

**ST. PETERSBURG CITY COUNCIL**  
**Sewer Report**  
**Meeting of March 12, 2020**

**To: The Honorable Ed Montanari, Chair, and Members of City Council**

**Subject:** Approving an increase in allocation for industrial maintenance and repair services with Apollo Construction & Engineering Services, Inc. and Bearing Point Construction, Inc., in the amount of \$1,000,000, for a total agreed amount of \$1,528,000.

**Explanation:** On November 14, 2019, City Council approved three-year blanket purchase agreements for industrial maintenance and repair services through November 30, 2022. The agreements have one, two-year renewal option.

These vendors indirectly support the water reclamation facility reliability and expansion improvement components of the Kriseman Infrastructure Plan for fiscal years 2017 (FY17) through 2021 (FY21). The vendors provide general mechanical, electrical, welding, fabrication, and millwright services for water and wastewater facilities and pumping stations for rebuilding or replacing electromechanical equipment in the facilities. The vendors also provide services to perform emergency or general and preventative maintenance projects that cannot be completed internally due to resource and capacity constraints. The work is coordinated by maintenance staff at the request of operational or technical services staff in order to maintain the reliability and performance of critical infrastructure.

The original contract was intentionally limited in funding to assess the ability of the new vendor, Bearing Point Construction, Inc., to perform all the different and technical types of work planned. The newly contracted service provider has proven that they are capable of meeting the department's needs. Due to the ability of the vendor meeting the quality standards and timelines required for the industrial maintenance of critical equipment, more Water Resources projects can be completed and so additional funding will be required.

Some examples of upcoming projects include the clarifiers rehabilitation program for SWWRF, Northwest Water Reclamation Facility (NWWRF) and Northeast Water Reclamation Facility (NEWRF); distribution pumps replacement at NWWRF; aeration basin rehabilitation at NWWRF; and actuators/valve replacement at NEWRF, SWWRF and NWWRF. The current allocation is expected to exceed the total contract amount prior to the contract renewal, November 30, 2022. Therefore, an increase in allocation in the amount of \$1,000,000 is requested.

The Procurement and Supply Management Department, in cooperation with the Water Resources Department, recommends the increase in allocation:

Industrial Maintenance and Repairs .....	\$1,528,000
Original agreement amount	\$528,000
Allocation increase	<u>1,000,000</u>
Total agreement amount	\$1,528,000

**Cost/Funding/Assessment Information:** Funds have been previously appropriated in the Water Resources Operating Fund (4001), Water Resources Department, Northeast Water Reclamation Facility Division (4202173), Northwest Water Reclamation Facility Division, (4202177), and Southwest Water Reclamation Facility Division (4202181) as well as the Water Resource Capital Fund (4003).

**Attachments:** Resolution

A RESOLUTION APPROVING AN INCREASE IN THE AMOUNT OF \$1,000,000 TO THE ALLOCATION FOR THE AGREEMENTS WITH APOLLO CONSTRUCTION & ENGINEERING SERVICES, INC. AND BEARING POINT CONSTRUCTION, INC. FOR INDUSTRIAL MAINTENANCE AND REPAIR SERVICES; PROVIDING THAT THE TOTAL CONTRACT AMOUNT FOR THE ABOVE REFERENCED AGREEMENTS SHALL NOT EXCEED \$1,528,000; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on November 19, 2019, City Council approved three-year Agreements with a one two-year renewal option to Apollo Construction & Engineering Services, Inc. and Bearing Point Construction, Inc. for industrial maintenance and repair services through November 30, 2022 at a total combined contract amount not to exceed \$528,000 for the initial term; and

WHEREAS, an additional increase in the amount of \$1,000,000 to the allocation for these Agreements is necessary due to the increased ability of such vendors meeting the quality standards and timelines required for industrial maintenance of critical equipment; and

WHEREAS, the Procurement and Supply Management Department, in cooperation with the Water Resources Department, recommends approval of this resolution.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that an increase in the amount of \$1,000,000 to the allocation for the Agreements with Apollo Construction & Engineering Services, Inc. and Bearing Point Construction, Inc. for industrial maintenance and repair services is hereby approved.

BE IT FURTHER RESOLVED that the total contract amount for the above referenced Agreements shall not exceed \$1,528,000.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute all documents necessary to effectuate this transaction.

This Resolution shall become effective immediately upon its adoption.

Approved by:

/s:/ Macall Dyer  
City Attorney (Designee)  
00495990



-- City of St. Petersburg Authorization Request --

## General Authorization

**Request #**

48907

<b>Name:</b>	Pocengal, Nicholas W	<b>Request Date:</b>	28-FEB-2020	<b>Status:</b>	APPROVED
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### Authorization Request

<b>Subject:</b>	Maintenance & Repair, Industrial, March 12 Council
<b>Message:</b>	Submitted for your approval, please find attached Consent Write-up for Maintenance & Repair, Industrial, scheduled to go before City Council on March 12, 2020. Should you have any questions, please contact me at extension 3387 or Neal Jones extension 5297. Thank you.
<b>Supporting Documentation:</b>	968-95 Maintenance and Repair, Industrial, March 12, 2020 - Approval Request.pdf

	<b>Approver</b>	<b>Completed By</b>	<b>Response</b>	<b>Response Date</b>	<b>Type</b>
0	Pocengal, Nicholas W		SUBMITTED	28-FEB-2020	
1	Griffin, Christopher Michael	Griffin, Christopher Michael	APPROVE	28-FEB-2020	User Defined
2	Tankersley, Claude Duval	Tankersley, Claude Duval	APPROVE	02-MAR-2020	User Defined

# ST. PETERSBURG CITY COUNCIL

## Sewer Report

Meeting of March 12, 2020

**TO:** The Honorable Ed Montanari, Chair, and Members of City Council

**SUBJECT:** A Resolution accepting the Partial Control Estimate for the SWWRF Late Track Capacity Upgrades Project Additional Services for Phase I: CCC Gate Replacement (ECID Project No. 18094-111; Oracle Nos. 15956, 15965, 16401, 16405, 16406, 16407, 16408, 16409 and 16943) in an amount not to exceed \$257,407.48; authorizing the city attorney's office to make non-substantive changes to the Ninth Amendment; authorizing the Mayor or his designee to execute the Ninth Amendment to the Construction Manager Contract between the City of St. Petersburg, Florida, and the Haskell Company dated March 22, 2017, as amended, to incorporate the above referenced Control Estimate into such Contract, as amended, and modify the project schedule; and providing an effective date.

