

MEMORANDUM

TO: Governing Board Members

FROM: Kenneth G. Ammon, P.E., Deputy Executive Director, Everglades Restoration and Capital Projects 

DATE: February 26, 2010

SUBJECT: Cooperation Agreement to Provide Power Distribution Services for CERP C-44 Reservoir/Stormwater Treatment Area Project – Contract Number 4600002077

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 advertised in October 2010. 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 advertisement date of October 2010, some of the relocation features need to be constructed by the District, prior to the Contract 1 advertisement date. The Governing Board had previously approved a budget transfer in November 2009 to support these relocation efforts.

This contract with FPL is to perform all power distribution-related efforts that have been deemed as relocations by the USACE. These efforts include (1) the relocation of the C-44 Canal Crossing line to a location offsite from the C-44 Project, (2) the relocation of the Bar B Ranch line to a location within the C-44 Project site, (3) the abandonment of the Via Tropical line, (4) the connection of service for the Troup Indiantown Water Control District permanent pump station, (5) the release of easements by FPL, (6) the granting of easements to FPL, and (7) the granting of a right-of-entry to provide services during the USACE construction period.

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

This Cooperative Agreement will support the completion of the C-44 Project, which is linked to the 10-Year Strategic Plan. The District has acquired the land, 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 a three-year and nine-month cooperative agreement with FPL to perform the specified power distribution services in the amount not to exceed \$1,200,000 based on actual invoiced costs, of which \$600,000 is budgeted in the Save Our Everglades Trust Fund resulting from the November 2009 budget transfer approved by the Governing Board, and the remainder is subject to Governing Board approval of future fiscal year budgets.

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 Cooperative Agreement.

What concerns could this board item raise?

There may be concerns about (1) the ability of FPL to complete certain efforts as required so that the USACE schedule is not impacted and (2) the ability of USACE to complete certain construction elements as scheduled so that FPL can complete its efforts as scheduled and estimated.

Why should the governing Board approve this item?

Approval of the Cooperative Agreement 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.

Attachments – Resolution, Map
KGA/sr