

RESOLUTION NO 2024 - 109

CITY OF LAKE CITY, FLORIDA

A RESOLUTION OF THE CITY OF LAKE CITY, FLORIDA APPROVING THAT CERTAIN AMENDMENT NO. 3 TO AGREEMENT NO. WG057 BETWEEN THE CITY AND STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, RECOGNIZING SAID AMENDMENT PROVIDES; RECOGNIZING SAID AMENDMENT PROVIDES FOR AN EXTENSION OF TIME FOR COMPLETING SR47/I-75 WASTEWATER IMPROVEMENTS AND AN EXTENSION THEREOF TO THE CASEY JONES RV PARK; RECOGNIZING SAID AMENDMENT UPDATES OTHER PROVISIONS OF SAID AGREEMENT; RECOGNIZING SAID AMENDMENT UPDATES OTHER PROVISIONS OF SAID AGREEMENT; MAKING CERTAIN FINDINGS OF FACT IN SUPPORT OF THE CITY APPROVING AMENDMENT; RECOGNIZING THE AUTHORITY OF THE MAYOR TO EXECUTE AND BIND THE CITY TO SAID AMENDMENT; DIRECTING THE MAYOR TO EXECUTE AND BIND THE CITY TO SAID AMENDMENT; REPEALING ALL PRIOR RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, effective March 3, 2022 the City of Lake City ("City") adopted the terms of that certain Grant Agreement No. WG057 (the "Grant Agreement") between the City and the State of Florida Department of Environmental Protection (the "Agency"); and

WHEREAS, the Grant Agreement awarded certain funds to the City in furtherance of completing the wastewater improvements at the SR 47/I-75 interchange to provide a wastewater connection to the Casey Jones RV Park (the "Project") in the City; and

WHEREAS, additional time is required to complete the Project; and

WHEREAS, the Agency and the City desire to update other terms and conditions of the Grant Agreement; and

WHEREAS, the Agency is willing to provide additional time to the City pursuant to that certain Amendment No. 3 to the Agreement No. WG057 (the "Amendment") in the form of the Exhibit hereto; and

WHEREAS, the Amendment also updates certain other terms and conditions of the Grant Agreement; and

WHEREAS, completing the Project by approving the Amendment is in the public interest and in the interests of the City; now therefore

BE IT RESOLVED by the City Council of the City of Lake City, Florida:

1. Approving the Amendment to extend the contract completion date and otherwise update

the terms and conditions to the Grant Agreement for the Project is in the public or community interest and for public welfare; and

2. In furtherance thereof, the Amendment in the form of the Exhibit attached hereto should be and is approved by the City Council of the City of Lake City; and
3. The Mayor of the City of Lake City is the officer of the City duly designated by the City's Code of Ordinances to enforce such rules and regulations as are adopted by the City Council of the City of Lake City; and
4. The Mayor of the City of Lake City is authorized to execute on behalf of and bind the City to the terms of the Amendment; and
5. The Mayor of the City of Lake City is directed to execute on behalf of and bind the City to the terms of the Amendment; and
6. All prior resolutions of the City Council of the City of Lake City in conflict with this resolution are hereby repealed to the extent of such conflict; and
7. This resolution shall become effective and enforceable upon final passage by the City Council of the City of Lake City.

APPROVED AND ADOPTED, by an affirmative vote of a majority of a quorum present of the City Council of the City of Lake City, Florida, at a regular meeting, this ___ day of September, 2024.

BY THE MAYOR OF THE CITY OF LAKE CITY,
FLORIDA

Stephen M. Witt, Mayor

ATTEST, BY THE CLERK OF THE CITY COUNCIL
OF THE CITY OF LAKE CITY, FLORIDA:

Audrey E. Sikes, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Clay Martin, City Attorney

**AMENDMENT NO. 3
TO AGREEMENT NO. WG057
BETWEEN
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
AND
CITY OF LAKE CITY**

This Amendment to Agreement No. WG057 (Agreement), as previously amended, is made by and between the Department of Environmental Protection (Department), an agency of the State of Florida, and the 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 and RV Park Extension (Project), effective March 3, 2022; and,

WHEREAS, the Department is updating the Agreement end date; and,

WHEREAS, other changes to the Agreement are necessary; and,

WHEREAS, the parties have agreed to amend the Agreement as set forth herein.

