

**CITY COUNCIL RESOLUTION NO. 2023-032**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AUTHORIZING THE EXECUTION OF AMENDMENT NUMBER ONE TO AGREEMENT WG044 WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION; PROVIDING FOR THE REIMBURSEMENT OF ALLOWABLE COSTS ASSOCIATED WITH THE CONSTRUCTION OF UTILITIES AT STATE ROAD 47 AND INTERSTATE 75 INTERCHANGE; PROVIDING FOR AN EXTENSION OF THE AGREEMENT TO OCTOBER 31, 2024; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lake City, Florida (hereinafter the “City”) and Florida Department of Environmental Protection, (hereinafter the “Department”), entered into the *Grant Agreement Number WG044* (hereinafter the “Contract”), authorized by City Council Resolution No. 2022-021; and

**WHEREAS**, the City and the Department desire to modify the Agreement pursuant to the terms and conditions in the *Amendment No. 1 to Agreement No. WG044 Between Florida Department of Environmental Protection and City of Lake City* (hereinafter the “Amendment”), a copy of which is attached hereto as “Exhibit A”; and

**WHEREAS**, the City Council finds it to be in the best interests of the City to enter into the Amendment.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AS FOLLOWS:**

**Section 1.** The above recitals are all true and accurate and are hereby made a part of this resolution.

**Section 2.** The City is hereby authorized to enter into *Amendment No. 1 to Agreement No. WG044 Between Florida Department of Environmental Protection and City of Lake City*.

**Section 3.** The City Manager and City Attorney are authorized to make such reasonable changes and modifications to the Amendment as may be deemed necessary to be in the best interest of the City and its citizens. Provided, however, that any such changes or modifications shall not cause the additional

funding or the reimbursement period to be modified from the original terms and conditions provided for in the Amendment. The Mayor is authorized and directed to execute and deliver the Amendment in the name of, and on behalf of, the City with such changes, amendments, modifications, omissions, and additions made by the City Manager and City Attorney. Execution by the Mayor and the Department shall be deemed to be conclusive evidence of approval of such changes, amendments, modifications, omissions, and additions.

**Section 4.** Effective Date. This resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED** by the City Council on this \_\_\_\_\_ day of March 2023.

**CITY OF LAKE CITY, FLORIDA**

By: \_\_\_\_\_  
Stephen M. Witt, Mayor

ATTEST:

APPROVED AS TO FORM AND  
LEGALITY:

By: \_\_\_\_\_  
Audrey E. Sikes, City Clerk

By: \_\_\_\_\_  
Thomas J. Kennon, III,  
City Attorney

**AMENDMENT NO. 1  
TO AGREEMENT NO. WG044  
BETWEEN  
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
AND  
CITY OF LAKE CITY**

This Amendment to Agreement No. WG044 (Agreement) is made by and between the Department of Environmental Protection (Department), an agency of the State of Florida, and City of Lake City (Grantee), on the date last signed below.

WHEREAS, the Department entered into the Agreement with the Grantee for SR 47/ I-75 Wastewater Improvements Project Phase 1 (Project), effective March 3, 2022; and,

WHEREAS, the Grantee has requested to revise the scope of work to include a Project Management Task and a reallocation of the budget for the Project; and,

WHEREAS, the Grantee has requested an extension of the Agreement to allow for equipment delivery delay such as the transformer; and,

WHEREAS, other changes to the Agreement are necessary.

NOW THEREFORE, the parties agree as follows:

1. Section 3. of the Standard Grant Agreement is hereby revised to change the Date of Expiration to October 31, 2024. The Department and the Grantee shall continue to perform their respective duties during this extension period pursuant to the same terms and conditions provided in the Agreement.

| <b>Department's Grant Manager</b>                         | <b>Grantee's Grant Manager</b>                            |
|---|---|
| Name: Loga Hohl   | Name: Paul Dyal   |
| Address: 3900 Commonwealth Blvd.<br>Tallahassee, FL 23299 | Address: 205 N. Marion Avenue<br>Lake City, Florida 32055 |
| Phone: (850)245-2861                                      | Phone: 386-719-5815                                       |
| Email: Logan.Hohl@FloridaDEP.gov                          | Email: dyalp@lcfla.com                                    |

2. Attachment 3, Grant Work Plan, is hereby deleted in its entirety and replaced with Attachment 3-1, Revised Grant Work Plan, as attached to this Amendment and hereby incorporated into the Agreement. All references in the Agreement to Attachment 3 shall hereinafter refer to Attachment 3-1, Revised Grant Work Plan.
3. Exhibit A, Progress Report Form, is hereby deleted in its entirety and replaced with Exhibit A-1, attached hereto and made a part of the Agreement. All references in the Agreement to Exhibit A shall hereinafter refer to Exhibit A-1.
4. All other terms and conditions of the Agreement remain in effect. If and to the extent that any inconsistency may appear between the Agreement and this Amendment, the provisions of this Amendment shall control.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

The parties agree to the terms and conditions of this Amendment and have duly authorized their respective representatives to sign it on the dates indicated below.

CITY OF LAKE CITY

STATE OF FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION

By: \_\_\_\_\_  
Authorized Signature

By: \_\_\_\_\_  
Secretary or Designee

Stephen M. Witt, Mayor  
Print Name and Title

Angela Knecht, Division Director  
Print Name and Title

Date: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Logan Hohl, DEP Grant Manager

\_\_\_\_\_  
Mitch Holmes, DEP QC Reviewer

List of attachments/exhibits included as part of this Amendment:

| <u>Specify Type</u> | <u>Letter/ Number</u> | <u>Description</u>      |
|---------------------|-----------------------|-------------------------|
| Attachment          | 3-1                   | Revised Grant Work Plan |
| Exhibit             | A-1                   | Progress Report Form    |

## **ATTACHMENT 3-1 GRANT WORK PLAN**

**PROJECT TITLE:** SR 47/ I-75 Wastewater Improvements Project Phase 1

**PROJECT LOCATION:** The Project will be located in the City of Lake City within Columbia County; Lat/Long (30.126403, -82.661513).

