

AGENDA ITEM REPORT

DATE: September 20, 2022
DEPARTMENT: Utilities
REQUESTER: Pamela Keyes
TITLE: Approve Amendment to Agreement for Construction of Three Oaks Water Reclamation Facility

I. MOTION REQUESTED

- A) Approve Amendment 1 to the Design-Build Agreement with Wharton-Smith, Inc., under Solicitation No. DB200309ANB, Three Oaks Water Reclamation Facility authorizing Construction Phase services to expand the Three Oaks Water Treatment Plant to 8 MGD and establishing the Guaranteed Maximum Price (GMP) in the amount of \$47,203,391.00.
- B) Authorize the County to pursue sales tax recovery opportunities, as permitted under Florida Statutes 212.08(6), and Lee County Board of County Commissioners Administrative Code AC-4-1, and allow Procurement Management to issue Certificates of Entitlement to Wharton-Smith, Inc., with respect to direct materials purchases deemed appropriate by the County's Project Manager and consistent with the Sales Tax Recovery Process set forth in the Agreement.
- C) Authorize the Chair to execute the amendment documents on behalf of the Board of County Commissioners.

II. ITEM SUMMARY

Amends the Design-Build Agreement with Wharton-Smith in the amount of \$47,203,391 for Construction Phase Services to expand the Three Oaks Water Reclamation Facility. The plant expansion was approved by the BoCC as part of the FY22 Utilities Capital Improvement Program in order to meet future flows based on recommendations from the 2019 Waste Water Master Plan and current population projections through the planning period of 2040. Total project cost is estimated at \$51,044,364.14 and construction is anticipated to start in October 2022 with completion in 2024.

III. BACKGROUND AND IMPLICATIONS OF ACTION**A) Board Action and Other History**

Procurement Management obtained proposals for the project known as DB200309ANB, Three Oaks Water Reclamation Facility Expansion. On the Proposal deadline of August 12, 2020, Procurement Management received five proposals. At the first evaluation meeting on September 14, 2020, the Evaluation Committee short-listed three firms to return for presentations and a question and answer session. On October 23, 2020, at the second evaluation meeting, the Evaluation Committee provided a final ranking of the firms. The Evaluation Committee recommended to begin negotiations with the top-ranked firm, Wharton-Smith, Inc.

On March 16, 2021, the Board of County Commissioners awarded a Design-Build Agreement to Wharton-Smith, Inc., in the amount of \$3,840,973.14 for Pre-Construction Phase Services to expand the Three Oaks WRF. Pre-Construction Phase Services included engineering design, permitting, and specifications necessary for the preparation of the Guaranteed Maximum Price.

B) Policy Issues**C) BoCC Goals****D) Analysis**

The Three Oaks Water Reclamation Facility was originally constructed in 1989 with a treatment capacity of 0.25 MGD. Throughout the years, the facility has had multiple construction projects to increase capacity. The last expansion to the facility was completed in 2007, increasing treatment capacity to 6 MGD. In 2018, an improvement project was completed to allow the facility to treat the permitted capacity of 6 MGD in response to the changing composition of residential versus commercial incoming wastewater inflows.

This plant expansion is necessary to meet future flows based on recommendations from the 2019 Waste Water Master Plan and growth projections. The additional capacity at Three Oaks will temporarily accommodate the population growth along the Corkscrew Rd. corridor, until the new Southeast Advanced Water Reclamation Facility (SE AWRF) can be designed and constructed. Once constructed, both facilities will split the service area to handle wastewater flows within the next 20-year planning horizon.

As part of this project, an evaluation of the characteristics of incoming flows and existing treatment process efficiencies determined the County can increase its capacity to 9 MGD.

Major treatment facility upgrades include modifications to the headworks, medications to the odor control, an additional oxidation ditch, modifications to all plant pump stations, expansion of the filters, expansion of the chlorine contact chambers, and new chemical feed systems. Construction also includes a new generator and electrical upgrades to maintain the full operation of the expanded facility during times of emergency with power outages. This project will also include necessary advanced treatment processes to further enhance the quality of treated wastewater.

The project is estimated to be fully operational by the end of 2024 to sustain the projected increase in inflows.

E) Options

IV. FINANCIAL INFORMATION

A)	Current year dollar amount of item:	\$47,203,391
B)	Is this item approved in the current budget?	Yes
C)	Is this a revenue or expense item?	Expense
D)	Is this Discretionary or Mandatory?	Discretionary
E)	Will this item impact future budgets? If yes, please include reasons in III(D) above.	No
F)	Fund: Utilities Capital Improvement Program: Utilities Project: Three Oaks WRF Expansion Account Strings: 20072348713	
G)	Fund Type?	Enterprise
H)	Comments:	

V. RECOMMENDATION

Approve

VI. TIMING/IMPLEMENTATION

VII. FOLLOW UP

ATTACHMENTS:

Description	Upload Date	Type
Pt 1_DB200309ANB_Wharton-Smith_OCR_Redacted	9/9/2022	Agreement
Pt 2_DB200309ANB_Wharton-Smith_OCR	9/9/2022	Agreement
Pt 3_DB200309ANB_OCR_Redacted	9/9/2022	Agreement
Pt 4_DB200309ANB_OCR_Redacted	9/9/2022	Agreement

REVIEWERS:

Department	Reviewer	Action	Date
Utilities	Turner, Nicole	Approved	9/8/2022 - 2:23 PM
Utilities	Keyes, Pamela	Approved	9/9/2022 - 8:59 AM
Budget Services	Guttery, Angela	Approved	9/12/2022 - 9:57 AM
Budget Services	Winton, Peter	Approved	9/12/2022 - 9:58 AM
County Attorney	Swindle, Amanda	Approved	9/12/2022 - 10:02 AM
County Manager	Salyer, Glen	Approved	9/13/2022 - 8:32 AM