

**AMENDMENT NO. 2
TO AGREEMENT NO. LPS0052
BETWEEN
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
AND
MARION COUNTY**

This Amendment to Agreement No. LPS0052 (Agreement), as previously amended, is made by and between the Department of Environmental Protection (Department), an agency of the State of Florida, and Marion County (Grantee), on the date last signed below.

WHEREAS, the Department entered into the Agreement with the Grantee for Oak Bend/I-75 Water Quality Improvement (Project), effective May 7, 2021; and,

WHEREAS, the Grantee has requested an extension of the Agreement due to project delays; and,

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

NOW THEREFORE, the parties agree as follows:

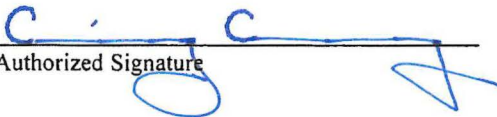
1. Section 3. of the Standard Grant Agreement is hereby revised to change the Date of Expiration to December 31, 2025. The Department and the Grantee shall continue to perform their respective duties during this extension period pursuant to the same terms and conditions provided in the Agreement.
2. Attachment 3-1, Grant Work Plan, is hereby deleted in its entirety and replaced with Attachment 3-2, 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 3-2, Revised Grant Work Plan.
3. 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.

MARION COUNTY

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: 
Authorized Signature

By: _____
Secretary or Designee

Craig Curry, Chairman
Print Name and Title

Angela Knecht, Division Director
Print Name and Title

Date: August 1, 2023

Date: _____

Sebastian Bayard, DEP Grant Manager

Zach Easton, DEP QC Reviewer

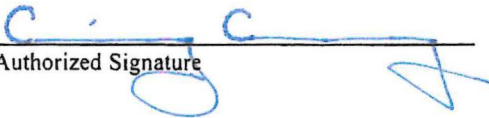
List of attachments/exhibits included as part of this Amendment:


<u>Specify Type</u>	<u>Letter/ Number</u>	<u>Description</u>
Attachment	3-2	Revised Grant Work Plan

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.

MARION COUNTY

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: 
Authorized Signature

By:  Digitally signed by Angela Knecht
Date: 2023.08.17 14:10:23 -04'00'
Secretary or Designee

Craig Curry, Chairman
Print Name and Title

Angela Knecht, Division Director
Print Name and Title

Date: August 1, 2023

Date: _____

Ian Burse Digitally signed by Ian Burse
Date: 2023.08.17 11:58:21 -04'00'

Sebastian Bayard, DEP Grant Manager

Zach Easton Digitally signed by Zach Easton
Date: 2023.08.17 12:34:13 -04'00'

Zach Easton, 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	3-2	Revised Grant Work Plan

**ATTACHMENT 3-2
REVISED GRANT WORK PLAN**

PROJECT TITLE: Oak Bend/I-75 Water Quality Improvement Project

PROJECT LOCATION: The Project will be located near the City of Ocala, within Marion County; Lat/Long (29.0846, -82.185707). See Figure 1 for a location map and site plan.

PROJECT BACKGROUND: Marion County (Grantee) recognizes the vital ecological and economic importance that Rainbow Springs, Rainbow River, Silver Springs, and the Upper Silver River systems have in the community. These bodies of water are listed as Outstanding Florida Waters. Rainbow Springs and the Rainbow River are classified as high priorities in the Southwest Florida Water Management District's Rainbow River Surface Water Improvement and Management Plan and a Basin Management Action Plan (BMAP) was adopted in 2018. These bodies of water are impaired under 62-303(d), Florida Administrative Code, by total nitrogen as identified in the adopted Total Maximum Daily Load. The Grantee has identified the Oak Bend/I-75 Water Quality Improvement Project (Project) to help improve the water quality of these impaired water bodies.

