

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** Fourth Amendment to the Agreement between the SJRWMD and Seminole County for the Little Wekiva River Watershed Management Plan

**DEPARTMENT:** Public Works      **DIVISION:** Road Operations and Stormwater

**AUTHORIZED BY:** W. Gary Johnson      **CONTACT:** Mark E. Flomerfelt      **EXT.** 5709  
W. Gary Johnson, P.E., Dir.      Mark E. Flomerfelt, P.E., Mgr.  
Public Works Dept.      Rd Ops & Stormwater Division

Agenda Date 2/11/03    Regular     Consent     Work Session     Briefing   
Public Hearing – 1:30     Public Hearing – 7:00

**MOTION/RECOMMENDATION:** Approve and authorize Chairman to execute the Fourth Amendment to the Agreement between the SJRWMD and Seminole County for the Implementation of the Little Wekiva River Watershed Management Plan.

**BACKGROUND:** The Little Wekiva River Watershed Management Plan is a multi-jurisdictional effort to address erosion and sedimentation in the river as well as long term needs (water quality and recreational use). These efforts are pursuant to specific appropriations authorized by the Florida Legislature.

A master agreement that provides for the implementation of the Little Wekiva River Watershed Management Plan was approved by the BCC on 11/23/99. The enclosed amendment is for the design and construction of projects outlined in the watershed management plan.

This amendment modifies and increases the funding allocated for the *Northwestern Avenue and the Horselovers Lane Projects* by \$250,000 and \$50,000 respectively due to refined estimated construction costs. Additionally, the amendment allows funding to be transferred between three (3) projects: the *Northwestern Avenue Erosion Control Project*, the *Horse Lovers Lane Erosion Control Project*, and the *S.R. 434 Sedimentation Basin*. The increase of \$300,000 brings the total to \$2,851,707 for design and/or construction of the Little Wekiva River Watershed Management Plan projects.

Reviewed by:  
Co Atty: [Signature]  
DFS: \_\_\_\_\_  
Other: \_\_\_\_\_  
DCM: [Signature]  
CM: [Signature]  
  
File No. CPWS02

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**FOURTH AMENDMENT TO THE AGREEMENT BETWEEN  
THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT AND  
SEMINOLE COUNTY FOR THE LITTLE WEKIVA RIVER WATERSHED MANAGEMENT  
PLAN**

THIS AMENDMENT is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2003, by and between the GOVERNING BOARD of the ST. JOHNS RIVER WATER MANAGEMENT DISTRICT ("DISTRICT"), whose mailing address is Post Office Box 1429, Palatka, Florida 32178-1429, and SEMINOLE COUNTY ("COUNTY"), whose address is 520 W. Lake Mary Blvd., Suite 200, Sanford, Florida 32773.

WHEREAS, DISTRICT and COUNTY entered into an Agreement on November 30, 1999, to provide funding assistance to Seminole County to design and construct erosion control projects identified in the Little Wekiva River Watershed Management Plan including Northwestern Avenue, Horselovers Lane, and SR 434 Sedimentation Basin and amended the Agreement on January 11, 2000 (Amendment #1), and October 11, 2000 (Amendment #2) and May 25, 2001 (Amendment #3).

WHEREAS, DISTRICT and COUNTY desire to modify the Agreement.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and for other good and valuable consideration, DISTRICT and COUNTY hereby agree to the following amendments:

1. **ARTICLE VII - COMPENSATION:** Paragraph A shall be deleted and replaced with the following:

"A. Amount of Funding: For satisfactory performance of the Work outlined in the Contract for Amendment #4 – Statement of Work, attached hereto as Exhibit "A-4", DISTRICT agrees to pay COUNTY an additional sum not to exceed \$300,000.00, increasing the amended Contract amount of \$2,551,707 to a total not to exceed amount of \$2,851,707."

"B. Invoicing Procedure: All invoices shall reference Contract number 99W232 and shall be submitted to Director, Division of Financial Management, P.O. Box 1429, Palatka, Florida, 32178-1429. SEMINOLE COUNTY shall submit itemized monthly invoices along with a Project Status Report based upon the actual work performed and shall bill as per the Project Budget included in Exhibit "A-4". Invoices which do not correspond to the Project Budget will be returned to SEMINOLE COUNTY without action."

DISTRICT and COUNTY agree that all other terms and conditions of the original Agreement are hereby ratified and continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have duly executed this Amendment on the date set forth above.

