

**PORT ST. LUCIE CITY COUNCIL  
AGENDA ITEM REQUEST**

**TYPE OF MEETING:** REGULAR \_\_\_\_\_ SPECIAL  X

**DATE OF MEETING:** October 17, 2011

**ORDINANCE** \_\_\_\_\_ **RESOLUTION** \_\_\_\_\_ **MOTION**  X  **PUBLIC HEARING** \_\_\_\_\_

**ITEM:** St. Lucie North Drainage Improvements, C-104/105/106/107/108 Federal Emergency Management Agency Hazard Mitigation Grant Award - HMGP DR-1561-122-R Contract #10HM-23-10-66-02-011 - Phase I Modification #3

**RECOMMENDED ACTION:**

Department recommends approval of the FEMA HMGP DR-1561-122-R Phase I Modification #3 agreement

**EXHIBITS:** Staff memo, Florida Division of Emergency Management letter, and Agreement Modification

**SUMMARY EXPLANATION/BACKGROUND INFORMATION:**

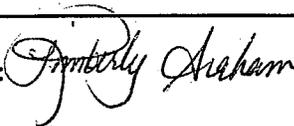
The Florida Division of Emergency Management Agency, with approval from the Federal Emergency Management Agency, has issued Phase I Modification #3 to HMGP 1561-122-R, Contract #10HM-23-10-66-02-011. Modification #3 makes adjustments to the Federal share payable amount and extends the period of performance (POP) to November 30, 2011 allowing time to make all necessary closeout adjustments. This modification will also move reallocate used Phase I funds to the Phase II Contract #1HM-2Y-10-66-02-002 under Modification I.

**IF PRESENTATION IS TO BE MADE, HOW MUCH TIME WILL BE REQUIRED?**

N/A

**SUBMITTING DEPARTMENT:**

Engineering  
for Patricia Roebling



**DATE:** October 7, 2011

**RECEIVED**

**OCT 10 2011**

City Manager's Office



"A City for All Ages"

CITY OF PORT ST. LUCIE  
ENGINEERING DEPARTMENT  
Accredited Agency – American Public Works Association



MEMORANDUM

To: Jerry Bentrott, City Manager  
Thru: James E. Angstadt, P.E. JEA  
From: Larry Nadeau, Project Manager LN  
Date: October 7, 2011  
Re: St. Lucie North Drainage Improvements, C-104/105/106/107/108  
Federal Emergency Management Agency  
Hazard Mitigation Grant Award – HMGP DR-1561-122-R  
Contract #10HM-23-10-66-02-011 - Phase I Modification #3

The Florida Division of Emergency Management Agency, with approval from the Federal Emergency Management Agency, has issued Phase I Modification #3 to HMGP 1561-122-R, Contract #10HM-23-10-66-02-011.

Historically, Phase I had two prior modifications presented to the City Council for approval. They include:

- Modification #1 Extended the Phase I POP from September 11, 2009 to December 8, 2010;
- Modification #2 Extended the Phase I POP from December 8, 2010 to August 30, 2011 and increased the grant award to cover design expenses.

Modification #3 makes adjustments to the Federal share payable amount and extends the period of performance (POP) to November 30, 2011 allowing time to make all necessary closeout adjustments. This modification will also move reallocate used Phase I funds to the Phase II Contract #1HM-2Y-10-66-02-002 under Modification I.

The Engineering Department recommends approval of the FEMA HMGP DR-1561-122-R Phase I Modification #3 agreement and would respectfully request this item be scheduled for the next available City Council meeting for their review and consideration. If you have any questions or require additional information, please do not hesitate to contact me.