**PROJECT BACKGROUND:** The SR 47/I-75 interchange is within 100 feet of Cannon Creek. Cannon Creek Sink has a direct connection to Ichetucknee Springs and what overflows the sink travels to Rose Creek Sink, which has been dye trace studied to reach Ichetucknee Springs in 2-3 days. The Ichetucknee Spring is identified in the Santa Fe River Basin Management Action Plan (BMAP) as impaired for the nitrate form of nitrogen. The SR 47/I-75 Wastewater Improvements Project Phase 1 will provide nearby central sewer connectivity for residences and businesses near the SR 47/I-75 interchange. This project will allow for the decommissioning of existing septic systems in the area and conversion to centralized sewer, which will reduce nitrogen loading to the environment and benefit the BMAP.

**PROJECT DESCRIPTION:** The City of Lake City (Grantee) will construct sanitary sewer and gravity mains, two lift stations, two wastewater horizontal directional drills, new natural gas lines and two natural gas horizontal directional drills to fuel the backup generators for the lift stations, and restoration of existing roadways, driveways, sidewalks and landscaping.

**TASKS:** All documentation should be submitted electronically unless otherwise indicated.

### **Task 1: Construction**

**Deliverables:** The Grantee will construct the new wastewater collection and transmission system and the natural gas distribution lines to the lift station backup generators in accordance with the construction contract documents.

**Documentation:** The Grantee will submit 1) a copy of the final design; 2) a signed acceptance of the completed work to date, as provided in the Grantee's Certification of Payment Request; and 3) a signed Engineer's Certification of Payment Request.

**Performance Standard:** The Department's Grant Manager will review the documentation to verify that the deliverables have been completed as described above. Upon review and written acceptance by the Department's Grant Manager, the Grantee may proceed with payment request submittal.

**Payment Request Schedule:** The Grantee may submit a payment request for cost reimbursement no more frequently than monthly.

### **Task 2: Project Management**

**Deliverables:** The Grantee will perform project management, to include field engineering services, construction observation, site meetings with construction contractor(s) and design professionals, and overall project coordination and supervision.

**Documentation:** The Grantee will submit interim progress status summaries including summary of inspection(s), meeting minutes and field notes, as applicable.

**Performance Standard:** The Department's Grant Manager will review the documentation to verify that the deliverables have been completed as described above. Upon review and written acceptance by the Department's Grant Manager, the Grantee may proceed with payment request submittal.

**Payment Request Schedule:** The Grantee may submit a payment request for cost reimbursement no more frequently than monthly.

**PROJECT TIMELINE & BUDGET DETAIL:** The tasks must be completed by, and all documentation received by, the corresponding task end date. Cost reimbursable grant funding must not exceed the budget amounts as indicated below.

| Task No. | Task Title         | Budget Category      | Grant Amount | Task Start Date | Task End Date |
|----------|--------------------|----------------------|--------------|-----------------|---------------|
| 1        | Construction       | Contractual Services | \$1,258,566  | 07/01/2021      | 03/31/2024    |
| 2        | Project Management | Contractual Services | \$150,000    | 07/01/2021      | 03/31/2024    |
| Total:   |                    |                      | \$1,408,566  |                 |               |

**STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Exhibit A-1  
Progress Report Form**

|                                 |   |
|---------------------------------|---|
| <b>DEP Agreement No.:</b>       | WG044   |
| <b>Project Title:</b>           | SR 47/ I-75 Wastewater Improvements Project Phase 1 |
| <b>Grantee Name:</b>            | City of Lake City                                   |
| <b>Grantee's Grant Manager:</b> |   |
|                                 |   |
| <b>Reporting Period:</b>        | Select reporting period. Select year.               |

**Provide the following information for all tasks identified in the Grant Work Plan:**

Summarize the work completed within each task for the reporting period. Provide an update on the estimated completion date for each task and an explanation for any anticipated delays or problems encountered. Add or remove task sections and use as many pages as necessary to cover all tasks. Use the format provided below.

**Task 1: Construction**

- **Progress for this reporting period:** Add Text
- **Identify delays or problems encountered:** Add Text

**Task 2: Project Management**

- **Progress for this reporting period:** Add Text
- **Identify delays or problems encountered:** Add Text

**Indicate the completion status for the following tasks (if included in the Grant Work Plan):**

**Design (Plans/Submittal):** 30% ☐, 60% ☐, 90% ☐, 100% ☐

**Permitting (Completed):** Yes ☐, No ☐

**Construction (Estimated):** \_\_\_\_\_ %

**SLFRF Infrastructure Projects**

For infrastructure projects, the Grantee shall provide the following project information:

**Construction start date (month/year):** \_\_\_\_\_ Projected ☐ or Actual ☐

**Initiation of operation date (month/year):** \_\_\_\_\_ Projected ☐ or Actual ☐

**Project Location details:**

**Overall Project Completion (Estimated):** \_\_\_\_\_ %

This report is submitted in accordance with the reporting requirements of the above DEP Agreement number and accurately reflects the activities associated with the project.

\_\_\_\_\_  
Signature of Grantee's Grant Manager (Original Ink)

\_\_\_\_\_  
Date