

RESOLUTION NO. 23-06-53

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING A FIRST AMENDMENT TO WORK AUTHORIZATION NO. 9 WITH WSP USA ENVIRONMENT & INFRASTRUCTURE, INC. FOR WATER QUALITY MONITORING AND CONSTRUCTION ADMINISTRATION AND OVERSIGHT OF THE CANAL 114 RESTORATION PROJECT; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AMENDMENT TO THE PROJECT AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Islamorada, Village of Islands (the "Village"), is seeking to complete the Canal 114 gravity flow injection well restoration project; and

WHEREAS, the Village has a current Continuing Services Agreement ("CSA") with WSP USA Environment & Infrastructure, Inc. ("WSP") for professional engineering and architectural support services; and

WHEREAS, pursuant to the CSA, a Project Agreement (Work Authorization No. 9) was issued by the Village on September 21, 2022, for water quality monitoring and construction administration and inspection of the Canal 114 project, in a not-to-exceed amount of Sixty-six Thousand One Hundred Six Dollars and Sixty Cents (\$66,106.60); and

WHEREAS, the Village is in need of additional monitoring and technical report writing assistance to evaluate project performance and to fulfill grant requirements; and

WHEREAS, WSP has proposed to perform these services as outlined in the Scope of Services within Exhibit "2" for an additional Fifteen Thousand Dollars (\$15,000.00), which would increase the not-to-exceed amount of the Agreement to Eighty-one Thousand One Hundred Six Dollars and sixty Cents (\$81,106.60); and

WHEREAS, expenditures incurred for these services are to be submitted to the U.S. Environmental Protection Agency for reimbursement under grant number 02D031; and

WHEREAS, the Village Council of Islamorada, Village of Islands (the "Village Council"), has determined that a First Amendment to the Project Agreement/Work Authorization No. 9 with WSP (Exhibit "1") to increase the not-to-exceed fee is in the best interests of the Village and its residents; and

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and incorporated into this Resolution by this reference.

Section 2. Approval of First Amendment. The Village Council hereby approves Amendment Number 1 to Work Authorization No. 9 with WSP for completion of the Canal #114 Gravity Flow Injection Well Project, as set forth in Exhibit "1" attached hereto.

Section 3. Authorization of Village Officials. The Village Manager and/or designee and the Village Attorney are authorized to take all actions necessary to implement perfect the terms and conditions of the Amendment to the Work Authorization.

Section 4. Authorization of Fund Expenditure. Notwithstanding the limitations imposed upon the Village Manager pursuant to the Village's Purchasing Procedures Ordinance, the Village Manager is authorized to expend budgeted funds to implement the terms and conditions of the amended Work Authorization.

Section 5. Effective Date. This Resolution shall take effect immediately upon adoption. Motion to adopt by Councilmember Mark Gregg seconded by Councilmember Elizabeth Jolin.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

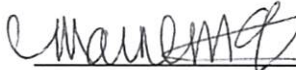
Mayor Joseph B. Pinder III	<u>Yes</u>
Vice Mayor Sharon Mahoney	<u>Yes</u>
Councilman Mark Gregg	<u>Yes</u>
Councilman Elizabeth Jolin	<u>Yes</u>
Councilman Henry Rosenthal	<u>Yes</u>

PASSED AND ADOPTED THIS 8th DAY OF JUNE, 2023.



JOSEPH B. PINDER III, MAYOR

ATTEST:



MARNE MCGRATH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF
ISLAMORADA, VILLAGE OF ISLANDS:



JOHN J. QUICK, VILLAGE ATTORNEY



**FIRST AMENDMENT TO
PROJECT AGREEMENT
Between
ISLAMORADA, VILLAGE OF ISLANDS
And
WSP USA ENVIRONMENT & INFRASTRUCTURE, INC.
For
Work Authorization No. 9**

This First Amendment to Work Authorization No. 9 under a Continuing Services Agreement (the "First Amendment") is made and entered into this 21st day of June, 2023, between Islamorada, Village of Islands ("VILLAGE") and WSP Environment & Infrastructure, Inc. ("CONSULTANT").

