

MEMORANDUM

TO: Governing Board Members

FROM: Kenneth G. Ammon, P.E., Deputy Executive Director,
Everglades Restoration and Capital Projects *✓ For K.A.*

DATE: May 2, 2011

SUBJECT: Troup Indiantown Water Control District (TIWCD) Temporary Configuration for CERP C-44 Reservoir/Stormwater Treatment Area Project – Contract Number 4600002107, Change Order 4

Background:

The C-44 Reservoir/Stormwater Treatment Area Project (C-44 Project) is intended to be constructed by the U.S. Army Corps of Engineers (USACE) by utilizing three different construction contracts over the next eight years. Contract 1 is scheduled to be awarded in June 2011. The USACE determined that the C-44 Project contains "relocation" features, which according to the Water Resources Development Act (WRDA) 2000, are required to be either (1) constructed by the local sponsor, or (2) paid for in advance by the local sponsor to the USACE, which would perform the construction. In order to meet the USACE current Contract 1 schedule, some of the "relocation" features need to be constructed by the District, prior to Contract 1. This contract with H&J Contracting, Inc., to construct the Troup Indiantown Water Control District (TIWCD) Temporary Configuration efforts was deemed as "relocations" by the USACE and was approved by the Governing Board in April 2010. These "relocation" costs are part of the 50/50 cost share for CERP with the USACE.

These efforts included (1) the construction of new irrigation canals, (2) the filling of existing irrigation canals, (3) canal top of bank improvements, (4) the installation of earthen canal blocks, (5) the installation of culverts and flashboard and gated risers, concrete end walls, and an irrigation water siphon, (6) slope protection, access road improvements, and installation of pumps, drive units, piping, and diesel fuel storage facilities for irrigation supply, and (7) the operation of two pumps at the C-44 Canal, if needed. These efforts are required to keep TIWCD in service during and after construction of the C-44 Project.

During the construction, it was determined that the existing TIWCD Canal D did not have the designed conveyance capacity and, therefore, the TIWCD Temporary Configuration was not functioning as designed. Additionally, a petroleum spill was discovered which was not previously detected during the land acquisition environmental assessment. In order to not impact the efforts of the USACE Contract 1, a portable dam/bladder is required to be installed in Canal D to temporarily increase conveyance until the canal can be dredged at TIWCD expense, and the petroleum contamination is

required to be remediated to comply with the land certification to the USACE. The District is seeking reimbursement from TIWCD for a portion of these expenses.

How this helps meet the District's 10Year Strategic Plan?

This contract will support completion of the C-44 Project, which is linked to the 10-Year Strategic Plan. The District has access to the project lands/sites, completed the design, and received the permits for the C-44 Project utilizing funding under previous fiscal years. The USACE intends to construct the C-44 Project starting in FY11 and these "relocation" efforts need to be performed to facilitate the USACE construction schedule.

Funding Source:

This is Contract 4600002107 Change Order 4 with H&J Contracting, Inc., to perform the specified portable dam/bladder efforts and to remediate the petroleum contamination in the not-to-exceed amount of \$300,000 for which ad valorem and Save Our Everglades Trust Fund funds are budgeted. Change Order 4 brings the total not-to-exceed contract amount to \$3,002,721.61. If there are additional change order requests, these will be submitted by the contractor and administered by the District in accordance with the contract.

This Board item impacts what areas of the District, both resources areas and geography:

The Everglades Restoration and Capital Projects Resource Area and the C-44 Project site located in Martin County north of the C-44 Canal are impacted by this contract.

What concerns could this board item raise?

There may be concerns about (1) the fact that the temporary configuration relies on a revocable right-of-entry access for TIWCD to access the C-44 Canal until the USACE constructs the Intake Canal (current construction completion date of July 2013), and (2) the ability of the USACE to complete certain construction elements, as scheduled, so that TIWCD does not operate under this temporary system for an extended period of time.

Why should the governing Board approve this item?

Approval of Contract 4600002107 Change Order 4 will allow the District to construct the "relocation" features and fulfill its obligations to the USACE, which will allow the USACE to meet its construction schedule.