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 December 31, 2026. 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.
2. The following is hereby added to Attachment 1 in Section 8:

Rural Communities and Rural Areas of Opportunity. If Grantee is a county or municipality that qualifies as a "rural community" or "rural area of opportunity" (RAO) as defined in subsection 288.0656(2), F.S., such Grantee may request from the Department that all invoice payments (i.e., cost reimbursement) under this Agreement be directed to the relevant county or municipality or to the RAO itself. The Department will agree to Grantee's request if:

- i. Grantee demonstrates that it is a county or municipality that qualifies as a "rural community" or "rural area of opportunity" under subsection 288.0656(2), F.S.;
- ii. Grantee demonstrates current financial hardship using one (1) or more of the "economic distress" factors defined in subsection 288.0656(2)(c), F.S.;
- iii. Grantee's performance has been verified by the Department, which has determined that Grantee is eligible for cost reimbursement and that Grantee's performance has been completed in accordance with this Agreement's terms and conditions; and
- iv. Applicable federal and state law(s), rule(s) and regulation(s) allow for such payments.

This subsection may not be construed to alter or limit any other applicable provisions of federal or state law, rule, or regulation. A current list of Florida's designated RAOs can be accessed at the following web address: <https://floridajobs.org/community-planning-and-development/rural-community-programs/rural-areas-of-opportunity>.

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3. Section 4. of Attachment 2 is hereby revised to the following:

Reimbursement for costs or availability for costs to meet matching requirements shall be limited to the following budget categories, as defined in the Reference Guide for State Expenditures, as indicated:

<u>Reimbursement</u>	<u>Match</u>	<u>Category</u>
<input type="checkbox"/>	<input type="checkbox"/>	Salaries/Wages
		Overhead/Indirect/General and Administrative Costs:
<input type="checkbox"/>	<input type="checkbox"/>	a. Fringe Benefits, N/A.
<input type="checkbox"/>	<input type="checkbox"/>	b. Indirect Costs, N/A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Contractual (Subcontractors)
<input type="checkbox"/>	<input type="checkbox"/>	Travel, in accordance with Section 112, F.S.
<input type="checkbox"/>	<input type="checkbox"/>	Equipment
<input type="checkbox"/>	<input type="checkbox"/>	Rental/Lease of Equipment
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Miscellaneous/Other Expenses
<input type="checkbox"/>	<input type="checkbox"/>	Land Acquisition

4. The Additional Terms paragraph of Attachment 2 is hereby revised as follows:

a. Final Payment Request language in Paragraph 8. of Attachment 1 is deleted and replaced with the following:

Final Payment Request. A final payment request should be submitted to the Department no later than sixty (60) days following the expiration date of the Agreement to ensure the availability of funds for payment. However, if full or partial funding for this Project is provided by the federal American Rescue Plan Act (State and Local Fiscal Recovery Funds), as administered by the United States Department of the Treasury, a final payment request for any American Rescue Plan Act funding provided by this Agreement shall be submitted to the Department no later than September 30, 2026, unless an extension is granted by the Department in writing, to ensure the availability of funds and adequate time to process payment requests. If the Agreement or Task End Date is extended at any time, this payment request deadline shall still apply. All federal American Rescue Plan Act funds must be fully expended and reimbursed to Grantee no later than December 31, 2026, as the funds will no longer be available to the Department after that date. All work performed pursuant to the Grant Work Plan must be performed on or before the expiration date of this Agreement.

5. Attachment 3-2, Grant Work Plan, is hereby deleted in its entirety and replaced with Attachment 3-3, Revised Grant Work Plan, as attached to this Amendment and hereby incorporated into the Agreement. All references in the Agreement to Attachment 3-2 shall hereinafter refer to Attachment 3-3, Revised Grant Work Plan.

6. 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.

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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: EXHIBIT-NOT FOR EXECUTION
Authorized Signature

By: EXHIBIT-NOT FOR EXECUTION
Secretary or Designee

Stephen M. Witt, Mayor
Print Name and Title

Angela Knecht, Division Director
Print Name and Title

Date: _____

Date: _____

EXHIBIT-NOT FOR EXECUTION
Cameron McMahan, DEP Grant Manager

EXHIBIT-NOT FOR EXECUTION
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	3-3	Revised Grant Work Plan

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**ATTACHMENT 3-3
REVISED GRANT WORK PLAN**

PROJECT TITLE: SR47/I-75 Wastewater Improvements Project RV Park Extension

PROJECT LOCATION: The Project will be located in the City of Lake City within Columbia County; Lat/Long (30.1168, -82.6601).

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. This project will decommission the existing septic systems within the City of Lake City (Grantee) and convert the RV Park to central sewer, which will reduce nitrogen loading to the environment and benefit the BMAP.

