	Grant Work Plan?
Connection to Central Sewer		No
This task includes the connection of properties to central sewer. Construction of extensions to the central sewer system, which sho task. Proper abandonment of the septic systems will be required to central sewer.	ould be included in	the "Construction"
1) How many residental properties will be connected?		63
2) How many commercial properties will be connected?		128
3) Will materials or supplies for this task be directly purchased by the Grantee?		[Select Option]
4) If yes, what is the estimated cost of the materials or supplies	?	0,0100
5) Will the work under this task be completed by a contractor/consultant?		[Select Option]
6) If no, provide a brief summary below of how the work will l	be completed.	
Summary:		

Construction Include task in Grant Work Plans				
Construction				
This task includes includes the construction or installation of water related infrstructure. Examples: replacement and/or installation of piping, extensions to water systems, improvements and/or upgrades to water treatment facilities, construction of lift stations, etc.				
Will materials or supplies for this task be directly purchased by the Grantee?				
2) If yes, what is the estimated cost of the materials or supplies?		Est :		
3) Will a Florida Licsenced Professional Enginneer be able to certify the work? Yes		Yes		
4) Will the work under this task be completed by a contractor/consultant? Yes		Yes		
5) If no, provide a brief summary below of how the work will be completed.				
Summary:				

C4 J	Include task in Grant Work Plan?	
Study	No	
This task includes studies that are not connected to the design of a completion of a project.	a project or will be performed after the	
Examples: feasibility studies, environmental assessments, master	plans, project evaluation study etc.	
1) Provide a brief summary below of the studies that will be cor	mpleted under this task.	
Summary:		
2) What type of final report/documentation will be submitted up	pon completion of this task?	
Final report/documentation:		
3) Will the work under this task be completed by a contractor/co	onsultant? [Select Option]	
4) If no, provide a brief summary below of how the work will b	pe completed.	
Summary:		
-		

Include task in Grant Work Plan? **Equipment Purchase** This task includes capital outlay costing \$5,000 or more that will be directly purchased by the Grantee and will not be permanently installed or constructed. Examples: portable generators, vacuum trucks, pumps etc. 1) Provide a brief summary below of the equipment that will be completed under this task. Summary: [Select Option] 2) Will the Grantee directly purchase the equipment from a vendor? 3) If no, provide a brief summary below of how the equipment will be purchased. Summary: 4) Will installation and start-up be included in the equipment purchase? [Select Option] [Select Option] 5) If no, will there be construction or installation costs? 6) If yes, what will the estimated cost be for the construction or installation?

Tand Association	Include task in Grant Work Plan?
Land Acquisition	No
This task includes the purchase of land for acquiring interest ar access rights through ingress/egress easements, leases, lie agreements; and/or obtaining record title ownership of real property.	cense agreements or other site access
1) Provide a brief summary below of the land that will be acqu	ired/purchased under this task.
Summary:	
2) Will the land acquisition be fee simple?	[Select Option]
3) If no, will the land acquisition be less than fee simple?	[Select Option]

Othor	Include task in Grant Work Plan?
Other	No

This task includes activities that are not related to the previously listed tasks. These other activities may require a customized task to be included in the Grant Work Plan.

Examples: site clean up, site leases, muck dredging and spoil management, etc.

1)	Provide a brief summar	v below of the	land that will be	acquired/1	ourchased	under this tas	sk.
. ,	I TO TIME IS CITED SUMMING	, colon of mo	Idild Hidt Will Of	409411041	Jaionasoa	WIIGOI DIAND DOLD	,

Summary:	
----------	--

Project Timeline and Budget

Complete this table to summarize timeline and budget for the tasks identified in the previous section. Use the dropdowns to select the task titles and enter the grant amounts that will be allocated to each task. All task start dates will reflect the grant reimbursement eligibility date of July 1, 2022. The task end dates should reflect an estimated completion date for each task. Add or delete tasks as needed.