**EXPLANATION:** On March 22, 2017, the City executed a Construction Manager Contract ("CM Contract") with The Haskell Company ("Haskell") in the amount of \$6,824,372 for preconstruction and construction phase services for the capacity upgrades and related Projects at the Southwest Water Reclamation Facility ("SWWRF").

Haskell's CM Contract includes preconstruction and construction services for Projects to increase treatment, disposal and onsite stormwater treatment capacity to handle peak wastewater and stormwater flows during wet weather events at SWWRF. The initial CM Contract included:

- Control Estimates for:
  - WRF SW Construction Manager FY17 (ECID Project No. 17058-111; Oracle No. 15956)
    - Pre-Construction Services
    - Costs for Construction and Performance Bonds
  - WRF SW Capacity Upgrade FY17 (ECID Project No. 16109-111; Oracle No. 15965)
    - Lift Station 2 By-Pass Lines
    - Cyclone Wasting System
    - Influent Equalization Storage & Piping
  - WRF SW New Injection Wells FY17 (ECID Project No. 16110-111; Oracle No. 15838)
    - Pumps for injection Wells

On May 4, 2017, City Council approved the First Amendment to the CM Contract in the amount of \$14,724,455 authorizing Haskell to provide construction services to continue design review, construction, and construction management services for the planned infrastructure improvements in the following areas:

- Control Estimates for:
  - WRF SW Construction Manager FY17 (ECID Project No. 17058-111; Oracle No. 15956)
    - Continuing General Conditions Services from May 1 2017 through December 31, 2017
  - WRF SW New Filters FY17 (ECID Project No. 16093-111; Oracle No. 15928)
    - Mechanical
  - WRF SW Capacity Upgrade FY17 (ECID Project No. 16109-111; Oracle No. 15965)
    - Secondary Splitter Box
    - Coagulant Storage and Feed System
    - RAS Motors and VFDs

- Chlorine Disinfection System
- Headworks, LS2 By-Pass Lines
- WRF SW New Injection Wells FY17 (ECID Project No. 16110-111; Oracle No. 15838)
  - Upsize Existing Injection Well (IW1, IW2 & IW3) Feed Piping System
  - Interim Effluent Pump Station and IW4 Connection
  - Piping Connection to IW6 Feed Piping System

On June 15, 2017, City Council approved the Second Amendment to the CM Contract in the amount of \$135,979 which included:

- Control Estimates for:
  - WRF SW Stormwater and Site Imps FY17 (ECID Project No. 17071-111; Oracle No. 15999)
    - Installation of a property border retaining wall

On July 20, 2017, City Council approved the Third Amendment to incorporate control estimates in the amount of \$6,790,040. With the amount of \$5,773,087 available from previously approved funding and funding available from bids received lower than estimates, the net funding request for the Third Amendment to the CM Contract is the amount of \$1,016,953 and includes:

- Control Estimates for:
  - WRF SW New Filters FY17 (ECID Project No. 16093-111; Oracle No. 15928)
    - Disc Filter System
  - WRF SW Capacity Upgrade FY17 (ECID Project No. 16109-111; Oracle No. 15965)
    - Cyclone Wasting System
  - WRF SW New Injection Wells FY17 (ECID Project No. 16110-111; Oracle No. 15838)
    - Interim Effluent Pump Station and IW4 Connection

On January 4, 2018, City Council approved the Fourth Amendment to the Haskell to incorporate control estimates in the amount of \$165,264 for the Haskell to provide pre-construction services for a portion of the Late Track Capacity Improvement Projects.

- Estimate for:
  - WRF SW Construction Manager FY17 (ECID Project No. 17058-111; Oracle No. 15956)
    - Pre-Construction Services

On March 1, 2018, City Council approved the Fifth Amendment to the Haskell Contract to incorporate control estimates in the amount of \$1,344,941 for the Haskell to provide the following construction services for Late Track Capacity Improvement Projects and includes:

- Control Estimates for:
  - WRF SW Stormwater and Site Improvements FY17 (ECID Project No. 17071-111; Oracle No. 15999)
    - Demolition of existing stormwater pipe and structures
    - Excavation and grading of stormwater ponds
    - Installation of stormwater pipe and structures
    - Construction of various control structures, outfalls and headwalls
    - Allowance to relocate various office trailers, storage trailers, laydown areas, and parking which are currently within the footprint of the stormwater improvements work

On April 5, 2018, City Council approved the Sixth Amendment to the Haskell Contract to incorporate control estimates in the amount of \$30,172,818 for the Haskell to provide the following construction services for Late Track Capacity Improvement Projects – Phase 1 and includes:

- Secondary Clarification and Sludge Handling:  
Construction of Secondary Clarifier #4, RAS/WAS Pump Station #1, modifications to RAS/WAS pump station #1, various yard piping additions and a new return sludge piping to the head of the Aeration Basin.
- Chlorine Contact Tank:  
Construction of a third Chlorine Contact Tank, new chlorine storage tanks and modifications to the disinfection pumping system
- Deep Bed Filters:  
Complete replacement of deep bed filter underdrains, media, control system. Backwash pump improvements (allowance) and an air backwash blower system are also to be installed.
- Electrical and Control Improvements:  
Two new elevated electrical buildings, new transformers and a new Aeration basin control system are to be installed to support the improved process areas.
- Miscellaneous Improvements  
Including 15MG reject storage tank modifications, completion of Injection Well #5 well head and installation of new aeration basin blowers within the existing blower building.

On March 14, 2019, the City and Haskell entered into the Seventh Amendment to add Discharges by Contractor and Corrective Action Plans article to the General Conditions of the Contract for Construction and modify necessary articles.

On April 4, 2019, City Council approved the Eighth Amendment to the Haskell Contract to incorporate control estimates the amount \$5,456,488 for Haskell to provide the following construction services and include:

- Control Estimates for:
  - WRF SW New Injection Wells FY17 (ECID Project No. 16110-111; Oracle No. 15838)
    - Connect 42” ductile iron pipe to existing Effluent Distribution Pump Station and extend to Injection Well 5. This will complete the loop around the plant site.
  - WRF SW Stormwater and Site Improvements FY17 (ECID Project No. 17071-111; Oracle No. 15999)
    - Complete the off-site storm water system for the SWWRF. Work includes all clearing, erosion and sediment control, dewatering, pipe, structures, headwall, pavement and site restoration of easements outside of City property.
  - WRF SW Late Track Capacity Upgrades Phase II (ECID Project No. 18094-111; Oracle Nos. 15956, 15965, 16401, 16405, 16406, 16407, 16408, 16409 and 16943)
    - Complete a site-wide restoration including all new asphalt roadways, drainage improvements, dumpster pad, irrigation system, final grading, and grass restoration to the entire SWWRF site.

