

8. CONSENT AGENDA

- d. Approval of Amendment No. 1 to Contract No. 4600001001 between the South Florida Water Management District and the City extending the contract term for 120 days to use approximately \$25,000 remaining of the original \$120,000 grant funds for the design of Phase IV of the Sanibel Sewer System Expansion and authorize the City Manager to execute same

Memorandum

DATE: March 18, 2008
TO: City Council
THROUGH: City Manager Judie Zimomra
FROM: Public Works Director Gates Castle *JDC*
RE: South Florida Water Management District 2007
Caloosahatchee Watershed Initiative Grants

RECOMMENDATION: Approve Amendment No.1 to Contract No. 4600001001 between the South Florida Water Management District and the City and authorize the City Manager to execute the amendment.

On July 17, 2007, City County accepted four South Florida Water Management District grants for projects that would improve water quality in the Caloosahatchee River and Estuary. The work on three of the grant funded projects were completed by the February 23, 2008 deadline. The forth project, design of Phase IV of the Sanibel Sewer System Expansion was delayed due to special surveying work being required to finalize the design.

The South Florida Water Management District staff has agreed to recommend that the contract term be extended by 120 days, establishing June 21, 2008 as the new expiration date. If Council agrees to the extension, SFWM District staff will present the proposed Amendment to the District Board.

Staff recommends that City Council approve Amendment No. 1 to Contract No. 4600001001 between the South Florida Water Management District and the City, extending the contract term by 120 days and authorize the City Manger to execute the Amendment (copy attached)



ORIGINAL

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
AMENDMENT**

4600001001

AMENDMENT NO. 1

TO CONTRACT NO. 4600001001

BETWEEN THE

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

AND

CITY OF SANIBEL

This **AMENDMENT NO. 1**, entered into on _____, to that **CONTRACT** dated August 23, 2007, between "the Parties," the South Florida Water Management District (**DISTRICT**), and the City of Sanibel. (**CITY**).

WITNESSETH THAT:

WHEREAS, the **CONTRACT** may be amended with the prior written approval of the parties; and

WHEREAS, the parties wish to amend the **CONTRACT** in order to amend the Payment and Deliverable Schedule;

NOW THEREFORE, the **DISTRICT** and the **CITY**, in consideration of the mutual benefits flowing from each to the other, do hereby agree as follows:

1. The term of the **CONTRACT** is hereby extended by One Hundred and Twenty (120) Days and the expiration date, as amended, is June 21, 2008. Regardless of the actual date of execution, this **AMENDMENT NO. 01** shall be effective on February 23, 2008.
2. This **AMENDMENT NO. 1** shall be at no additional cost to the **DISTRICT**.
3. The Payment and Deliverable Schedule is hereby revised in accordance with Exhibit "B1", attached hereto and made a part of this **AMENDMENT NO. 1**.
4. All other terms and conditions of the **CONTRACT**, as amended, remain unchanged.



SOUTH FLORIDA WATER MANAGEMENT DISTRICT AMENDMENT

IN WITNESS WHEREOF, the parties or their duly authorized representatives hereby execute this AMENDMENT NO. 1 on the date first written above.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

By: _____
Frank Hayden, Procurement Director

SFWMD PROCUREMENT APPROVED

By:

Patricia Hines *PH*

Date:

2-26-08

CITY OF SANIBEL

By: _____

Title: _____

Exhibit "B-1"
Payment and Deliverable Schedule

Task	Deliverable	Due Date	*District Not-to-Exceed Payment
Task 1: Planning and Design	Submit Design Plans	May 23, 2008	\$120,000

*The South Florida Water Management District's funding for this project will not exceed \$120,000.

If the total consideration for this AGREEMENT is subject to multi-year funding allocations, funding for each applicable fiscal year of this AGREEMENT will be subject to Governing Board budgetary appropriation. In the event the DISTRICT does not approve funding for any subsequent fiscal year, this AGREEMENT shall terminate upon expenditure of the current funding, notwithstanding other provisions in this AGREEMENT to the contrary.