

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 2009- _____

A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT AUTHORIZING ENTERING INTO A MASTER AGREEMENT WITH THE U.S. DEPARTMENT OF THE ARMY, AT NO COST, FOR THE PURPOSE OF ESTABLISHING UNIFORM TERMS AND CONDITIONS FOR FUTURE PROJECT PARTNERSHIP AGREEMENTS COVERING COOPERATION AND COST-SHARE IN THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT AND REHABILITATION OF PROJECTS IN THE COMPREHENSIVE EVERGLADES RESTORATION PLAN; PROVIDING AN EFFECTIVE DATE. (CONTRACT NUMBER 4600001759)

WHEREAS, the Comprehensive Everglades Restoration Plan (CERP) contained in the Final Integrated Feasibility Report and Programmatic Environmental Impact Statement, dated April 1, 1999, was approved with modifications as a framework for making modifications and changes to the Central and Southern Florida Project by the Congress in Section 601 of the Water Resources Development Act of 2000; and

WHEREAS, the U.S. Department of the Army and the South Florida Water Management District (SFWMD) entered into a Design Agreement providing uniform terms and conditions for all phases of planning and design for projects in the CERP, dated May 12, 2000; and

WHEREAS, the U.S. Department of the Army and SFWMD have determined that it would be in their mutual best interests to set forth in a Master Agreement uniform terms and conditions for future Project Partnership Agreements that cover cooperation and cost-share in the construction, operation, maintenance, repair, replacement, and rehabilitation of individual projects under CERP; and

WHEREAS, each future Project Partnership Agreement will incorporate the terms and conditions of the Master Agreement, as applicable.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. The Governing Board of the South Florida Water Management District hereby authorizes the execution of Contract No. 460001759 with the U.S. Department of the Army, at no cost to the SFWMD, for the purpose of

establishing uniform terms and conditions for future Project Partnership Agreements covering cooperation and cost-share in the construction, operation, maintenance, repair, replacement and rehabilitation of projects in the Comprehensive Everglades Restoration Plan.

Section 2. The Governing Board acknowledges that the Master Agreement is subject to the subsequent approval and execution by the Assistant Secretary of the Army. Any substantive changes to the Master Agreement by the Department of the Army will require the approval of the Governing Board.

Section 3. This resolution shall take effect immediately upon adoption.

PASSED and **ADOPTED** this _____ day of _____, 2009.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

By:

Chair

ATTEST:

District Clerk/Secretary

Approved as to form:

By:

Office of Counsel