This Ninth Amendment to the Haskell Contract estimates fees and costs in the amount \$257,407.48 for Haskell to provide the following construction services and include:

- Demolish 2-ft concrete walls, install and grout new Slide Gates, re-apply resurfacer and epoxy coatings around gate, install conduit and wire to new actuator, and startup and testing.

The information below provides details of the Contract Costs approved to date and the additional Control Estimate Costs (Ninth Amendment).

	WRF SW New Filters FY17	WRF SW Capacity Upgrade FY17	WRF SW New Injection Wells FY17	WRF SW Construction Manager FY17	WRF SW Stormwater and Site Imps. FY17	WRF SW Late Track Capacity Upgrade	Totals
Project Numbers	16093-111; 15928	16109-111; 15965	16110-111; 15838	17058-111; 15956	17071-111; 15999	18094-111;	
<b>Original Contract</b>							
Contract Cost	\$0	\$4,595,138	\$1,269,000	\$562,234	\$0	\$0	\$6,426,372
Admin/CEI Cost	\$0	\$215,000	\$88,000	\$95,000	\$0	\$0	\$398,000
<b>Subtotal</b>	<b>\$0</b>	<b>\$4,810,138</b>	<b>\$1,357,000</b>	<b>\$657,234</b>	<b>\$0</b>	<b>\$0</b>	<b>\$6,824,372</b>
<b>Amendment #1</b>							
Contract Cost	\$2,214,918	\$7,093,039	\$2,984,047	\$2,432,451	\$0	\$0	\$14,724,455
Admin/CEI Cost	\$ 0	(\$200,000)	\$ 0	\$200,000	\$0	\$0	\$0
<b>Subtotal</b>	<b>\$2,214,918</b>	<b>\$6,893,039</b>	<b>\$2,984,047</b>	<b>\$2,632,451</b>	<b>\$0</b>	<b>\$0</b>	<b>\$14,724,455</b>
<b>Amendment #2</b>							
Contract Cost	\$0	\$0	\$0	\$0	\$135,979	\$0	\$135,979
Admin/CEI Cost	\$0	\$0	\$0	\$0	\$13,000	\$0	\$13,000
<b>Subtotal</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$148,979</b>	<b>\$0</b>	<b>\$148,979</b>
<b>Amendment #3</b>							
Contract Cost	\$2,973,119	\$3,016,309	\$800,612	\$0	\$0		\$6,790,040
Less previously approved funds and saving realized	(\$2,214,918)	(\$2,570,600) (\$720,158)	(\$267,351)				(\$5,773,087)
Admin/CEI Cost	\$0	\$0	\$0	\$0	\$0		\$0
<b>Subtotal</b>	<b>\$758,201</b>	<b>(\$274,509)</b>	<b>\$533,261</b>	<b>\$0</b>	<b>\$0</b>		<b>\$1,016,953</b>
<b>Amendment #4</b>							
Contract Cost	\$0	\$0	\$0	\$165,264	\$0	\$0	\$165,264
Admin/CEI Cost	\$0	\$0	\$0	\$80,000	\$0	\$0	\$80,000
<b>Subtotal</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$245,264</b>	<b>\$0</b>	<b>\$0</b>	<b>\$245,264</b>
<b>Amendment #5</b>							
Contract Cost	\$0	\$0	\$0	\$0	\$1,344,941	\$0	\$1,344,941
Admin/CEI Cost	\$0	\$0	\$0	\$0	\$63,500	\$0	\$63,500
<b>Subtotal</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,408,441</b>	<b>\$0</b>	<b>\$1,408,441</b>
<b>Amendment #6</b>							
Contract Cost						\$30,172,818	\$30,172,818
Admin/CEI Cost						\$1,511,100	\$1,511,100
<b>Subtotal</b>						<b>\$31,683,918</b>	<b>\$31,683,918</b>
<b>Amendment #7</b>							
N/A							
<b>Amendment #8</b>							
Contract Cost			\$2,047,095		\$1,507,372	\$1,803,928	\$5,358,395
Admin/CEI Cost			\$46,364		\$41,729	\$10,000	\$98,093
<b>Subtotal</b>			<b>\$2,093,459</b>		<b>\$1,549,101</b>	<b>\$1,813,928</b>	<b>\$5,456,488</b>
<b>Amendment #9</b>							
Contract Cost						\$257,407	\$257,407
Admin/CEI Cost							\$0
<b>Subtotal</b>						<b>\$257,407</b>	<b>\$257,407</b>
Total Funding Source							
<b>TOTAL CONSTR. COST</b>	<b>\$2,973,119</b>	<b>\$11,428,668</b>	<b>\$6,967,767</b>	<b>\$3,534,949</b>	<b>\$3,106,521</b>	<b>\$33,755,253</b>	<b>\$61,766,277</b>
<b>Total Haskell Costs</b>	<b>\$2,973,119</b>	<b>\$11,413,668</b>	<b>\$6,833,403</b>	<b>\$3,159,949</b>	<b>\$2,988,292</b>	<b>\$32,234,153</b>	<b>\$59,602,584</b>

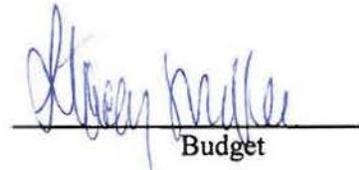
**RECOMMENDATION:** Administration recommends City Council to approve the attached resolution accepting the Partial Control Estimate for the SWWRF Late Track Capacity Upgrades Project Additional Services for Phase I: CCC Gate Replacement (ECID Project No. 18094-111; Oracle Nos. 15956, 15965, 16401, 16405, 16406, 16407, 16408, 16409 and 16943) in an amount not to exceed \$257,407.48; authorizing the city attorney's office to make non-substantive changes to the Ninth Amendment; authorizing the Mayor or his designee to execute the Ninth Amendment to the Construction Manager Contract between the City of St. Petersburg, Florida, and the Haskell Company dated March 22, 2017, as amended, to incorporate the above referenced Control Estimate into such Contract, as amended, and modify the project schedule; and providing an effective date

**COST/FUNDING/ASSESSMENT INFORMATION:** Funds have been previously appropriated in the Water Resources Capital Projects Fund (4003), WRF SW Construction Manager Project (15956), WRF SW Capacity Upgrade Project (15965), WRF SW Replace Blowers Project (16401), WRF SW Increase CCC Capacity/Pumping Project (16405), WRF SW New Clarifier #4 Project (16406), WRF SW Media Filter Rehab Project (16407), WRF SW Additional Effluent Pumps Project (16408), WRF SW Injection Well Piping Project (16409), WRF SW Site Restoration Project (16943), WRF SW New Injection Wells Project (15838), and WRF SW Storm & Site Improvements Project (15999).