Task No.	Task Title	Grant Amount	Task Start Date	Task End Date
1	Design and Permitting	\$1,000,000	10/01/2022	03/31/2024
2	Bidding and Contractor Selection	\$0	03/31/2024	06/29/2024
3	Construction	\$13,000,000	06/29/2024	06/29/2026
4	Project Management	\$0	10/01/2022	06/29/2026
5	Select Title	\$	07/01/2022	mm/dd/yyyy
	Total:	\$14,000,000		·

Agreement Insurance Language and Requirements

Insurance

- a. <u>Insurance Requirements for Sub-Grantees and/or Subcontractors</u>. The Grantee shall require its sub-grantees and/or subcontractors, if any, to maintain insurance coverage of such types and with such terms and limits as described in this Agreement. The Grantee shall require all its sub-grantees and/or subcontractors, if any, to make compliance with the insurance requirements of this Agreement a condition of all contracts that are related to this Agreement. Sub-grantees and/or subcontractors must provide proof of insurance upon request.
- b. <u>Deductibles</u>. The Department shall be exempt from, and in no way liable for, any sums of money representing a deductible in any insurance policy. The payment of such deductible shall be the sole responsibility of the Grantee providing such insurance.
- c. <u>Proof of Insurance</u>. Upon execution of this Agreement, Grantee shall provide Department documentation demonstrating the existence and amount for each type of applicable insurance coverage *prior to* performance of any work under this Agreement. Upon receipt of written request from Department, Grantee shall furnish Department with proof of applicable insurance coverage by standard form certificates of insurance, a self-insured authorization, or other certification of self-insurance.
- d. <u>Duty to Maintain Coverage</u>. In the event that any applicable coverage is cancelled by the insurer for any reason, or if Grantee cannot get adequate coverage, Grantee shall immediately notify Department of such cancellation and shall obtain adequate replacement coverage conforming to the requirements herein and provide proof of such replacement coverage within ten (10) days after the cancellation of coverage.
- e. <u>Insurance Trust</u>. If the Grantee's insurance is provided through an insurance trust, the Grantee shall instead add the Department of Environmental Protection, its employees, and officers as an additional covered party everywhere the Agreement requires them to be added as an additional insured.

Requirements for Insurance Coverage under a purchased policy

Required Coverage. At all times during the Agreement the Grantee, at its sole expense, shall maintain insurance coverage of such types and with such terms and limits described below. The limits of coverage under each policy maintained by the Grantee shall not be interpreted as limiting the Grantee's liability and obligations under the Agreement. All insurance policies shall be through insurers licensed and authorized to issue policies in Florida, or alternatively, Grantee may provide coverage through a self-insurance program established and operating under the laws of Florida. Additional insurance requirements for this Agreement may be required elsewhere in this Agreement, however the minimum insurance requirements applicable to this Agreement are:

a. Commercial General Liability Insurance.

The Grantee shall provide adequate commercial general liability insurance coverage and hold such liability insurance at all times during the Agreement. The Department, its employees, and officers shall be named as an additional insured on any general liability policies. The minimum limits shall be \$250,000 for each occurrence and \$500,000 policy aggregate.

b. Commercial Automobile Insurance.

If the Grantee's duties include the use of a commercial vehicle, the Grantee shall maintain automobile liability, bodily injury, and property damage coverage. Insuring clauses for both bodily injury and property damage shall provide coverage on an occurrence basis. The Department, its employees, and officers shall be named as an additional insured on any automobile insurance policy.

The minimum limits shall be as follows:

\$200,000/300,000 Automobile Liability for Company-Owned Vehicles, if applicable \$200,000/300,000 Hired and Non-owned Automobile Liability Coverage

Workers' Compensation and Employer's Liability Coverage.

The Grantee shall provide workers' compensation, in accordance with Chapter 440, F.S. and employer liability coverage with minimum limits of \$100,000 per accident, \$100,000 per person, and \$500,000 policy aggregate. Such policies shall cover all employees engaged in any work under the Grant.

d. Other Insurance.

None.

Requirements for Self-Insured Governmental Entities

Required Coverage. At all times during the Agreement the Grantee, at its sole expense, shall maintain insurance coverage of such types and with such terms and limits described below. The limits of coverage under each policy maintained by the Grantee shall not be interpreted as limiting the Grantee's liability and obligations under the Agreement. Grantee shall provide coverage through a self-insurance program established and operating under the laws of Florida. Additional insurance requirements for this Agreement may be required elsewhere in this Agreement, however the minimum insurance requirements applicable to this Agreement are:

a. Comprehensive General Liability Insurance.