/ln  
Attachment

- cc: Jesus Merejo – Utility Systems Director
- Patricia Roebing, P.E. – City Engineer
- Kimberly Graham, P.E. – Assistant City Engineer
- Dave Pollard, OMB Director
- Sue Walsh, Engineering Budget Analyst



STATE OF FLORIDA

# DIVISION OF EMERGENCY MANAGEMENT

RICK SCOTT  
Governor

BRYAN W. KOON  
Director

September 19, 2011

Mr. Larry Nadeau  
Project Manager  
City of Port St. Lucie  
Engineering Department  
900 SE Ogden Lane  
Port St. Lucie, FL 34983

Re: HMGP DR-1561-122-R (State Project Number 1561-103) St. Lucie County, City of Port St. Lucie, C-104, C-105, C-106 AND C-107& C-108 Canals, Drainage Project, - Budget Revision – (Contract Modification Three Phase I) & (Contract Modification One Phase II)

Dear Mr. Nadeau:

Please print four copies of the attached, proposed modification agreement between the City of Port St. Lucie and the Division of Emergency Management (DEM). The official representative, as listed below, will need to sign the signature page of each modification. All four (4) copies of the modification should then be sent to the Tallahassee address listed below for full execution no later than forty-five (45) days after receipt of this letter **but no later than Monday, October 31, 2011**. One fully executed modification will be returned to the City for its files.

Additional assistance is available regarding your Project on the Florida Division of Emergency Management Website:

<http://www.floridadisaster.org/Mitigation/Hazard/index.htm>.

Please reference the heading: 'Grant Management Tools Listed Below', which contains sample documents that will provide guidance for completing requests for reimbursement, reporting requirements and supporting documents containing important points, and subgrantee close-out checklists.

**Official Representatives:**

County:	Chairman of the Board of Commissioners
City:	Mayor
Indian Tribe:	Chief or President
Water Management District:	Chairman
Non-Profit:	Chairman of the Board

Mr. Larry Nadeau  
September 19, 2011  
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If there is an official that is not listed above who is authorized to sign the modifications for your organization, please provide a copy of the organization's resolution or charter that specifically identifies the person or position that is authorized to sign.

If you have questions regarding this modification or who is authorized to sign it, please call Velma Ellis at (407) 888-3782.

Respectfully,



Myles E. Anderson  
Bureau Chief, Mitigation  
State Hazard Mitigation Officer

MEA/ve

Enclosure(s): Contract Modification # Three Phase I & Contract Modification # One Phase II

cc: Jason McCright, HMGP Planning Manager

Contract Number: 10HM-23-10-66-02-011

Project Number: 1561-122-R

**MODIFICATION TO SUBGRANT AGREEMENT BETWEEN  
THE DIVISION OF EMERGENCY MANAGEMENT AND  
THE CITY OF PORT SAINT LUCIE**

This Modification Number Three is made and entered into by and between the State of Florida, Division of Emergency Management ("the Division"), and the City of Port Saint Lucie ("the Recipient") to modify DEM Contract Number: 10HM-23-10-66-02-011, dated January 7, 2010 ("the Agreement").

WHEREAS, the Agreement expired on August 30, 2011; and

WHEREAS, the Division and the Recipient desire to reinstate the Agreement and extend the terms of the Agreement.

NOW, THEREFORE, in consideration of the mutual promises of the parties contained herein, the parties agree as follows:

1. The Agreement is hereby reinstated as though it had never expired.
2. Paragraph 3 of the Agreement is hereby amended to read as follows:

This Agreement shall begin September 11, 2009; the official Period of Performance ended August 30, 2011 (as stated in the FEMA approval letter); however, this modification provides an administrative extension to reinstate the Agreement and extend the period of performance until November 30, 2011, unless terminated earlier in accordance with the provisions of paragraph (12) of this Agreement.

3. The Agreement is amended to decrease the maximum amount payable under the Agreement to Sixty One Thousand Seven Hundred Thirty Eight and No/100 (61,738.00).
4. Budget and Scope of Work, Attachment A to the Agreement, are hereby modified as set forth in the Revised Attachment A to this Modification, a copy of which is attached hereto and incorporated herein by reference.
5. All provisions of the Agreement being modified and any attachments in conflict with this Modification shall be and are hereby changed to conform with this Modification, effective on the date of execution of this Modification by both parties.
6. All provisions not in conflict with this Modification remain in full force and effect, and are to be performed at the level specified in the Agreement.
7. Quarterly reports are due to the Division no later than 15 days after the end of each quarter of the program year and shall be sent each quarter until submission of the administrative close-out report. The ending dates for each quarter of the program year are March 31, June 30, September 30 and December 31.

