

Meeting Date: 9/8/09

Agenda Item 2

REQUESTED COMMISSION ACTION:

Consent Ordinance Resolution Consideration Workshop

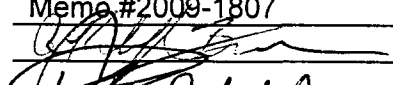
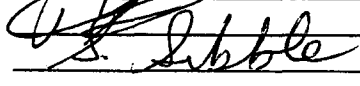
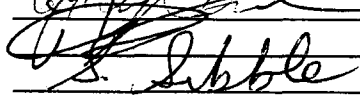
SHORT TITLE OR MOTION: Resolution Approving and Authorizing Work Authorization No. 2 between the City of Pompano Beach and MWH Americas Inc. for Five Year Consumptive Use Permit Compliance Report, in the amount of \$34,473.50.

Summary of Purpose and Why:

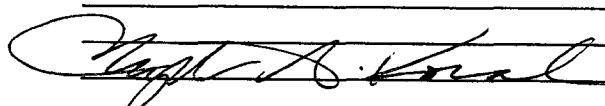
In September 2005, the City of Pompano Beach was issued a Consumptive Use Permit, which contained 28 limiting conditions. The five year compliance report is one of the conditions required by our permit. The information required in the report is explained in detail in the attached work authorization.

QUESTIONS TO BE ANSWERED BY ORIGINATING DEPARTMENT:

- (1) Origin of request for this action: Staff
- (2) Primary staff contact: A. Randolph Brown, Utilities Director Ext. 7044
- (3) Expiration of contract, if applicable: N/A
- (4) Fiscal impact and source of funding: Funding is available in line item 412 3305 533 3110

| DEPARTMENTAL COORDINATION | DATE | DEPARTMENTAL RECOMMENDATION | DEPARTMENTAL HEAD SIGNATURE OR ATTACHED MEMO NUMBER |
|---------------------------|---------|-----------------------------|--|
| City Attorney | 8/13/09 | Approve | Memo #2009-1807 |
| Utilities Director | 8/14/09 | Approve |  |
| Budget | 8/24/09 | Approve |  |
| Finance | 8/24/09 | Approve |  |

- Advisory Board
- Development Services Director
- City Manager - Interim



ACTION TAKEN BY COMMISSION:

| <u>Ordinance</u> | <u>Resolution</u> | <u>Consideration</u> | <u>Workshop</u> |
|------------------|-------------------|----------------------|-----------------|
| 1st Reading | 1st Reading | Results: | Results: |
| _____ | _____ | _____ | _____ |
| 2nd Reading | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |




Phone: (954) 545-7016

**City of Pompano Beach
UTILITIES TREATMENT PLANT**

Fax: (954) 545-7046

MEMORANDUM NO. 09- 30

DATE: August 17, 2009
TO: A. Randolph Brown, Utilities Director
FROM: Don Bayler, Utilities Treatment plant(s) Superintendent 
SUBJECT: Five Year CUP compliance Report

Issue:

In September, 2005 the City of Pompano Beach was issued a 20 year well field Consumptive Use Permit (CUP) from the South Florida Water Management (SFWMD). To meet the requirements of this permit the Utilities Department must submit a CUP compliance report to the SFWMD every five years.

Explanation:

The compliance report addresses past and future water use, calibration methodologies, water loss calculations; saline water monitoring, water conservation program implementation and alternative water supply credits. Based on the required complex criteria the report must be certified and signed by an expert in ground water geology and/or civil engineering. (See attached proposed Work Authorization No. 2)

Recommendation:

MWH AMERICAS, INC. (CONSULTANT) has extensive knowledge and experience, in south Florida, working with many water utility companies and the SFWMD in the submittal of these type of reports. The Utilities Staff recommends MWH AMERICAS, INC. pursuant to the agreement for continuing engineering services with the City, to perform this works. The CONSULTANT'S Work Authorization No.2 scope of services address the anticipated level of service needed to complete and submit the required five-year CUP compliance report in an amount of \$34,473.50. Funding is available in from the Utilities Department Professional Services Engineering, account No. 412-3305-533-3110.