**ATTACHMENTS:** Resolution  
Partial Control Estimate Rev.1  
Ninth Amendment

**APPROVALS:**

  
Administrative

  
Budget

RESOLUTION NO. 2020-\_\_\_

A RESOLUTION ACCEPTING THE CONTROL ESTIMATE FOR THE SWWRF LATE TRACK CAPACITY UPGRADES PROJECT ADDITIONAL SERVICES FOR PHASE 1: CCC GATE REPLACEMENT (ECID PROJECT NO. 18094-111; ORACLE NOS. 15956, 15965, 16401, 16405, 16406, 16407, 16408, 16409 AND 16943) IN AN AMOUNT NOT TO EXCEED \$257,407.48; AUTHORIZING THE CITY ATTORNEY'S OFFICE TO MAKE NON-SUBSTANTIVE CHANGES TO THE NINTH AMENDMENT; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE NINTH AMENDMENT TO THE CONSTRUCTION MANAGER CONTRACT BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA, AND THE HASKELL COMPANY DATED MARCH 22, 2017, AS AMENDED, TO INCORPORATE THE ABOVE REFERENCED CONTROL ESTIMATE INTO SUCH CONTRACT, AS AMENDED, AND TO MODIFY THE PROJECT SCHEDULE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida ("City") and The Haskell Company ("Haskell") executed a Construction Manager Contract on March 22, 2017 for Haskell to provide preconstruction and construction services for the projects described in the contract to increase treatment, disposal and onsite stormwater treatment capacity to handle peak wastewater and stormwater flows during wet weather events at the Southwest Water Reclamation Facility; and

WHEREAS, following execution of the contract, the City authorized Haskell to (i) provide the preconstruction services in an amount not to exceed \$399,734 and (ii) commence work on Project No. 16109-111 and Project No. 16110-111 pursuant to Partial Control Estimates attached to the contract; and

WHEREAS, on May 4, 2017, City Council approved the First Amendment to (i) incorporate additional Partial Control Estimates into the contract, (ii) provide for reimbursement of the costs and premiums for bonds and insurance and, (iii) modify other necessary sections; and

WHEREAS, on June 15, 2017, City Council approved the Second Amendment to incorporate Partial Control Estimate #1 for WRF SW Stormwater and Site Improvements FY17 Project into the contract (as amended); and

WHEREAS, on July 20, 2017, City Council approved the Third Amendment to incorporate (i) Partial Control Estimate #3 for WRF SW Capacity Upgrades FY17 Project, (ii) Partial Control Estimate #3 for WRF SW New Injection Wells FY17 Project, and (iii) a Revised Partial Control Estimate for WRF SW New Filters FY17 Project into the contract (as amended); and

WHEREAS, on January 4, 2018, City Council approved the Fourth Amendment for Haskell to provide preconstruction services for a portion of the Late Track Capacity Improvement Projects at the Southwest Water Reclamation Facility in an amount not to exceed \$165,265; and

WHEREAS, on March 1, 2018, City Council approved the Fifth Amendment to incorporate Partial Control Estimate #2 for SWWRF Storm Water and Site Improvements (Engineering No. 17071-111; Oracle Nos. 15999) into the contract (as amended); and

WHEREAS, on April 5, 2018, City Council approved the Sixth Amendment to incorporate the Control Estimate for the SWWRF Late Track Capacity Upgrades Project Phase I in an amount not to exceed \$30,172,818 into the contract (as amended); and

WHEREAS, on March 14, 2019, the City and Haskell entered in the Seventh Amendment to add a Discharges by Contractor and Corrective Action Plans article to the General Conditions of the Contract for Construction (i.e., Document A201-2007) and modify other necessary sections; and

WHEREAS, on April 4, 2019, City Council approved the Eighth Amendment to incorporate the following Control Estimate and Partial Control Estimates into the contract (as amended): (i) Control Estimate for the SWWRF Late Track Capacity Upgrades Project Phase 2 (Engineering Project No. 18094-111; Oracle Nos. 15956, 15965, 16401, 16405, 16406, 16407, 16408, 16409, and 16943) in an amount not to exceed \$1,803,928, (ii) Partial Control Estimate #4 for WRF SW New Injection Wells FY17 Project (Engineering No. 16110-111; Oracle No. 15838) in an amount not to exceed \$2,047,095; and (iii) Partial Control Estimate #3 for WRF SW Stormwater and Site Improvements FY17 Project (Engineering No. 17071-111; Oracle No. 15999) in an amount not to exceed \$1,507,372; and

WHEREAS, in accordance with the requirements set forth in the contract (as amended), Haskell has submitted the Control Estimate for the SWWRF Late Track Capacity Upgrades Project Additional Services for Phase 1: CCC Gate Replacement in an amount not to exceed \$257,407.48 to the City for review and acceptance; and

WHEREAS, the City and Haskell desire to execute the Ninth Amendment to incorporate the above referenced Control Estimate into the contract (as amended) and modify the Project schedule.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that the Control Estimate for the SWWRF Late Track Capacity Upgrades Project Additional Services for Phase 1: CCC Gate Replacement in an amount not to exceed \$257,407.48 is hereby accepted.

BE IT FURTHER RESOLVED that the City Attorney’s Office is authorized to make non-substantive changes to the Ninth Amendment.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute the Ninth Amendment to the Construction Manager Contract between the City of St. Petersburg, Florida, and The Haskell Company dated March 22, 2017, as amended, to incorporate the above referenced Control Estimate into the contract, as amended, and modify the Project schedule.

This resolution shall become effective immediately upon its adoption.