ST. JOHNS RIVER WATER MANAGEMENT  
DISTRICT

~~SEMINOLE COUNTY~~

By: \_\_\_\_\_  
Kirby B. Green III, Executive Director

~~By: \_\_\_\_\_~~

APPROVED BY THE OFFICE OF GENERAL  
COUNSEL

~~Typed Name and Title~~

~~Attest: \_\_\_\_\_~~

\_\_\_\_\_  
John W. Williams, Deputy General Counsel

~~Typed Name and Title~~

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

\_\_\_\_\_  
MARYANNE MORSE  
Clerk to the Board of County  
Commissioners of Seminole County, Florida

By: \_\_\_\_\_  
Daryl McLain, Chairman  
Board of County Commissioners

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

For the use and reliance of  
Seminole County only.  
Approved as to form and legal  
sufficiency.

As authorized for execution by the Board of  
County Commissioners at their  
\_\_\_\_\_, 2003 regular meeting

\_\_\_\_\_  
County Attorney

\_\_\_\_\_  
Date

**AMENDMENT #4 - STATEMENT OF WORK, EXHIBIT "A-4"  
LITTLE WEKIVA RIVER WATERSHED MANAGEMENT PLAN  
SEMINOLE COUNTY, MIDDLE ST. JOHNS RIVER BASIN**

**NORTHWESTERN AVENUE, HORSELOVERS LANE, AND SR 434 SEDIMENTATION BASIN**

**I. INTRODUCTION/BACKGROUND:**

Work that has been ongoing in the Middle St. Johns River Basin (MSJRB) before the development of a SWIM Plan in the MSJRB includes the erosion control work in the Little Wekiva River watershed. This program has been included as an important effort in the MSJRB SWIM Plan. The successful partnership in the Little Wekiva has been a part of the foundation of expanding efforts in the surface water improvement efforts in the MSJRB. The erosion control efforts are continuing, with much of the work already completed. The severe erosion problems that have occurred in the Little Wekiva River over the past few years have provided incentive for the State of Florida Legislature to authorize Specific Appropriations for work to address the problem during the 1995, 1996, 1997, 1998 and 2000-2002 sessions. The Little Wekiva River Technical Working Group that consists of DEP, SJRWMD, local governments, environmental groups, and residents, has developed a basin-wide management plan that includes several projects along the river. Several projects identified in the erosion control master plan have been funded and constructed, or approved for future funding. Seminole County is an active local government in the implementation of the erosion control master plan, and this contract will provide funding support for their continued efforts.

The funding provided to Seminole County with this agreement will allow them to complete erosion control projects that were identified in their jurisdiction in the Little Wekiva River Watershed Management Plan. The county has completed the Weathersfield and Merrill Park Projects. Projects to be constructed in 2003, and with the funding of this amendment, include Northwestern and Horselovers Lanes. The final project in Seminole County for erosion control under this program will be a Sedimentation Basin near S.R. 434, which will be undergoing the design process during FY 02-03.

**II. OBJECTIVES:**

The objectives of this Statement of Work include the successful implementation of the erosion control projects that have been identified in the Little Wekiva River Watershed Management Plan. This agreement specifically includes the projects in the Seminole County portion of the Little Wekiva River:

- Northwestern Avenue
- Horselovers Lane
- SR 434 Sedimentation Basin

**III. SCOPE OF WORK:**

The scope of this project is the implementation of erosion control projects in the Little Wekiva River, Seminole County. Funding that has been provided in District Contract #99W232 with Seminole County will be combined with Amendment #4 to reimburse the County for project elements including project design, construction, and construction management services. Each of these elements of the project are to be completed by the County, and will be reimbursed to the County upon submission of invoicing information that is acceptable pursuant to the funding requirements. The three projects that remain to be completed are described below.

A. Northwestern Avenue Area (Seminole County)

Northwestern Avenue is located in Seminole County, south of SR 436 and just south of the Weathersfield site. The Northwestern Avenue/Little Wekiva River Bridge is a site of serious erosion problems due to the excessive incision that occurs in this reach of the river. As the river bottom erodes, the side slopes are caused to slough into the river. The bridge at this location is at risk and the sediment transported from this site is contributing to the downstream deposition of sediment. The project will include channel bed and bank protection. Construction is scheduled to begin on Northwestern Avenue in early 2003.

B. Horselovers Lane (Seminole County)

The Horselovers Lane project is located in the Seminole County section of the Little Wekiva, and is upstream (south) of the Northwestern project area. The site has serious erosion problems within the river that has jeopardized a culvert crossing, and also erosion exists within the tributary between Spring Lake and the Little Wekiva River itself. The erosion control project includes stabilization of both the river and the tributary, as well as replacement of the eroding pipe crossing with a double box culvert. Construction is scheduled to begin on Horselovers Lane in early 2003.