The Grantee shall provide adequate comprehensive general liability insurance coverage and hold such liability insurance at all times during the Agreement. The minimum limits shall be \$200,000 for each person and \$300,000 per occurrence.

b. Commercial Automobile Insurance.

If the Grantee's duties include the use of a commercial vehicle, the Grantee shall maintain automobile liability, bodily injury, and property damage coverage. Insuring clauses for both bodily injury and property damage shall provide coverage on an occurrence basis.

The minimum limits shall be as follows:

\$200,000/300,000

Automobile Liability for Company-Owned Vehicles, if applicable

\$200,000/300,000

Hired and Non-owned Automobile Liability Coverage

Workers' Compensation.

The Grantee shall comply with the workers' compensation requirements of Chapter 440, F.S.

d. Other Insurance.

None.



Project Title	Riverside Drive Force Mai	n Improvements
Senate Sponsor	Senator Mayfield	
Date of Request	01/26/2022	
Project/Program	Description	
This project was subm	· ·	esiliency/prevent overflows during storm events. Grant - Wastewater on 07/15/2021, with a 0% match from the utility. As of project.

6. Amount of the Nonrecurring Request for Fiscal Year 2022-2023

Type of Funding	Amount
Operations	
Fixed Capital Outlay	14,000,000
Total State Funds Requested	14,000,000

7. Total Project Cost for Fiscal Year 2022-2023 (including matching funds available for this project)

Type of Funding	Amount	Percentage
Total State Funds Requested (from question #6)	14,000,000	100.0 %
Matching Funds		
Federal	0	0.0 %
State (excluding the amount of this request)	0	0.0 %
Local	0	0.0 %
Other	0	0.0 %
Total Project Costs for Fiscal Year 2022-2023	14,000,000	100.0 %



8.	Has this project previously received state funding?	Yes	No
	If yes, provide the most recent instance:		

Fiscal Year	An	nount	Specific	43.2
(yyyy-yy)	Recurring	Nonrecurring	Appropriation #	Vetoed

l <u>.</u>	Is future-year funding likely to be requested?	Ö Yes	No	
	If yes, indicate nonrecurring amount per year.	9 700	3 110	
ı	 Describe the source of funding that can be used in lieu of state funding. 			
	Pending approval of revised rate resolution/adjustmeeting. If approved, then bonds or Federal funds		-	
). I	Has the entity requesting this project received a	ınv	∞ ∨	
	federal assistance related to the COVID-19 pand	•	© Yes	O No
1		lemic?		



11. Details on how the requested state funds will be expended

Spending Category	Description	Amount
Administrative Costs:		
Executive Director/Project Head Salary and Benefits		
Other Salary and Benefits		
Expense/Equipment/ Travel/Supplies/Other		
Consultants/Contracted Services/Study		
Operational Costs: Otl		TELEVISION STREET
Salary and Benefits		
Expense/Equipment/ Travel/Supplies/Other		
Consultants/Contracted Services/Study		
Fixed Capital Construc	tion/Major Renovation:	THE SHALL SHALL
Construction/Renovation/ Land/Planning Engineering	All \$14M will be allocated toward the anticipated cost of the construction.	14,000,000
Total State Funds Re	equested (must equal total from question #6)	14,000,000



12.

	Program Performance What specific purpose or goal will be achieved by the funds requested?
	This project installs a 2nd force main collection system on the barrier island with storage tanks for raw sewage to increase resiliency/prevent overflows during storm events.
b.	What activities and services will be provided to meet the intended purpose of these funds?
	Construction of the 2nd force main collection system on the barrier island with storage tanks for raw sewage
C.	What direct services will be provided to citizens by the appropriation project?
	Project will increase wastewater treatment capacity during high flow events to prevent unintentional discharges of raw sewage.
d.	Who is the target population served by this project? How many individuals are expected to be served?
	All property owners of the Brevard County barrier island from south of SR 404 (Pineda Causeway) to SR 192.
е.	What is the expected benefit or outcome of this project? What is the methodology by which this outcome will be measured?
	Eliminating unintentional discharges during high flow events will reduce nutrient loading to the lagoon, thereby reducing algal blooms and providing a healthier local environment for valuable native species to thrive, improving economic and cultural features of Brevard County. Success of the project will be measured by the reduction/elimination of discharge events.
f,	What are the suggested penalties that the contracting agency may consider in addition to its standard penalties for failing to meet deliverables or performance measures provided for in the contract?
	N/A is not considered a valid response.



