

**WORK AUTHORIZATION # CM3014 WA02
AMERICAN BEACH WATER AND SEWER DISTRICT**

Consultant:	Florida Governmental Utility Authority (FGUA)
Contract Number:	CM3014 WA02
Contact Name:	Steve Spratt
Contact Number:	407-629-6900
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CURRENT WORK AUTHORIZATION			
Project Short Title: American Beach Water and Sewer District Sewer Improvement Project			
		CONTRACT OVERVIEW	
Date Submitted	08/05/21	Total of Previous Authorizations	\$178,421.05
Amount	\$399,478.97	This Work Authorization	\$399,478.97
Scheduled Completion	12/20/21	Current Contract Total	\$577,900.02

This Work Authorization is to the AGREEMENT between The American Beach Water and Sewer District (The District), and the Consultant known as the Interlocal Agreement between the District, Nassau County and the Florida Governmental Utility Authority for Water and Wastewater Utility Capital Project and related Grant/Loan Administration and Special Assessment Services, dated June 17, 2021. This Work Authorization also relies upon the similar preceding Agreement between Nassau County (the County) and the Consultant approved December 12, 2019 under which work was initiated following FDEP priority funding listing on November 18, 2020.

Pursuant to Section 125.01 and 189.02, Florida Statutes, the American Beach Water and Sewer District (the "District") was formed as a dependent special district by Ordinance No. 2020-26.

The purpose of the District is to construct and maintain water and sewer facilities (the "Water Facilities", "Sewer Facilities", or collectively the "Water and Sewer Facilities") in the unincorporated area of the county within the boundaries of the District.

The operations and maintenance of the Lines will be addressed through the connection of those Lines to the Nassau Amelia Utility (NAU) system and the payment of utility bills by the District's utility users to NAU. A separate agreement shall be executed by NAU and the District to identify the terms and conditions of such relationship.

The Board of County Commissioners adopted Resolution 2021-22, which states that, upon the recommendation of the project manager and advisor, FGUA, the water and sewer project work was advanced to target the August, 2021 cycle for SRF construction loan consideration. Accordingly, this schedule necessitated the Consultant initiating work following FDEP priority funding listing on November 18, 2020 consistent with the County-FGUA interlocal agreement approved on December 12, 2019.

The design of the sewer facilities was contracted through American Beach Water and Sewer District Sanitary Sewer Improvement Project (CM2786-WA06) (Submitted 1/20/21) between the Florida Governmental Utility Authority and Board of County Commissioners. The total work authorizations were for \$399,478.97. The services provided shall assist the County in carrying out all Professional Engineering and Capital Project Administration services during the design and bidding phases of the American Beach Water and Sewer District Sewer Improvement Project. These services shall include Capital Project Administration and new sanitary sewer design, permitting, bid solicitation, bid review and recommendation of award, as further detailed in the attached FGUA Work Authorizations to Wade Trim, Inc. and Government Services Group, Inc. The initial funding was designated and paid from the County's NAU account 471-500-535 53-563551 ABWSD.

Following the execution of the sewer facilities design work, the County was notified by FDEP that the District shall establish a separate fund (per GASB and GAAP standards) and set of accounts and bank accounts for tracking of activities related to the District along with establishing such agreements which tie the District directly to the work performed. All funding of projects must show a direct payment from the District's accounts to the consultants/contractors.

Interlocal agreement CM3014 between the County, FGUA, and American Beach Water and Sewer District requested by FDEP was prepared and approved on June 2, 2021. The form of the agreement is similar to CM2786, which was approved on December 12, 2019, with the inclusion of the District. As a portion of the funding is provided by FDEP, drafts of the agreement were provided to FDEP, for their review and concurrence.

The County on behalf of the District established a new American Beach Water and Sewer District fund 472. Additionally, new bank accounts were established within the District's name. Initial funds to establish a balance within fund 472 are provided through a loan agreement between the County and District. All loans from the County, such as the \$399,478.97 and any other funds to establish reserves, etc., to the District shall be due and payable back to the County upon any receipt of funds by the District or through future assessments, as needed. A separate funding agreement shall be executed between the County and ABWSD.