IN WITNESS WHEREOF, the parties hereto have executed this Modification as of the dates set out below.

**RECIPIENT: CITY OF PORT SAINT LUCIE      DIVISION OF EMERGENCY MANAGEMENT**

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

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

Name and Title: \_\_\_\_\_

Name and Title: Bryan W. Koon, Director

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

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

## Attachment A (Revised)

### Budget and Scope of Work

#### Scope of Work

As a Hazard Mitigation Grant Program project, the Recipient, City of Port Saint Lucie, proposes to improve the drainage of the C-104, C-105, C-106, and C-107 Canals, located in Saint Lucie County, Florida. The Phase I project will provide the construction plans, bid award and environmental permits. A Phase I study will be conducted to determine modifications needed to improve and upgrade the existing drainage system. The completed construction project will minimize recurring flooding and reduce repetitive flood loss to properties. The completed project will provide protection against a 50-year storm event. Phase I will provide funding for completion of design, permitting and geotechnical surveying process for this proposal.

The Phase I deliverables should:

- Have an engineer's plan that clearly shows the engineer's estimate of the pre and post-mitigation effects of the proposed project and the relationship of the damages to be mitigated (commensurate with the level of funding requested). This includes, but is not limited to, the existing and proposed hydrology and hydraulics for the level of event being mitigated.
- Demonstrate mitigation effectiveness, in part, by showing the physical location(s) and elevation(s) of the infrastructure/structures that is being damaged and the Federal Emergency Management Agency (FEMA) Special Flood Hazard Areas on the same plan.
- Meet all required environmental laws and policies. All environmental permits and approvals/concurrences must be obtained. A public notice must be published to notify interested parties of the proposed activity. Notices must be published in a manner that anyone that may be affected or interested in this project has access to the posting. The comment period expired and all comments addressed prior to initiating any construction activities.
- Refine the cost estimate (budget). A new Benefit Cost Analysis will be performed using the revised information.
- Provide a set of Community Approved, State reviewed construction plans (signed and sealed) for review and comment including milestones and timelines for completion of the final phase of the project and bid documents/award.

Phase I of this project is approved with the condition that the above list of deliverables will be submitted for review and approval by the State and FEMA before Phase II is considered. No construction work may begin until Phase II is approved.

This is FEMA project 1561-122-R, funded under 1561-DR-FL.

The Period of Performance for this project ends on November 30, 2011.

**Schedule of Work**

Surveying:	3 Months
Engineering:	10 Months
Environmental Permitting:	<u>23 Months</u>
<b>Total Period of Performance:</b>	<b>36 Months</b>

**Budget**

**Line Item Budget\***

	<b>Project Cost</b>	<b>Federal Share</b>	<b>Local Share</b>
Phase I: Engineering Design, Survey & Environmental Permitting:	\$80,180.00	\$60,135.00	\$20,045.00
<b>Sub-Total:</b>	<b>\$80,180.00</b>	<b>\$60,135.00</b>	<b>\$20,045.00</b>
<u>Administrative Cost</u>	<u>\$ 00.00</u>	<u>\$ 1,603.00</u>	<u>\$ 00.00</u>
<b>Total:</b>	<b>\$80,180.00</b>	<b>\$61,738.00</b>	<b>\$20,045.00</b>

*\*Any line item amount in this Budget may be increased or decreased 10% or less without an amendment to this Agreement being required, so long as the overall amount of the funds obligated under this Agreement is not increased.*

**Funding Summary**

Federal Share:	\$60,135.00 (75%)
<u>Local Share:</u>	<u>\$20,045.00 (25%)</u>
<b>Total Project Cost:</b>	<b>\$80,180.00 (100%)</b>

Recipient Administrative Allowance up to \$1,603.