RESOLUTION NO. 2009-_____

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE WORK AUTHORIZATION NO. 2 IN THE AMOUNT OF \$34,473.50 FOR THE FIVE-YEAR CONSUMPTIVE USE PERMIT COMPLIANCE REPORT, PURSUANT TO THE AGREEMENT FOR CONTINUING ENGINEERING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND MWH AMERICAS, INC. FOR WATER AND RECLAIMED WATER TREATMENT PLANT PROJECTS; PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That a work authorization between the City of Pompano Beach and MWH Americas, Inc. for the Five-Year Consumptive Use Permit Compliance Report, a copy of which work authorization is attached hereto and incorporated by reference as if set forth in full, is hereby approved.

SECTION 2. That the proper City officials are hereby authorized to execute said work authorization between the City of Pompano Beach and MWH Americas, Inc.

SECTION 3. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this _____ day of _____, 2009.

LAMAR FISHER, MAYOR

ATTEST:

MARY L. CHAMBERS, CITY CLERK



BUILDING A BETTER WORLD

Work Authorization No. 2

CITY OF POMPANO BEACH
FIVE-YEAR CONSUMPTIVE USE PERMIT COMPLIANCE REPORT

INTRODUCTION

In September, 2005 the CITY OF POMPANO BEACH (CITY) was issued a Consumptive Use Permit (CUP) by the South Florida Water Management District (SFWMD) to provide public water supply not to exceed an annual raw water allocation of 7,067 million gallons (MG) through August 10, 2010.

Table with 5 columns: Wellfield, Effective Date, Annual Allocation (MG), Average Daily (MGD), Maximum Monthly (MG). Rows include System (2005-2010), System (2010-2025), Airport (Nov-May), and Airport (Jun-Oct).

The CUP issued by the SFWMD has 28 Limiting Conditions (LCs) that must be met by the CITY throughout the duration of the permit. Several of the limiting conditions concern regular reporting of water production, calibration methodologies, water loss, saline water monitoring and conservation implementation and achievements.

SCOPE OF WORK

This scope of work consists of compilation of compliance information for the last 5-year period of water use and evaluation of current and projected water usage based on the compiled water use information.

TASK 1 – DATA COLLECTION

1.1 The CITY will provide the CONSULTANT with the following information:

- Five-year report of calibration for the water use accounting system submitted to the SFWMD (LC 17)
- Quarterly submittals to the SFWMD of monthly raw water withdrawals (LC18)
- Annual reports of monthly unaccounted-for distribution system losses with definition of the loss calculation used as submitted to the SFWMD (LC21).
- Annual updates that have been submitted to the SFWMD for the reclaimed system to consist of construction status, uncommitted supplies, copies of ordinances requiring reuse and a list of end users. (LC25)
- A copy of the Conservation Plan submitted with the September 10, 2005 CUP application. (LC 26).
- Monthly Operating Reports for both City Water Treatment Plants since September 14, 2005. (LC26)
- A copy of the City's Water Supply Facilities Work Plan. (LC26)
- Quarterly submittals to the SFWMD of the monthly water levels and chlorides from the Saline Water Monitoring Network. (LC27) Minor permit modification allowed city to continue submitting specific conductance instead of the chlorides.
- Any other relevant information requested by the CONSULTANT pertaining to the CITY's water use permit.

1.2 The CONSULTANT will summarize the data provided by the CITY into Appendixes that will accompany the five-year report.

1.3 The CONSULTANT will evaluate the CITY production and raw water withdrawals to calculate per capita use and evaluate current use versus planned use based on the projected population in the CITY's recently completed Water Supply Facilities Work Plan.

1.4 The CONSULTANT will evaluate the CITY's conservation plan against actual practice.

1.5 The CONSULTANT will meet with the CITY up to six times to go over various aspects of the data provided. During these meetings the CONSULTANT will be obtaining guidance and verifying information and assumptions with the CITY.

Deliverable:

Electronic copies of both draft and final of agenda and meeting minutes.

TASK 2 – FIVE YEAR ASSESSMENT REPORT

2.1 The CONSULTANT will assemble a draft of the City's Five-Year Assessment Report for review and comment

2.2 The CONSULTANT will meet with the CITY to discuss the report and obtain comments.

2.3 The CONSULTANT will prepare a final of the City's Five-Year Assessment Report and submit 5 copies to the SFWMD on the City's behalf.

SFWMD Requests for Additional Information (RAI) concerning the Five-Year Assessment Report will be addressed in a separate authorization.