PROJECT DESCRIPTION: The Grantee will complete the SR 47/I-75 Wastewater Improvements Project RV Park Extension to connect the Casey Jones RV Park to the City's centralized wastewater collection system. This project will abandon existing septic tanks in the area, install low-pressure and gravity sewer mains, manholes, and approximately six grinder pump stations with associated piping.

Task 1: SR47/I-75 Wastewater Improvements Project RV Park Extension Project

The Grantee will complete the following under this Agreement to complete the Project:

Preconstruction Activities

Deliverables: The Grantee will complete the design of a combined low-pressure and gravity wastewater collection system at the Casey Jones RV Park and obtain all necessary permits for construction of the project. Activities necessary for design, such as surveys, geotechnical evaluations, and environmental assessments, are eligible under this activity.

Documentation: The Grantee will submit a signed summary of activities completed for the period of work covered in the payment request, including the percentage of design complete and permitting status, using the format provided by the Department's Grant Manager. For the final documentation, the Grantee will also submit a copy of the design completed with the funding provided for this activity, a list of all required permits identifying issue dates and issuing authorities, and copies of any surveys, assessments, or other documents funded under this activity. Upon request by the Department's Grant Manager, the Grantee will provide additional supporting documentation relating to this activity.

Bidding and Contractor Selection

Deliverables: The Grantee will prepare a bid package, publish a public notice, solicit bids, conduct pre-bid meetings, and respond to bid questions in accordance with the Grantee's procurement process, to select one or more qualified and licensed contractors to complete construction of the combined low-pressure and gravity wastewater collection system at the Casey Jones RV Park.

Documentation: The Grantee will submit: 1) the public notice of advertisement for the bid; 2) the bid package; and 3) a written notice of selected contractor(s).

Payment Request Schedule: The Grantee may submit a payment request for cost reimbursement following the conclusion of the activity.

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Project Management

Deliverables: The Grantee will perform project management related to SR47/I-75 Wastewater Improvements Project RV Park Extension, to include field engineering services, construction observation and inspections, site meetings with construction contractor(s) and design professionals, and overall construction coordination and supervision.

Documentation: The Grantee will submit a signed summary of activities completed for the period of work covered in the payment request, using the format provided by the Department's Grant Manager. Upon request by the Department's Grant Manager, the Grantee will provide additional supporting documentation relating to this activity.

Construction

Deliverables: The Grantee will construct a combined low-pressure and gravity wastewater collection system, manholes, and grinder pump stations with associated piping at the Casey Jones RV Park in accordance with the construction contract documents.

Documentation: The Grantee will submit: 1) a copy of the final design; 2) a signed summary of activities completed for the period of work covered in the payment request, using the format provided by the Department's Grant Manager. Upon request by the Department's Grant Manager, the Grantee will provide additional supporting documentation relating to this activity.

Connection to Central Sewer

Deliverables: The Grantee will properly abandon approximately 18 septic systems and connect the Casey Jones RV Park to a central sanitary sewer system for wastewater treatment by the City of Lake City's Kicklighter Water Reclamation Facility

Documentation: The Grantee will submit: 1) a signed summary of activities completed for the period of work covered in the payment request, using the format provided by the Department's Grant Manager; 2) a list of addresses and types of the properties connected; and 3) proof of septic abandonment and connection for each property, as evidenced by copies of invoices for the abandonments and connections by a licensed plumber, utility contractor, or building contractor. For the final documentation, the Grantee will also submit: 4) an email from the Department's GIS web-interface data collection tool, confirming that data for the project has been submitted.

If not listed under the activities above, the following apply:

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 activities must be completed by the corresponding activity end date. Cost reimbursable grant funding must not exceed the budget amounts as indicated below.

For any activity listed in the Task with a Budget Category of Contractual Services, the Grantee shall submit a copy of the executed subcontract to the Department prior to submitting any invoices for subcontracted work.

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Grant funding is, in part or whole, Federal American Rescue Plan Act (State and Local Fiscal Recovery Funds) funding from the United States Department of the Treasury. A final payment request for any Federal American Rescue Plan Act funding in this Agreement shall be submitted to the Department no later than

September 30, 2026, to ensure the availability of funds and adequate time to process payment requests. Any payment requests not submitted with correct and complete forms and supporting documentation by September 30, 2026, are at risk of not being paid. If the Agreement or Task End Date were to be extended at any time, this payment request deadline shall still apply.

Funds must be fully expended and reimbursed to Grantee no later than December 31, 2026, the funds will no longer be available after that date.

Task No.	Task Title	Grant Amount	Task Start Date	Task End Date
1	SR47/I-75 Wastewater Improvements Project RV Park Extension	\$475,000.00	07/01/2021	12/31/2026