WHEREAS, the VILLAGE and CONSULTANT entered into a Continuing Services Agreement ("CSA") for professional services for various engineering and Islamorada canal restoration projects dated August 14, 2020 for a term of five (5) years through August 14, 2025; and

WHEREAS, the VILLAGE and CONSULTANT entered into a Project Agreement (Work Authorization No. 9 under the CSA) for water quality monitoring and construction administration and oversight of the Canal 114 restoration project dated September 21, 2022, with a not-to-exceed amount of Sixty-six Thousand One Hundred Six Dollars and Sixty Cents (\$66,106.60) and a termination date of December 31, 2023; and

WHEREAS, the VILLAGE needs additional services from the CONSULTANT to complete the Canal 114 restoration project; and

WHEREAS, the VILLAGE and CONSULTANT desire to enter into this First Amendment to increase the not-to-exceed cost of Work Authorization No. 9 by Fifteen Thousand Dollars (\$15,000.00) to a total of Eighty-one Thousand One Hundred Six Dollars and sixty Cents (\$81,106.60); and

WHEREAS, expenditures incurred for these sediment removal services are to be submitted to the U.S. Environmental Protection Agency for reimbursement through grant number 02D031.

NOW THEREFORE, in consideration of mutual promises, covenants and contracts stated herein, and for other good and valuable consideration, the sufficiency of which is hereby acknowledged, VILLAGE and CONSULTANT hereby agree as follows:

Section 1. Scope of Services

1.1 The CONSULTANT shall provide engineering services to the VILLAGE for the Project as described in the "Scope of Services" attached as Exhibit "2."

1.2 The revised "Scope of Services" and tasks to be provided by the CONSULTANT for this Project are those services and tasks as listed in Exhibit "2."

1.3 The VILLAGE may request changes that would increase, decrease, or otherwise modify the Scope of Services. Such changes must be contained in a written change order executed by the parties in accordance with the provisions of the Continuing Services Agreement between the VILLAGE and CONSULTANT, dated August 14, 2020, prior to any deviation from the terms of the Project Agreement, including the initiation of any extra work.

Section 2. Amendment to Project Agreement. The Project Agreement is amended to read as follows:

SECTION 4. AMOUNT, BASIS AND METHOD OF COMPENSATION

4.1 Lump Sum Compensation. VILLAGE agrees to pay CONSULTANT an amount not to exceed ~~Sixty-six Thousand One Hundred Six Dollars and Sixty Cents (\$66,106.60)~~ Eighty-one Thousand One Hundred Six Dollars and sixty Cents (\$81,106.60) as compensation for performance of all services related to the Project. It is understood that the method of compensation is that of lump sum which means that CONSULTANT shall perform all services set forth for total compensation ~~in the amount stated above~~ no more than in the amount stated above. Said sum includes but is not limited to, compensation for all fees, expenses, and out-of-pocket costs of the CONSULTANT.

Section 3. No Further Modifications. All other terms and conditions of the existing Project Agreement not in conflict or superseded by this First Amendment shall remain in full force and effect as if set forth herein.

IN WITNESS WHEREOF, the parties hereto have accepted, made and executed this First Amendment upon the terms and conditions above stated on the day and year first above written.

Attest:

ISLAMORADA, VILLAGE OF ISLANDS



Marne McGrath, Village Clerk

By: 

Ted Yates, Village Manager

Date: 6/21/23

Approved as to Form and Legality
for the Use and Benefit of Islamorada,
Village of Islands only



John Quick, Village Attorney

**WSP USA ENVIRONMENT &
INFRASTRUCTURE, INC.**

By: 

Mark Diblin, Florida District Lead – Earth & Environment
Senior Vice President

Date: 06/21/2023



Exhibit 2

5015 S. Florida Avenue, Ste 301
Lakeland, Florida 33813

wsp.com

August 1, 2022, Amended May 5, 2023

Mr. Peter Frezza
Environmental Resources Manager
Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, FL 33036

Via email: peter.frezza@islamorada.fl.us

Re: Proposal for Professional Engineering Services
Canal #114 Gravity Flow Injection Well Pre and Post Construction Water Quality Monitoring,
Construction Administration, and Oversight
Wood Project No.: 600737Con

Dear Mr. Frezza:

WSP is requesting an amendment under work authorization No. 9 for post-construction monitoring in Canal #114 Plantation Key. WSP has completed the pre-construction monitoring and construction oversight of the gravity flow injection well that was installed and opened in April 2023.