Deliverable:

Five-Year Assessment Report

Two draft hard copies

Five final hard copies to be delivered to the SFWMD

Two final hard copy and one electronic to the CITY

SCHEDULE

The CONSULTANT will complete draft meeting minutes within one week following a meeting and will deliver final meeting minutes within two weeks following a meeting. All attendees will be copied and provided with a week to make comments.

The CONSULTANT will complete a draft of the Five-Year Assessment Report 60 days prior to a final submittal to the SFWMD on September 14, 2010.

COMPENSATION

The CONSULTANT will provide the services listed herein for a lump sum compensation of **\$34,473.50**. The breakdown of the estimated fee is summarized in the table below and will be billed monthly on a percent complete basis. The CONSULTANT is permitted to adjust labor and ODC's between Tasks 1 and 2 provided that the total lump sum compensation is not exceeded.

"CONSULTANT":

Witnesses:

MWH AMERICAS, INC.

[Signature]

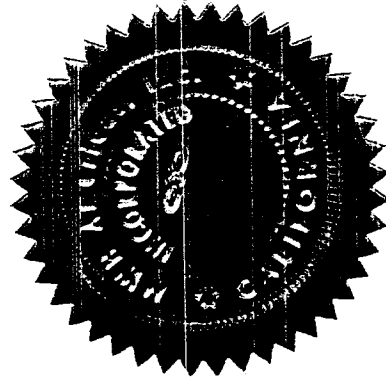
By: *[Signature]*

HAROLD V. AIKEN,
VICE PRESIDENT

Attest:

[Signature]

MWH AMERICAS, INC. LEGAL COUNSEL



The foregoing instrument was acknowledged before me this 30 day of July, 2009 by HAROLD V. AIKEN, as Vice President of the MWH Americas, Inc., who is personally known to me.

[Signature]

NOTARY'S SEAL

NOTARY PUBLIC, STATE OF FLORIDA

NOTARY PUBLIC-STATE OF FLORIDA
Laura C. Rodriguez
Commission #DD693292
Expires: JULY 09, 2011
BONDED THRU ATLANTIC BONDING CO., INC.

LAURA C. RODRIGUEZ

(Name of Acknowledger Typed, Printed or Stamped)

DD693292
Commission Number

"CITY":

Witnesses:

CITY OF POMPANO BEACH

By: _____
LAMAR FISHER, MAYOR

By: _____
PHYLLIS KORAB
INTERIM CITY MANAGER

Attest:

(SEAL)

MARY L. CHAMBERS
CITY CLERK

Approved As To Form:

GORDON B. LINN
CITY ATTORNEY

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instruments were acknowledged before me this _____ day of _____, 2009 by **LAMAR FISHER**, as Mayor, **PHYLLIS KORAB** as Interim City Manager and **MARY CHAMBERS**, as City Clerk of the City of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who is personally known to me.

NOTARY'S SEAL:

NOTARY PUBLIC, STATE OF FLORIDA

(Name of Acknowledger Typed, Printed or Stamped)

Commission Number

Work Authorization No. 2

**CITY OF POMPANO BEACH
FIVE-YEAR CONSUMPTIVE USE PERMIT COMPLIANCE REPORT
LUMP SUM FEE BREAKOUT**

| | Project Team | | | TOTAL LABOR | ODCs | TOTAL |
|-------------------------------------|---------------------------|------------------------|-------------------------|----------------|-----------|-------------|
| | Principal Professional | Senior Professional | Senior Administrator | | | |
| Hourly Rate | \$ 220.50 | \$ 131.25 | \$ 89.25 | | | |
| Data Collection | \$ 3,528.00 | \$ 13,125.00 | \$ 4,105.50 | \$ 16,653.00 | 200 | \$16,853.00 |
| <u>Data Collection</u> | 16 | 100 | 46 | 162 | | |
| Five Year Assessment Report | \$ 3,087.00 | \$ 8,400.00 | \$ 1,428.00 | \$ 11,487.00 | 600 | \$12,087.00 |
| <u>Draft 5-YR Assessment Report</u> | 8 | 48 | 8 | 64 | | |
| <u>Final 5-YR Assessment Report</u> | 6 | 16 | 8 | 30 | | |
| Total Hours | 30 | 164 | 62 | 256 | | |
| Total Fee | \$ 6,615.00 | \$ 21,525.00 | \$ 5,533.50 | \$ 33,673.50 | \$ 800.00 | \$34,473.50 |