As American Beach Water and Sewer District Sanitary Sewer Improvement Project (CM2786-WA06) was executed on March 22, 2021, prior to the new interlocal agreement CM3014 and the formation of the District's accounts, such work has continued under American Beach Water and Sewer District Sanitary Sewer Improvement Project (CM2786-WA06) for the benefit of the District. Although, to properly account for the District's financial liability to pay for these activities performed under American Beach Water and Sewer District Sanitary Sewer Improvement Project (CM2786-WA06), the prior work authorization will be amended to reflect a revised funding source from the new fund 472. All payments previously paid shall be reimbursed to the County/NAU. Work Authorization American Beach Water and Sewer District Sewer Improvement Project (CM3014 WA02) shall be approved to acknowledge the scope and task provided under

American Beach Water and Sewer District Sanitary Sewer Improvement Project (CM2786-WA06) are for the sole benefit of the District and as such funding shall be provided through American Beach Water and Sewer District Sewer Improvement Project (CM3014 WA02). All work performed under American Beach Water and Sewer District Sanitary Sewer Improvement Project (CM2786-WA06) shall be re-billed through American Beach Water and Sewer District Sewer Improvement Project (CM3014 WA02). The results of these actions will allow the District to directly pay for the contracted work performed for the District to be funded directly by the District.

The approval of American Beach Water and Sewer District Sewer Improvement Project (CM3014 WA02) shall occur concurrently with the change order to American Beach Water and Sewer District Sanitary Sewer Improvement Project (CM2786-WA06) to modify the funding source. No payments from American Beach Water and Sewer District Sewer Improvement Project (CM3014 WA02) shall occur until all payments from American Beach Water and Sewer District Sanitary Sewer Improvement Project (CM2786-WA06) have been reimbursed to the County/NAU fund.

ARTICLE 1. Services Described as:

All services shall be performed under the previously executed American Beach Water and Sewer District Sanitary Sewer Improvement Project (CM2786-WA06). Such services within that work authorization include: The Consultant shall assist the District in carrying out all Professional Engineering and Capital Project Administration services during the design and bidding phases of the American Beach Sewer Improvement Project. These services shall include Capital Project Administration and new wastewater collection design, permitting, bid solicitation, bid review and recommendation of award, as further detailed in the attached FGUA Work Authorizations to Wade Trim, Inc. and Government Services Group, Inc.

ARTICLE 2. Time Schedule

All services shall be performed under the previously executed American Beach Water and Sewer District Sanitary Sewer Improvement Project (CM2786-WA06). It is acknowledged that services performed commenced with the approval of FDEP's priority design funding listing on November 18, 2020. The schedule for those services provided within that work authorization note: The Consultant shall complete all work by December 20, 2021.

ARTICLE 3. Budget

The Consultant will perform the Capital Project Administration and Design scope of services outlined within American Beach Water and Sewer District Sanitary Sewer Improvement Project (CM:2786-WA06) for a lump sum amount of \$19,973.97 and \$379,505.00, respectively. Copies of the related Wade Trim, Inc. and Government Services Group, Inc. Work Authorizations are included within American Beach Water and Sewer District Sanitary Sewer Improvement Project (CM2786-WA06) for references.

Article 4. Other Provisions

The Services covered by this Work Authorization will be performed in accordance with the provisions set forth in the AGREEMENT as referenced in American Beach Water and Sewer District Sanitary Sewer Improvement Project (CM2786-WA06) and any of its attachments or schedules. Additional terms or contract provisions whether submitted purposely or inadvertently, shall have no force or effect. This Work Authorization will become a part of the referenced American Beach Water and Sewer District Sanitary Sewer Improvement Project (CM2786-WA06) AGREEMENT when executed by both parties.

In presenting this Work Authorization, Consultant agrees that:

Unless detailed herein, all drawings, data, electronic files and other information required for this Work Authorization has been accepted by Consultant. Specifically, all electronic files have been reviewed and accepted for the purposes of this Work assignment. Any additional information, including detailed scope of services are attached.

AGREED TO BY:

BY: Steve Spratt
Print Name: Steve Spratt
Title: FGUA System Manager
Date: 8/27/2021

RECOMMENDED AND APPROVED BY AMERICAN BEACH WATER AND SEWER DISTRICT:

Department Head/Managing Agent: Megan Diehl 8/27/2021
 Department Head/Managing Agent

Procurement: Marshall Eyerman 8/27/2021
 Brian Simmons

Office of Management & Budget: Megan Diehl 8/27/2021
 Megan Diehl

County Manager: Taco E. Popey AICP 8/27/2021
 Taco E. Pope

Ex-Officio Clerk: Please see signature below
 John Crawford

County Attorney: Michael S. Mullin 8/27/2021
 Michael S. Mullin

APPROVED by the AMERICAN BEACH WATER AND SEWER DISTRICT, this 1st day of September, 2021.

AMERICAN BEACH WATER AND SEWER DISTRICT
 NASSAU COUNTY, FL

Thomas R. Ford
 Chairman

ACCOUNT NO.: 472500536 563551

Attachments:

- American Beach Water and Sewer District Sanitary Sewer Improvement Project (CM2786-WA06)
- (3) Emails of correspondence with FDEP

ATTESTATION: Only To Authenticity as to Chairman's Signature:

John A. Crawford, Ex-Officio Clerk