



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P.O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

OCT 27 2010

C. K. Armon
J. Stroud
D. Lepper
J. Warner

Executive Office

EXECUTIVE
NOV 02 2010
OFFICE

Ms. Carol Ann Wehle
Executive Director
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, Florida 33406

Dear Ms. Wehle:

The Jacksonville District, U. S. Army Corps of Engineers (Corps) has received your request for relocation services dated October 11, 2010. Your request is for the construction of features along the Citrus Boulevard in Martin County, Florida, south of the C44 Reservoir and Stormwater Treatment Area (RSTA) component of the Indian River Lagoon South (IRLS) project. The relocation features were initially created by the South Florida Water Management District (SFWMD) and detailed in the C-44 Reservoir/STA Project CR 726 (Citrus Boulevard) Roadway and Bridge Improvements Volume V of VII plans and applicable specifications dated April 18, 2008. This information has been repackaged by the Corps into Vol. IV of the "C-44 Reservoir/STA Project Contract 1" plans and applicable specifications. As requested, the repackaged plans and specifications have been or will be updated to the most recent SFWMD guidelines and the Florida Department of Transportation standards. These plans and specifications are scheduled to be completed by November 2010. SFWMD will participate in the review of the repackaged design and will be asked to review the final plans and specifications prior to the Corps issuing a solicitation. The Corps understands that Martin County, the eventual owner/operator of the relocations, will provide input to the SFWMD with respect to their review of the repackaged design and the final plans and specifications.

The relocations are generally described as a bridge, turning lanes, and culverts. Unless requested by SFWMD, no design changes are anticipated after the plans and specifications are issued for solicitation. Any changes directed by SFWMD that result in either an increase or decrease cost change shall be the responsibility of SFWMD to fund.

If a value engineering proposal is submitted by the contractor and agreed to by the Corps and SFWMD, any net cost savings shall be passed on to SFWMD following a post-construction audit process. The Corps will coordinate all changes to the design with SFWMD for approval in accordance with the Comprehensive Everglades Restoration Plan Indian River Lagoon-South Construction Phasing, Transfer and Warranty Plan (most recent version).

All agreed and approved design changes will be reflected in the as-built plans which shall be provided to SFWMD as provided in the Construction Phasing, transfer and Warranty Plan. As-built plans will reflect how the relocation and other project features were constructed.

In accordance with the Project Partnership Agreement (PPA) for Phase 1 of the IRLS project, I am accepting your request and have directed my staff and leadership to conduct the necessary engineering, procurement, and management actions for the successful and quality construction of the relocation features indicated above. The terms and conditions of the PPA shall control with respect to the U. S. Army Corps of Engineers and the South Florida Water Management District's rights and obligations with respect to such relocation services.

In accordance with the PPA, the Non-Federal Sponsor (SFWMD) is required to cover all costs related to the construction of the requested relocations, including modifications if needed and approved by SFWMD. The Jacksonville District is requesting the amount of \$1,983,000. This amount has been estimated using cost engineering procedures by our Engineer of Record and is subject to the final amount actually incurred by the construction contractor and based on the post-construction audit. The SFWMD will be provided details on the solicitation process of the relocations features, may be asked to be a participant in the review of proposals as part of the technical review team, given the opportunity to review construction submittals and inspection reports that are provided, and presented with details of the post-construction audit report including the determination of the actual price of the relocation features to the extent that the USACE can provide such information, The Corps will keep the SFWMD informed throughout the solicitation and construction process of any potential increases or decreases to the amount provided by SFWMD to the Jacksonville District. If any additional funds are required due to approved changes during construction or actual costs incurred, the Corps will request those additional funds from SFWMD, and, no later than sixty days after receipt of such written request, SFWMD shall provide such additional funds prior to the need of those funds and prior to any contract modification. Should this activity result in any contractor delays, those delay costs would be borne by the SFWMD. If funds required to complete the relocations are less than the above stated amount, then this additional amount will be returned to SFWMD together with interest, if any, accruing thereon following the close-out of the relocation feature contract.

The Government should be in receipt of a certified check with the amount above indicated before we advertise the construction contract that includes the relocation services requested. SFWMD will deposit the requested funds into an escrow account that the Corps will withdraw the funds from.

Should you have any questions, please contact Mr. Stuart Appelbaum, Deputy for Restoration Program Management, (904) 232-2584 or me at (904) 232-2241.

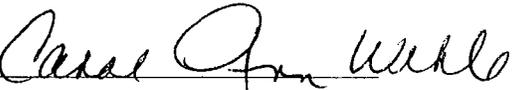
Please acknowledge your concurrence with the terms of this Letter by signing below and returning the letter to me.

Sincerely,

By: 
Alfred A. Pantano, Jr.
Colonel, U.S. Army
District Commander

Date: 11/27/10

Concurrence:

By: 
Carol Ann Wehle
Executive Director
South Florida Water Management District

Date: 11/3/10

Copy Furnished:

Mr. Stuart Appelbaum

Mr. Howard Gonzales

Mrs. Karen Tippet

Mr. Orlando Ramos-Gines