d. Phone Number

The Florida Senate Local Funding Initiative Request Fiscal Year 2022-2023

13. The owners of the facility to receive, directly or indirectly, any fixed capital outlay funding. Include the relationship between the owners of the facility and the entity.

the relationship between the owners of the facility and the entity. The Riverside FM project is within the South Beaches WWTF service area. South Beaches Wastewater Treatment Facility is owned by the Brevard County Board of County Commissioners, and managed by the Utility Service Department. 14. Requestor Contact Information Last Name a. First Name b. Organization c. E-mail Address Ext. d. Phone Number 15. Recipient Contact Information Brevard County Board of County Commissioners, Utility Services Department a. Organization b. Municipality and County Brevard c. Organization Type For-profit Entity Non-Profit 501(c) (3) O Non-Profit 501(c) (4) Local Entity University or College Other (please specify) d. First Name Edward Last Name Fontanin e. E-mail Address edward.fontanin@brevardfl.gov f. Phone Number (321) 633-2091 16. Lobbyist Contact Information a. Name b. Firm Name c. E-mail Address

Ext.



Please complete the questions below for Water Projects only.

7.	Have you applied for alternative state funding?				
	Waste Water Revolving Loan				
	Drinking Water Revolving Loan				
	Small Community Wastewater Treatment Grant				
	Other (please specify)				
	N/A				
18.	What is the population economic status?				
	Financially Disadvantaged Community (ch. 62-552, F.A.C.)				
	Financially Disadvantaged Municipality (ch. 62-552, F.A.C.)				
	Rural Area of Economic Concern				
	Rural Area of Opportunity (s. 288.0656, Florida Statutes)				
	N/A				
9.	What is the status of construction?				
0.	What percentage of the construction has been completed?				
1.	What is the estimated completion date of construction?				

The information provided will be posted to the Florida Senate website for public viewing if sponsored by a Senator.

AGREEMENT CONTACT INFORMATION

Agreement Number:	LP[will be assigned]			
Grantee: (i.e., city of, * county)	Brevard County Utility Services Department			
Project Title:	Riverside Drive Force Main Improvements			
Award Amount:	\$			
Match Amount (if required):	\$0			
Local Pledged Contributions:	\$0			
Federal Employer ID Number:	59-6000523			
1) Authorized Representative (to sign agr	· ·			
Name: Frank Abbate	Phone Number: 321-633	3-2001		
Title: County Manager				
Employer: Brevard County Board of	County Commissioners			
Mailing Address (P.O. Box):				
City:	State:	Zip:		
Street Address for express mail delivery				
City: Melbourne	State: FL	Zip: _32940		
E-mail address: Frank.Abbate@brevar	dfl.gov	3-7		
2) Grant Manager Name: Kim Cox Title: Finance Officer Employer: Brevard County Board of Mailing Address (P.O. Box): 2725 June	County Commissioners	0-8366		
City: Melbourne	State: FL	Zip: 32940		
E-mail address: Kimberly.Cox@breva		Zip: <u>32940</u>		
L-man address. Kimberry.Cox(a) breva	Idii.gov			
3) Disbursement Contact Person (who win Name: Isidro Rivera-Alicea Title: Accountant II Employer: Brevard County Board of Mailing Address (P.O. Box): 2725 Juncity: Melbourne	Phone Number: 321-301- County Commissioners dge Fran Jamieson Way Bldg. A-213 State: FL	Zip: <u>32940</u>		
E-mail address: <u>Isidro.Rivera-Alicea@</u>	brevardfl.gov			
4) Primary Contact (if different from Gra Name: Title: Employer: Mailing Address (P.O. Box):	Phone Number:			
Name: Title:	Phone Number:	Zip:		