Approved by:

/s/ Macall Dyer  
City Attorney (Designee)  
00495151

  
Administration

## **NINTH AMENDMENT**

**THIS NINTH AMENDMENT** (“Ninth Amendment”) is made and entered into on this \_\_\_\_ day of March, 2020, by and between the City of St. Petersburg, Florida (“City” or “Owner”) and The Haskell Company (“Construction Manager”).

### **RECITALS**

**WHEREAS**, the Owner and Construction Manager executed a Construction Manager Contract on March 22, 2017, for Construction Manager to provide preconstruction and construction services for the Projects (described in the Contract) to increase treatment, disposal, and onsite stormwater treatment capacity to handle peak wastewater and stormwater flows during wet weather events at the Southwest Water Reclamation Facility; and

**WHEREAS**, following execution of the Contract, the Owner authorized Construction Manager to (i) provide the preconstruction services in an amount not to exceed \$399,734 and (ii) commence work on Project No. 16109-111: SWWRF Capacity Upgrades and Project No. 16110-111: SWWRF Reclaimed Water & Injection Wells Improvements pursuant to Partial Control Estimates attached to Contract; and

**WHEREAS**, on May 4, 2017, City Council approved the First Amendment to (i) incorporate additional Partial Control Estimates for certain Projects into the Contract, (ii) provide for reimbursement of the costs and premiums for bonds and insurance, and (iii) modify other necessary sections; and

**WHEREAS**, on June 15, 2017, City Council approved the Second Amendment to incorporate Partial Control Estimate #1 for Project No. 17071-111: SWWRF Storm Water and Site Improvements into the Contract; and

**WHEREAS**, on July 20, 2017, City Council approved the Third Amendment to incorporate (i) Partial Control Estimate #3 for Project No. 16109-111: SWWRF Capacity Upgrades Project, (ii) Partial Control Estimate #3 for Project No. 16110-111: SWWRF Reclaimed Water & Injection Wells Improvements, and (iii) a Revised Partial Control Estimate for Project No. 16093-111: SWWRF Tertiary Filter Capacity Improvements into the Contract; and

**WHEREAS**, on January 4, 2018, City Council approved the Fourth Amendment for Construction Manager to provide preconstruction services for a portion of the Late Track Capacity Improvement Projects at the Southwest Water Reclamation Facility in an amount not to exceed \$165,264; and

**WHEREAS**, on March 1, 2018, City Council approved the Fifth Amendment to incorporate Partial Control Estimate #2 for Project No. 17071-111: SWWRF Storm Water and Site Improvements into the Contract; and

**WHEREAS**, on April 5, 2018, City Council approved the Sixth Amendment to incorporate the Control Estimate for the SWWRF Late Track Capacity Upgrades Project Phase I in an amount not to exceed \$30,172,818 into the Contract; and

**WHEREAS**, on March 14, 2019, the Owner and Construction Manager entered in the Seventh Amendment to add a Discharges by Contractor and Corrective Action Plans article to the General Conditions of the Contract for Construction (i.e., Document A201-2007) and modify other necessary sections; and

**WHEREAS**, on April 4, 2019, City Council approved the Eighth Amendment to incorporate: (i) Control Estimate for the SWWRF Late Track Capacity Upgrades Project Phase 2 in an amount not to exceed \$1,803,928, (ii) Partial Control Estimate #4 for WRF SW New Injection Wells FY17 Project in an amount not to exceed \$2,047,095; and (iii) Partial Control Estimate #3 for WRF SW Stormwater and Site Improvements FY17 Project in an amount not to exceed \$1,507,372 into the Contract; and

**WHEREAS**, in accordance with the requirements set forth in the Contract, Construction Manager has submitted the Control Estimate for the SWWRF Late Track Capacity Upgrades Project Additional Services for Phase 1: CCC Gate Replacement in an amount not to exceed \$257,407.48 to the Owner for review and acceptance; and

**WHEREAS**, the Owner and Construction Manager desire to execute the Ninth Amendment to incorporate the above referenced Control Estimate into the Contract and modify the Project schedule.

**NOW, THEREFORE**, in consideration of the foregoing recitals (which are an integral part of this Ninth Amendment and are incorporated herein by reference) and the promises and covenants contained herein and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the Owner and Construction Manager hereby agree as follows:

1. All capitalized terms in this Ninth Amendment shall have the same meaning specified in the Contract unless otherwise set forth herein.
2. §2.2.11 of the Standard Form of Agreement between the Owner and Construction Manager (e.g., Document A134-2009), which is part of the Contract, is hereby amended to read as follows:

**§ 2.2.11 Control Estimate for Project No. 18094-111: SWWRF Late Track Capacity Upgrades Project – Phase I, Phase II and Additional Services for Phase I**

The Control Estimate for Project No. 18094-111: SWWRF Late Track Capacity Upgrades Project – Phase I, the Control Estimate for Project No. 18094-111: SWWRF Late Track Capacity Upgrades Project – Phase II, and the Control Estimate for Project No. 18094-111: SWWRF Late Track Capacity Upgrades Project Additional Services for Phase 1: CCC Gate Replacement (collectively, “Project No. 18094-111”) are set forth in **2020 Exhibit L**. These Control Estimates may be amended, provided that such amendment is approved by City Council and further provided that the Owner and the Construction Manager execute the necessary documents to amend to these Control Estimates. The Construction Manager shall obtain written approval from the Owner in accordance with the Contract terms and conditions prior to using any contingency funds set forth in these Control Estimates for Project No. 18094-111. Upon Final Completion of all the Work set forth in these Control Estimates for Project No. 18094-111, any contingency funds which have not been expended shall be disbursed back to the Owner. In the event Construction Manager fails to meet the Final Completion dates set forth in these Control Estimates for Project No. 18094-111, the Construction Manager shall be liable to the Owner for fines and costs imposed by the Florida Department of Environmental Protection Agency (“FDEP”) for failure to complete any components of the scope of work required by Consent Order OGC 16-1280 between the Owner and FDEP. Additionally, the Construction Manager acknowledges that the Owner will suffer other damages due to such failure that are not readily ascertainable and agrees that the Construction Manager shall pay the aggregate amount of \$1,000 per calendar day to the Owner as fixed, agreed, and acknowledged as reasonable liquidated damages, not as a penalty, for each calendar day of delay until such Work set forth in these Control Estimates for Project No. 18094-111 is complete. Such liquidated damages shall be capped at One Hundred Percent (100%) of the Construction Manager’s Fee as set forth in these Control Estimates for Project No. 18094-111. Except for the Construction Manager’s liability to the Owner for the fines and costs imposed by the FDEP, the liquidated damages shall be the Owner’s sole and exclusive remedy for the Construction Manager’s delay of the Work set forth in these Control Estimates for Project No. 18094-111. In the event of a conflict between this § 2.2.11 and § 11.6 of the Standard Form of Agreement between Owner and Construction Manager (e.g., Document A134-2009), this § 2.2.11 shall control.