C. S.R. 434 Sedimentation Basin (Seminole County)

The final project within the erosion control master plan in Seminole County is a sedimentation basin, to be located upstream from SR 434. The river flattens immediately downstream of SR 434 in the Springs Subdivision. This condition causes sedimentation of the transported sediment, flooding concerns exist, and there are environmental concerns due to the impact from the excessive sediment. Since some sediment movement is natural for a stream, the vulnerability of this area encourages the installation of a maintainable sedimentation basin, if feasible. Land is limited, and costs are high, although Seminole County is progressing in a plan to install the facility. The sedimentation basin project will continue in the design phase during 2003.

**IV. TASK IDENTIFICATION:**

Seminole County will complete the tasks outlined for the three projects of this Statement of Work, including design, permitting, construction, construction management and long-term operation and maintenance of the projects. The District will provide cooperative funding, regional coordination, and technical support in the implementation of the project. Tasks include:

Northwestern Avenue and Horselovers Lane

- A. Final design and permitting – Task completed and reimbursable to Seminole County through previous amendments to the District Contract 99W232 with the county.
- B. Construction – Seminole County will bid and construct the erosion control projects. Construction activities will be the responsibility of Seminole County and will be reimbursed to the county.

SR 434 Sedimentation Basin

- A. Final design and permitting – Task underway and reimbursable to Seminole County. Deliverables to the county by their design consultant will also be provided to the District for technical review and comment.
  
- B. Construction – Seminole County will bid and construct the sedimentation basin upon completion of the design, acquisition and permitting phases of the project. Construction activities will be the responsibility of Seminole County and will be reimbursed to the county up to the amount of the funding agreement.

V. TIME FRAMES AND DELIVERABLES:

Northwestern Avenue Area (Seminole County)

|                                   |               |
|-----------------------------------|---------------|
| Design, Permitting, Easements     | in process    |
| Bid Advertisement                 | December 2002 |
| Award Contract/Begin Construction | February 2003 |
| Complete Construction             | June 2003     |

Horselovers Lane (Seminole County)

|                                   |               |
|-----------------------------------|---------------|
| Design, Permitting, Easements     | in process    |
| Bid Advertisement                 | December 2002 |
| Award Contract/Begin Construction | February 2003 |
| Complete Construction             | June 2003     |

S.R. 434 Sedimentation Basin (Seminole County)

|   |                            |
|---|----------------------------|
| Preliminary Design                      | in process                 |
| Land Acquisition and Public Information | through final design phase |
| Final design and permitting             | 9 months                   |
| Bid and contracting                     | 3 months                   |
| Construction                            | 9 months                   |

\*All work to be completed by September 30, 2004.

VI. CONTRACT BUDGET:

The budget of this amendment and the total budget for the Seminole County Little Wekiva River erosion control projects is listed below. No retainage is to be held on the project invoices; payments will be made on a cost reimbursable basis and status reports to identify project status, notable issues, and to outline any delays will accompany all invoices. Requirements and documentation as required by the State Auditor General will be included with each invoice. The District's cooperative funding will be matched for the Little Wekiva River erosion control projects in the form of in-kind services and the county will accept the long-term operation and maintenance responsibilities for the projects once complete. No specific dollar or percentage amount is required for the match. Seminole County is responsible for all bonding and insurance requirements.

99W232 Amendment #4 Budget

| Project  | 1996/97<br>Funding | 1997/98<br>Funding | 1998/99<br>Funding | 2000/01<br>Funding | 2001/02<br>Funding | Total for<br>project |
|--|--------------------|--------------------|--------------------|--------------------|--------------------|----------------------|
| Weathersfield<br>Avenue Area Bank<br>Stabilization | \$ 204,842         | \$ 428,946         |                    |                    |                    | \$ 633,788           |
| San Sabastian and<br>Spring Oak Erosion<br>Control | \$ 66,865          |                    |                    |                    |                    | \$ 66,865            |
| Northwestern<br>Avenue                             |                    |                    | \$ 550,000         |                    | \$250,000          | \$ 800,000           |
| Horselovers Lane                                   |                    |                    | \$ 291,054         | \$ 310,000         | \$ 50,000          | \$ 651,054           |
| SR 434<br>Sedimentation Basin                      |                    |                    | \$ 78,916          | \$ 600,000         | 0                  | \$ 678,916           |
| SR 434<br>Sedimentation Basin                      |                    |                    | \$ 21,084          |                    |                    | \$ 21,084            |
| <b>TOTAL</b>                                       |                    |                    |                    |                    |                    | <b>\$ 2,851,707</b>  |

\* Project costs can be transferred between these three projects. Any unspent funds can be liquidated from this contract once the projects are complete. Any funds remaining from the Northwestern Avenue and Horselovers Lane projects will be used on the SR-434 Sedimentation Basin project.