Since this technology was a pilot project, the installation and opening of the well required extensive testing and reporting to the agencies to ensure proper guidelines were met prior to operation. The original work authorization assumed two months of pre-construction monitoring however due to the delays with agency approval we obtained four months of data prior to operation. Even though we obtained more data than assumed, it will be useful during our post construction monitoring analysis to evaluate overall performance of the well at improving the water quality.

Further, the Village received two grants since the execution of the work authorization that will require additional analysis and reporting.

The following sections describe the proposed scope of services, the baseline schedule for our deliverables, and proposed fees for the amendment.

Scope of Services

Task 1 : Data Collection and Assessment

This task consists of field data collection to determine the effectiveness of the Canal #114 gravity injection well project at improving water quality. Water quality measurements will be collected from Canal #113 (Control) and Canal #114 using a YSI Pro Plus multimeter. The water quality measurements will consist of DO, temperature, pH, and conductivity. Water quality readings will be collected as a single grab sample. The Global Positioning System (GPS) location (i.e., latitude and longitude) of each sample location will be recorded, along with the date and time of sample collection.

The grab samples for Canal #114 will be collected at the following locations:

- 5 feet in front of intake;
- 100 feet from intake;
- 500 feet from intake (near throat); and
- At the mouth of the canal (1200 feet).

The grab samples for Canal 113 (Control) will be collected at the following locations:

- 300 feet from the back; and
- 600 feet from the back.

The DO measurements for each canal will consist of the average of three readings, one collected 1 foot below the water surface, one collected at mid-depth, and one collected 2 feet above the canal bottom. The DO measurements will be recorded as percent saturation and DO concentration in mg/L. The average DO reading will be corrected for time of day to estimate the daily average DO concentration using the regression equation that was developed by WSP for the 2017 Canal Management Master Plan sampling effort.

The water quality samples will be taken 3 hours prior to high tide and based on the following schedule:

- Weekly samples prior to the beginning of operation (assume two months); - **Completed, actual four months**
- Daily samples three consecutive days prior to operation; - **Completed**
- Daily samples three consecutive days after; - **Completed**
- Weekly samples thereafter for the first month;
- Bi-weekly samples thereafter for two months; and
- Monthly samples thereafter for six months.

The samples included in the study will be accessed by kayak and personnel will follow safety measures according to WSP's Health and Safety Plan. Water quality measurements of pH, conductivity, temperature, and DO will be taken in accordance with FDEP SOPs FT1100, FT1200, FT1400, and FT1500, respectively.

WSP will compile and analyse the data to determine the effectiveness of the well in improving water quality. WSP will provide the Village with a technical memorandum in PDF format submitted electronically presenting the results.

Task 2 : Construction Administration and Oversight

WSP provided construction engineering and environmental site inspections and construction administration services for the project.

Estimated Budget

This proposal is valid for 30 days. The terms and conditions of the Non-Exclusive Continuing Services Agreement between Islamorada, Village of Islands, and WSP USA Environment & Infrastructure, Inc. (WSP), dated September 14, 2018, are incorporated by reference.

We propose to increase the approved not to exceed budget of **\$66,106.60** by \$15,000 to **\$81,106.60**. Below is the breakdown of cost per task:

TASK	DESCRIPTION	FEE
Task 1	Data Collection and Assessment	\$43,531.80 (increase to \$58,531.80)
Task 2	Construction Administration and Oversight	\$22,574.80
Total		\$66,106.60 (increase to \$81,106.60)

Closing

We appreciate this opportunity to offer our professional services to you and the Village on this project. We look forward to working with you and are committed to providing the services you require for the successful completion of this important project within the time frame required. If you have any questions or comments regarding this proposal, please let us know.

Sincerely,

WSP USA Environment & Infrastructure, Inc.



Greg Corning
 Assistant Vice President, Civil Engineer
 FL Civil Design Team Lead
 1 (314) 920-8359
 Greg.Corning@wsp.com



Crissy Mehle
 Vice President, FL Water Environmental Local
 Business Leader
 1 (470) 991-3771
 Christine.Mehle@wsp.com