3. Amended Exhibit L is hereby deleted and replaced with 2020 Exhibit L, which is attached hereto and made a part of the Contract by reference. All references in the Contract to Exhibit L or Amended Exhibit L shall mean 2020 Exhibit L.
4. The project schedule is hereby updated to change the Final Completion date for Project No. 18094-111 to June 16, 2020.
5. Any and all provisions of the Contract not specifically amended by this Ninth Amendment shall remain in full force and effect.

**IN WITNESS WHEREOF**, the Owner and Construction Manager have caused this Ninth Amendment to be executed by their duly authorized representatives on the date first above written.

**CITY OF ST. PETERSBURG, FLORIDA**

**ATTEST**

By: \_\_\_\_\_  
Brejesh Prayman, P.E.  
Director, Engineering and Capital Improvements

\_\_\_\_\_  
Chandrahasa S. Srinivasa, City Clerk  
(SEAL)

Approved as to Form and Content:

\_\_\_\_\_  
City Attorney (Designee)

**THE HASKELL COMPANY:**

**WITNESSES**

By: \_\_\_\_\_  
Print: \_\_\_\_\_  
Title: \_\_\_\_\_  
00495145

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



The Haskell Company | tel 904.791.4500  
111 Riverside Avenue | fax 904.791.4699  
Jacksonville, FL 32202 | web www.haskell.com

**Josh LeFevre, DBIA, LEED AP**  
*Project Manager - Water*

January 28, 2020

Mr. Brejesh Prayman  
City of St. Petersburg  
MSC, 6<sup>th</sup> Floor  
One 4<sup>th</sup> St. N  
St. Petersburg, FL 33701

Re: **Construction Manager – City of St. Petersburg SWWRF Capacity Improvements  
Partial Control Estimate REV 1 – CCC Gate Replacement**

Dear Mr. Prayman:

At this time, The Haskell Company, as your Construction Manager on the above noted project, is pleased to submit to the City of St. Petersburg for your review and consideration the Partial Control Estimate for replacement of CCC Gates #3 and #4 on the SWWRF Capacity Upgrades Project. The following documents were the basis of this proposal:

***Specifications & Standard Details***

- Brown & Caldwell Conformed Specifications (Dated April 2018)

***Late Track Drawings***

- Brown & Caldwell Phase 1 – Late Track Improvements Conformed Drawings (Dated April 2018)

***Manufacturer Shop Drawings***

Alfa Laval Shop Drawing SK004911 REV 0 Dated June 6, 2018  
Alfa Laval Shop Drawing SK004912 REV 0 Dated June 6, 2018

In June of 2019, during construction of the SWWRF Capacity Upgrades Late Track project, Haskell identified a potential issue with the design of Slide Gates #3 and #4 at the CCC Expansion. The gates are intended to isolate flow from existing CCC#1 to the new CCC#1 expansion (influent and effluent sides). The gates were specified and drawn to be 72” high from the slab elevation at 100.00 to 106.00. Haskell submitted RFI 109-14-094<sup>i</sup> to notify the City that their operating level in CCC #1 is 108.00, and the new isolation gates do not have a top seal and therefore could not hold any head above the top of the gate. Unless the CCC was operated 2-ft lower, the water would flow over the gate and into the CCC #1 Expansion, and there would not be a way to isolate.

Haskell proposed to place a 2-ft high wall in the opening to raise the gate invert to 102.00 so that the 72” gate would reach 108.00 and isolate the CCC Expansion.

The EOR Brown & Caldwell and their subconsultant for the facility, McKim & Creed, responded that adding the 2-ft wall<sup>ii</sup> was an acceptable solution. Haskell then submitted Late Track Allowance Request #012 for the additional cost of constructing the walls, and the City authorized the work to proceed with Field Order # 020-009.

In January 2020, Haskell was notified that the City planned to replace Gates #3 and #4 with larger gates that would isolate the CCC#1 Expansion without a need for the 2-ft walls.



### **SCOPE:**

The scope of Slide Gate #3 and #4 Replacement includes the following:

- Remove handrail, grating and support beam<sup>iii</sup>
- Untermine actuators
- Chip grout and demolish Slide Gates & Frames<sup>iv</sup>
- Demolish 2-ft concrete walls
- Install and grout new Slide Gates
- Re-apply resurfacer and epoxy coatings around gates
- Re-install handrail, beam and grating
- Install conduit and wire to new actuators
- Startup and testing

### **Clarifications**

- The cost of the slide gates are included in this estimate. It is anticipated that Haskell and the City will develop an ODP order, and the cost of the gates and associated taxes will ultimately be deducted from the contract value.\*Tax savings anticipated to be approx. \$7,900.
- It is Haskell's assumption that CCC#1 can be drained completely to accommodate this work. It is possible to perform this work while CCC#1 remains in service, however, additional cost and time will be required to install & remove cofferdams at each gate. Add \$5,554.27 and 5 Work Days if cofferdams are required (assuming Haskell can make use of the existing cofferdams stored at SWWRF)
- This proposal is based only on the activities listed above for the Slide Gates shown on the Manufacturer Shop Drawings listed on this Control Estimate. No revised contract drawings or specs were received for this scope of work.
- It is assumed that the existing electrical service to the actuators will be adequate. This proposal only includes re-working of conduit and wire to a slightly higher elevation. Replacement breakers, disconnects or other electrical components, if required, are not included in this proposal.
- No additional bonds or insurance are anticipated.
- The fee structure below only applies if this work is funded from remaining fast-track funds on Project 17058-111. If it is funded by project 18094-111 late-track contingency or reallocated sales tax savings, no fee will be applied as it is already included in the late-track project fee line item.

### **SCHEDULE:**

Haskell's proposed project schedule is attached. Based on expected dates for release of materials, lead times, and construction and startup durations, the overall project schedule for the Late Track Project will be moved from March 31, 2020 (as established in Amendment #8) to June 16, 2020<sup>v</sup>. These substantial completion dates are achievable, based on receiving funding (or field order) approval and necessary permits by February 10, 2020. The City also initiated a change to add light poles and fixtures to provide additional lighting throughout the plant access roads (see field order 020-118). This change is also contributing to the overall project schedule impact due to long lead times of the poles. Additional General Conditions costs<sup>vi</sup> are included in this partial control estimate and are necessary because of both scope changes listed here.

