



Pinellas County

Staff Report

File #: 24-0010D, Version: 1

Subject:

First Amendment to the Agreement with the Southwest Florida Water Management District for the Cooperative Funding Initiative Fiscal Year 2024-2025 for the Joe's Creek Model Update, Alternatives and Feasibility Study (Preliminary Engineering Report, PER) phase of the Joe's Creek Greenway Trail and Stormwater Management project.

Recommended Action:

Approval and execution by the County Administrator for the first Amendment to an existing Cooperative Funding Initiative (CFI) with Southwest Florida Water Management District (SWFWMD) for the Joe's Creek Model Update, PER phase of the Joe's Creek Greenway Trail and Stormwater Management project.

- The existing SWFWMD CFI was approved and executed in FY2021.
- Amendment No. 1 proposes to:
 - Extend the expiration date of the Agreement from January 31, 2024 to March 31, 2025, and modify the Project Schedule.
 - Reduce SWFWMD funding from \$360,000.00 to \$331,000.00, as some project items have been removed from the original Agreement scope and modify the Project Budget to reflect this change.
 - Update Project Contacts for SWFWMD and Pinellas County and language applicable to SWFWMD's cooperatively funded projects.
- Funding will begin immediately as the first draft of the report has already been submitted for review and the model refinement is nearly complete.
- While this amendment will decrease the funding available for the projects at Joe's Creek by \$29,000, other grants currently in progress will be used to fund this difference (and even offset Penny funding).

PID No. 004116A; Amendment No. 1 decreases the award amount by \$29,000.00; Agreement date is revised to March 31, 2025.

Strategic Plan:

Practice Superior Environmental Stewardship

3.2 Preserve and manage environmental lands, beaches, parks, and historical assets

3.3 Protect and improve the quality of our water, air, and other natural resources

Summary:

The purpose of Amendment is to extend the expiration date and reduce the funding amount due to the disqualification of initially approved project items. The Amendment reduces the grant project budget by \$58,000.00 (\$29,000.00 SWFWMD funding and \$29,000.00 County match) and extends the Agreement expiration to March 31, 2025.

Additionally, the following revisions to the Agreement include:

Subparagraphs 2, 3, and 9 of the Funding Paragraph are replaced in their entirety.

New Subparagraph 10 of the Funding Paragraph is added.

The Diversity in Contracting and Subcontracting Paragraph is amended to delete Subparagraphs 1 and 2.

The Documents Paragraph is replaced in its entirety and adds Exhibit A and Exhibit C to the Agreement. Exhibit "A" is the Project Plan, and Exhibit "C" is the Contingency Funds Justification Form.

The Project Schedule and Project Budget sections in the Project Plan are replaced in their entirety.

The terms, covenants and conditions set forth in the Existing Agreement that have not been specifically amended, will continue in existence.

Background/Explanation:

The Joe's Creek Preliminary Engineering Report (PER) study is a Capital Improvement Planning (CIP) for Public Works Department. The Study will provide updated and more detailed analysis, cost estimates, and water quality/flood protection benefit calculations, along with preliminary design, for the selected Best Management Practices (BMP) recommended in the 2016 Water Management Plan (WMP) and other studies for Joe's Creek watershed. Public Works Department intends to move forward with design and construction of these BMPs after the PER. This study will better prepare each BMP project for final design / construction phase.

The County does not need to complete that Exhibit C in the Amendment at this time. It will only be used if there is contingency and/or change orders requested for reimbursement by an invoice per Paragraph 3.

Fiscal Impact:

Joe's Creek Trail and Stormwater Management, project 004116A, is budgeted in the FY24-FY29 Capital Improvement Program plan. This project is funded by Local Infrastructure Sales Surtax (Penny for Pinellas), State grant funding through CDBG-MIT, and local grant funding through SWFWMD.

Through this Amendment the SWFWMD award contribution is reduced by \$29,000, however, Joe's Creek Trail and Stormwater Management has been selected for the Statewide Resilience Plan through Florida Department of Environmental Protection, the grant in the amount of \$27,911,499 is anticipated to reduce the Penny funding needed for this project. Additionally, Public Works is seeking additional funding opportunities for Joes' Creek Trail and Stormwater Management.

Delegated Authority:

Authority for the County Administrator to approve this proposal is granted under Code Section 2-62 (a)(1).

Staff Member Responsible:

Kelli Hammer Levy, Director, Public Works Department

Partners:

SWFWMD

Attachments:

Amendment No. 1

Agreement

Project Location Map