Equity Lifestyle Properties (ELP) owns and operates the private Oak Bend wastewater treatment facility which serves a community of 262 homes. ELP would like to be a part of the BMAP by decommissioning the package plant and connecting to the Marion County central wastewater collection system. FDOT owns and operates a nearby I-75 rest area that uses a package plant to treat and dispose of wastewater generated on site. FDOT is currently planning a reconstruction of the rest area and would like to connect to the Marion County central wastewater collection system in order to reduce their environmental impact.

PROJECT DESCRIPTION: The Grantee will design and construct a sanitary sewer conveyance system which will remove from service two package plants. The Project will include the construction of a Jack and Bore 24-inch casing under I-75 and the construction of approximately 4,500 linear feet (LF) of 8-inch transmission main connecting the eastern portion of the Oak Bend/I-75 Water Quality Improvement Project to the Marion County central wastewater collection system

This project grant is part of a multi-year springs improvement plan, which may be amended, and was selected based on local contributions pledged towards the project costs for long-term water quality and springs restoration capital projects. The Grantee will provide to the Department a status update on the plan each year, by March 1, to include an anticipated date that additional funding will be needed for the projects listed in Attachment 3, Figure 2, Oak Bend/I-75 Water Quality Improvement Multi-Year Plan. Based on the Grantee's project schedule, and subject to legislative appropriation of infrastructure funding for water quality and springs restoration each year, the Department may amend this Agreement to provide project funding to the Grantee for the next phase of the Oak Bend/I-75 Water Quality Improvement Multi-Year Plan. Under this Agreement, Marion County's projects identified in Figure 2 will have priority consideration as funds become available and these projects do not have to be submitted each year through the Water Management District/Department springs evaluation process.

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

Task 1: Design and Permitting

Deliverables: The Grantee will complete the design of the Jack and Bore casing and 8-inch force main and obtain all necessary permits for construction of the project.

Documentation: The Grantee will submit: 1) a signed acceptance of the completed work to date, as provided in the Grantee's Certification of Payment Request; and 2) a summary of design activities to date, indicating the percentage of design completion for the time period covered in the payment request. For the final documentation, the Grantee will also submit a copy of the design completed with the funding provided for this task and a list of all required permits identifying issue dates and issuing authorities.

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: 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 sanitary sewer conveyance system consisting of a Jack and Bore casing and 8-inch force main.

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).

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 following the conclusion of the task.

Task 3: Construction

Deliverables: The Grantee will construct a sanitary sewer conveyance system 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.

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	Design and Permitting	Contractual Services	\$51,681	07/01/2020	06/30/2025
2	Bidding and Contractor Selection	Contractual Services	\$10,000	07/01/2020	06/30/2025
3	Construction	Contractual Services	\$2,027,407	07/01/2021	06/30/2025
Total:			\$2,089,088		

Note that, per Section 8.h. of Attachment 1 in the Agreement, authorization for continuation and completion of work and any associated payments may be rescinded, with proper notice, at the discretion of the Department if the Legislature reduces or eliminates appropriations. Extending the contract end date carries the risk that funds for this project may become unavailable in the future. This should be a consideration for the Grantee with this and future requests for extension.

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Figure 1. Location Map/Site Plan