### **SUMMARY OF PARTIAL CONTROL ESTIMATE COSTS:**

**Total Partial Control Estimate #4 for Project No. 16109-111:**

**\$257,407.48**



Cost of Work Designed Scope	<b>\$ 212,762.48</b>
Cost of Extended General Conditions	<b>\$ 44,645.00</b>

Should you have any questions regarding this Partial Control Estimate or require additional information, please do not hesitate to contact me at (904) 463-0233.

Respectfully,

Josh LeFevre, DBIA  
Project Manager – Water

Cc:

Chris Myer, Haskell  
Bryan Bedell, Haskell  
Diana Smillova, City of St. Petersburg  
Mark Laney, City of St. Petersburg

---

<sup>i</sup> See Attachment #1 – RFI 109-14-094 Engineer Response

<sup>ii</sup> See Attachment #2 – 2-ft Wall Drawing

<sup>iii</sup> See Attachment #3 – Sheet S-60.1-12A and 31A

<sup>iv</sup> See Attachment #4 – Sheet M-601.-32A

<sup>v</sup> See Attachment #5 – CPM Schedule – SWWRF Capacity Upgrades Project

<sup>vi</sup> See Attachment #6 – Extended General Conditions after 03.31.2020

**MEMORANDM**

Council Meeting of March 12, 2020

TO: City Council Chair and Members of City Council  
Kanika Tomalin, Deputy Mayor & City Administrator  
Tom Greene, Assistant City Administrator

FROM: Brejesh Prayman, Director, Engineering & Capital Improvements 

THROUGH: Claude Tankersley, Public Works Administrator

RE: Updated material, Sewer Report item relating to Brown & Caldwell - Amendment No. 2

The two changes include:

1. A reduction of \$14,205 from the amount to be received from Brown and Caldwell. Haskell will replace the CCC gates but will also perform additional work, not pertinent to the CCC gates, requested by the City in the amount of \$14,205.
2. Brown and Caldwell requested minor changes to the language in the amendment. Attached is the final amendment signed by Brown and Caldwell.

Attachments:

Updated Consent Memo

Updated Resolution

Updated & signed Amendment No. 2

**ST. PETERSBURG CITY COUNCIL**

**Sewer Report**

**Meeting of March 12, 2020**

**TO:** The Honorable Ed Montanari, Chair, and Members of City Council

**SUBJECT:** A Resolution approving the Second Amendment to the Amended and Restated Architect/Engineering Agreement between the City of St. Petersburg, Florida and Brown and Caldwell (B&C) dated February 24, 2017, as amended, to add a payment to City paragraph for B&C to provide payment for the CCC Gate Replacement work; authorizing the Mayor or his designee to execute the Second Amendment; authorizing the City attorney's office to make non-substantive changes to the Second Amendment; approving a supplemental appropriation in the amount of \$243,202.25 from the increase in the unappropriated balance of the Water Resources Capital Projects fund (4003) resulting from these additional revenues received from B&C to the WRF SW Capacity Upgrade FY17 Project (15965); and providing an effective date.

**EXPLANATION:** On August 22, 2016, the Consultant Selection Committee selected the firm Brown and Caldwell to furnish professional engineering services for the SWWRF Capacity Upgrade Project ("Project"). On November 10, 2016 City Council approved the selection of Brown and Caldwell as the most qualified firm to provide services for the SWWRF Capacity Upgrades.

On December 15, 2016, City Council approved an Agreement between the City and Brown and Caldwell which was executed in the amount of \$750,000 for Preliminary Design Report (PDR) services to evaluate improvements to the SWWRF to provide temporary and permanent solutions to increase the wet weather peak flow capacity to a minimum of 60 mgd (million gallons per day) and with a goal of 70 mgd.

On February 16, 2017, City Council approved an Amended and Restated Agreement in the amount of \$2,790,031 between the City and Brown and Caldwell to include final design of improvements as outlined in the PDR to increase the wet weather peak flow capacity. Out of this approved amount, \$2,190,031 was authorized for Tasks 100 – Project Management, Task 200 – Final Design, Task 300 – Permitting Assistance, and Task 400 – CM Support Assistance. This approval included contingency funds in the amount of \$600,000.

On July 20, 2017, Revision No. 1 to the Amended and Restated Agreement was administratively approved for Task 500 – Additional Services for Limited Construction Phase Services in the amount of \$533,868 from the previously approved contingency funds.

This project has been managed to result in cost savings in tasks previously approved by City Council for specific funding amounts.

On May 2, 2019, City Council approved the First Amendment to the Amended and Restated Agreement to reassign funding within the Agreement to tasks previously approved. Scope of work included additional engineering services related to mechanical, structural, and electrical design, additional Construction

Manager support and assisting the City's operations staff with adjusting process controls, equipment and procedures. No supplemental funding was required under this First Amendment.

During construction of the Chlorine Contact Tank expansion, a design error was identified and an alternate solution was proposed and utilized to complete the structure and provide capacity before the mandated Consent Order Date of September 2019. Brown and Caldwell has agreed that the Engineer of Record (EOR), McKim & Creed, a subconsultant, was responsible for the omission and will compensate the City for the cost of materials and labor for the installation of new gates the and work will be performed by Haskell. The Second Amendment, attached hereto, will add a new payment to City paragraph.

**RECOMMENDATION:** Administration recommends that City Council adopt the attached resolution approving the Second Amendment to the Amended and Restated Architect/Engineering Agreement between the City of St. Petersburg, Florida and Brown and Caldwell (B&C) dated February 24, 2017, as amended, to add a payment to City paragraph for B&C to provide payment for the CCC Gate Replacement work; authorizing the Mayor or his designee to execute the Second Amendment; authorizing the City attorney's office to make non-substantive changes to the Second Amendment; approving a supplemental appropriation in the amount of \$243,202.25 from the increase in the unappropriated balance of the Water Resources Capital Projects fund (4003) resulting from these additional revenues received from B&C to the WRF SW Capacity Upgrade FY17 Project (15965); and providing an effective date.

