

## MEMORANDUM

**TO:** Governing Board Members

**THROUGH:** George L. Horne, Deputy Executive Director, Operations and Maintenance

**FROM:** Cledwyn Weldon, Director, Engineering Department

**DATE:** March 12, 2008

**SUBJECT: Resolution 2008-218 - Revision to increase the Not-to-Exceed Funding**

### **Background**

On February 14, 2008 the Governing Board adopted Resolution 2008-218 authorizing procurement of commodities, equipment and services without competition and budget transfers up to \$32 million, to respond to emergency conditions created by unprecedented low water levels on Lake Okeechobee. The District immediately began work to both rent, purchase, and modify pumps at three locations south of the Lake, fill a scour hole at S-65E, a major structure north of the Lake, as well as build three tailwater weirs at S-65E and two other structures north of the Lake. To date, approximately \$10 million has been committed toward these requirements. The remaining work to be awarded is the massive downstream wier at S-65E. Estimates for the work inclusive of incentive fees total \$25.7 million. To ensure that emergency work proceeds as expeditiously as possible, this resolution revises Resolution 2008-218 by increasing the not-to-exceed from \$32 million to \$36 million to authorize for procurement without competition and budget transfers for the additional \$4 million within the Operations & Maintenance program.

### **How this helps meet the District's 10-year Strategic Plan:**

Construction of a downstream weir at S-65E is critical to the safe operation of the District infrastructure.

**Funding Source:** Budget transfers as necessary will be completed to fund emergency work.

### **This Board item impacts what areas of the District, both resource areas and geography:**

This item impacts the Operations & Maintenance Resource Area most directly, but will also impact each of the other Resource Areas as well. The geographical area impacted included the Everglades Agricultural Area with water supply south of the Lake and watershed maintenance and flood control for Okeechobee, Highlands, and Glades counties north of the Lake.

### **What concerns could this Board item raise?**

The Governing Board thoroughly considered and approved Resolution 2008-218. This revision only increases the not-to-exceed amount as a contingency if actual costs approach the maximum range of the construction cost estimates.

### **Why should the Governing Board approve this item?**

By approving this item, the Governing Board will allow staff to proceed as expeditiously as possible in addressing emergency conditions.

GLH/ml