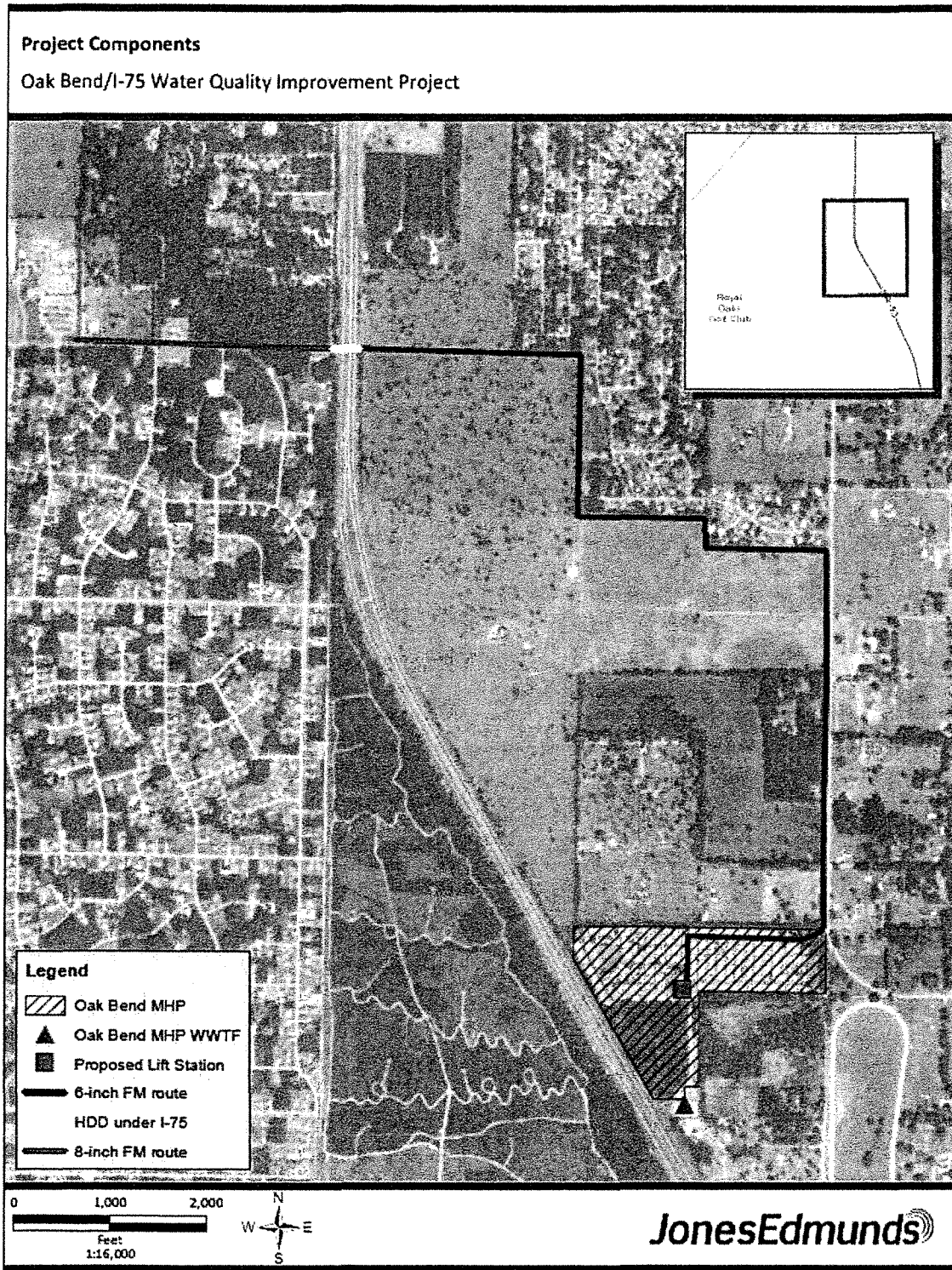


Figure 2

Figure 2. Oak Bend/I-75 Water Quality Improvement Multi-Year Plan

Springs Funding Multi-Year Plan								
Project Title:			Oak Bend/I-75 Water Quality Improvement Project					
Total Project Cost			I. Year 1 - Project Funding Breakout			II. Year 2 - Project Funding Breakout		
Springs Funding Amount	Third Party Match	Total Project Cost	Springs Funding Amount	Third Party Match	Total Amount	Springs Funding Amount	Third Party Match	Total Amount
\$2,089,088	\$1,013,980	\$3,103,068	\$257,520	\$0	\$257,520	\$1,831,568	\$1,013,980	\$2,845,548