**COST/FUNDING INFORMATION:** Revenues in the amount of \$243,202.25 are to be received from Brown and Caldwell. A supplemental appropriation from the unappropriated balance of the Water Resources Capital Projects Fund (4003), resulting from these additional revenues, is required to reimburse the previously appropriated funding in the Water Resources Capital Projects Fund (4003), WRF SW Capacity Upgrade FY17 Project (15965) utilized to advance the CCC Gate Replacement work.

**ATTACHMENTS:** Resolution  
Second Amendment

**APPROVALS:**

  
Administrative

  
Budget

RESOLUTION NO. 2020-\_\_\_\_\_

A RESOLUTION APPROVING THE SECOND AMENDMENT TO THE AMENDED AND RESTATED ARCHITECT/ENGINEERING AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA AND BROWN AND CALDWELL (B&C) DATED FEBRUARY 24, 2017, AS AMENDED, TO ADD A PAYMENT TO CITY PARAGRAPH FOR B&C TO PROVIDE PAYMENT FOR THE CCC GATE REPLACEMENT WORK; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE SECOND AMENDMENT; AUTHORIZING THE CITY ATTORNEY'S OFFICE TO MAKE NON-SUBSTANTIVE CHANGES TO THE SECOND AMENDMENT; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$243,202.25 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE WATER RESOURCES CAPITAL PROJECTS FUND (4003) RESULTING FROM THESE ADDITIONAL REVENUES RECEIVED FROM B&C TO THE WRF SW CAPACITY UPGRADE FY17 PROJECT (15965); AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City of St. Petersburg, Florida and Brown and Caldwell (B&C) entered into an Amended and Restated Architect/Engineering Agreement ("Agreement") on February 24, 2017 for B&C to provide design and construction administrative phase services for the SWWRF Capacity Upgrade Project in an amount not to exceed \$3,540,031; and

**WHEREAS**, on June 13, 2019, the City and B&C executed the First Amendment to the Agreement to expand the scope of work utilizing previously approved contingency, revise payment schedule, update the project schedule and modify other necessary provisions; and

**WHEREAS**, the City and B&C desire to amend the agreement for a second time to add a payment to City paragraph for B&C to provide payment to the City for the CCC Gate Replacement work.

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of St. Petersburg, Florida that the Second Amendment to the Amended and Restated Architect/Engineering Agreement between the City of St. Petersburg, Florida and Brown and Caldwell (B&C) dated February 24, 2017, as amended, to add a payment to City paragraph for B&C to provide payment to the City for the CCC Gate Replacement work is hereby approved.

**BE IT FURTHER RESOLVED** that the Mayor or his designee is authorized to execute the Second Amendment.

**BE IT FURTHER RESOLVED** that the City Attorney Office is authorized to make non-substantive changes to the Second Amendment.

**BE IT FURTHER RESOLVED**, that there is hereby approved from the increase in the unappropriated balance of the Water Resources Capital Projects Fund (4003) resulting from additional revenues received from B&C, the following supplemental appropriation for FY 2020:

<u>Water Capital Projects Fund (4003)</u>	
WRF SW Capacity Upgrade FY17 (15965)	\$243,202.25

This resolution shall become effective immediate upon its adoption.

Approved by:

*/s/ Macall Dyer*  
City Attorney (Designee)  
00497071

*Brijesh Prayman*  
Brijesh Prayman, P.E., SP, ENV  
Engineering & Capital Improvements Director

*EMahopel*  
Budget

## **SECOND AMENDMENT**

**THIS SECOND AMENDMENT** ("Second Amendment") is made and entered into on this \_\_ day of March, 2020, by and between the City of St. Petersburg, Florida ("City") and Brown and Caldwell ("A/E").

**WHEREAS**, the City entered into an Amended and Restated Architect/Engineering Agreement ("Agreement") with the A/E on February 24, 2017 for the A/E to provide design and construction administrative phase services for the SWWRF Capacity Upgrade Project; and

**WHEREAS**, on June 13, 2019, the City and the A/E executed the First Amendment to delete the Reports to Council section, amend Scrutinized Business Operations language, add Attachment 1 to Appendix A, revise the payment schedule and update the project schedule; and

**WHEREAS**, the City and the A/E desire to amend the Agreement for a second time to add a new payment to City paragraph.

**NOW, THEREFORE**, in consideration of the foregoing recitals (which are an integral part of this Second Amendment and are incorporated herein by reference) and the promises and covenants contained herein and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the City and the A/E hereby agree as follows:

1. Section 25.0 is added to the Agreement to read as follows:

---

### SECTION 25.0 - PAYMENT TO THE CITY

25.1 Without any admission of liability, the A/E shall pay or cause its subconsultant, McKim & Creed, Inc., to pay all costs and expenses necessary to resolve the issue regarding Gates SLG -6003 and SLG -6004 that isolate the new chlorine contact tank expansion from the existing chlorine contact tank. More specifically, the A/E shall pay or cause its subconsultant, McKim & Creed, Inc., to pay for (i) the costs and expenses to purchase the new gates and (ii) all costs and expenses for the City's construction manager, The Haskell Company, to remove the existing gates and concrete wall previously constructed, install the new gates, and other necessary work, all of which costs and expenses are presently estimated to be \$243,202.25. The A/E shall be responsible for or cause its subconsultant, McKim & Creed, Inc. to be responsible for any costs and expenses above the presently estimated costs and expenses of \$243,202.25 that are incurred by the City as a direct result of or arising out the removal and replacement of Gates SLG -6003 and SLG -6004 that isolate the new chlorine contact tank expansion from the existing chlorine contact tank. The City will invoice the A/E on a monthly basis and A/E shall remit payment to the City within twenty (20) days after receipt of an invoice from the City.

Any and all provisions of the Agreement not specifically amended by this Second Amendment shall remain in full force and effect.

Theremainder ofthis page left blank intentionally.

IN WITNESS WHEREOF, the A/E and the City have caused this Second Amendment to be executed by their duly authorized representatives on the date first above written.

**BROWN AND CALDWELL**

By: [Signature]  
(Signature)

Albert Perez  
(Please Print or Type Name)

Vice President  
(Title)

**WITNESSES**

By: [Signature]  
Print: ANAND MODY, PE

By: [Signature]  
Print: ADARSH SHAH, PE

**CITY OF ST. PETERSBURG, FLORIDA**

**ATTEST:**

By: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Chandrasa Srinivasa, City Clerk

\_\_\_\_\_  
(Please Print or Type Name)

(SEAL)

\_\_\_\_\_  
(Title)

Approved as to Form and Content:

By: \_\_\_\_\_  
City Attorney (Designee)

