

**AMENDMENT NO. 4  
TO AGREEMENT NO. LPQ0019  
BETWEEN  
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
AND  
INDIAN RIVER COUNTY**

This Amendment to Agreement No. LPQ0019 (Agreement), as previously amended, is made by and between the Department of Environmental Protection (Department), an agency of the State of Florida, and the Indian River County (Grantee), on the date last signed below.

WHEREAS, the Department entered into the Agreement with the Grantee for North Sebastian Phase II Water and Sewer Project for Indian River County (Project), effective July 2, 2022; and,

WHEREAS, the Grantee has requested a revision in the scope of work and a budget reallocation for the Project; and,

WHEREAS, the Grantee has requested an extension of the Agreement due to unexpected delays and,

WHEREAS, other changes to the Agreement are necessary; and,

WHEREAS, the parties have agreed to amend the Agreement as set forth herein.

NOW THEREFORE, the parties agree as follows:

1. Section 3. of the Standard Grant Agreement is hereby revised to change the Date of Expiration to March 31, 2024. The Department and the Grantee shall continue to perform their respective duties during this extension period pursuant to the same terms and conditions provided in the Agreement.
2. Section 6. of the Standard Grant Agreement is hereby revised to the following:

<b>Department's Grant Manager</b>	<b>Grantee's Grant Manager</b>
Name: Mykah Arnold	Name: Robert Tobar
Address: 3900 Commonwealth Blvd Tallahassee FL, 32399	Address: 1801 27 <sup>th</sup> Street Vero Beach, FL 32960
Phone: 850-245-2894	Phone: 772-226-1801
Email: Mykah.Arnold@FloridaDEP.gov	Email: RTobar@IndianRiver.gov

3. The following is hereby added to Attachment 1 as Section 8.f.:  
State Funds Documentation. Pursuant to section 216.1366, F.S., if Contractor meets the definition of a non-profit organization under section 215.97(2)(m), F.S., Contractor must provide the Department with documentation that indicates the amount of state funds:
  - i. Allocated to be used during the full term of the contract or agreement for remuneration to any member of the board of directors or an officer of Contractor.
  - ii. Allocated under each payment by the public agency to be used for remuneration of any member of the board of directors or an officer of the Contractor.

The documentation must indicate the amounts and recipients of the remuneration. Such information must be posted on the State's contract tracking system and maintained pursuant to section 215.985, F.S., and must be posted on the Contractor's website, if Contractor maintains a website.

4. Attachment 3-1, Revised Grant Work Plan, is hereby deleted in its entirety and replaced with Attachment 3-2, Revised Grant Work Plan, as attached to this Amendment and hereby incorporated into the Agreement. All references in the Agreement to Attachment 3-1 shall hereinafter refer to Attachment 3-2, Revised Grant Work Plan.
5. All other terms and conditions of the Agreement remain in effect. If and to the extent that any inconsistency may appear between the Agreement and this Amendment, the provisions of this Amendment shall control.

The parties agree to the terms and conditions of this Amendment and have duly authorized their respective representatives to sign it on the dates indicated below.

INDIAN RIVER COUNTY

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: \_\_\_\_\_  
Authorized Signature

By: \_\_\_\_\_  
Secretary or Designee

Sean Lieske, Director of Utility Service  
Print Name and Title

Angela Knecht, Division Director  
Print Name and Title

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

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

\_\_\_\_\_  
Mykah Arnold, DEP Grant Manager

\_\_\_\_\_  
Amanda Peck, DEP QC Reviewer

List of attachments/exhibits included as part of this Amendment:

<u>Specify Type</u>	<u>Letter/ Number</u>	<u>Description</u>
Attachment	3-2	Revised Grant Work Plan

**ATTACHMENT 3-2  
REVISED GRANT WORK PLAN**

**PROJECT TITLE:** North Sebastian Phase II Water and Sewer Project for Indian River County

**PROJECT LOCATION:** The Project will be located in the west of US Hwy 1 bounded to the north/west by the St. Sebastian River, Roseland Road to the south in Indian River County; Lat/Long (27.838118, -80.492550). See Figure 1 for a location map.

**PROJECT BACKGROUND:** The project will construct a gravity sewer system to service an area of Indian River County (Grantee) that has a mixed land use designation of approximately 180 parcels of primarily residential and non-residential properties on septic. Connecting these parcels to sewer in the North Sebastian area would reduce an estimated amount of 4,266 pounds/year of Total Nitrogen and 900 pounds/year of Total Phosphorus from being leached into the Lagoon.

**PROJECT DESCRIPTION:** The Grantee will construct approximately 15,400 linear feet (LF) of gravity sewer main, approximately 54 manholes and a County owned & operated lift station. The Grantee will also install approximately 16,750-LF of water main in the same area, including fire hydrants and related appurtenances.

**Task 1: Construction of Gravity Sewer**

**Deliverables:** The Grantee will construct the Indian River County North Sebastian Septic to Sewer Phase II in accordance with the construction contract documents.

**Documentation:** The Grantee will submit a signed acceptance of the completed work to date by the Grantee and the Engineer's Certification of Payment Request.

**Performance Standard:** The Department's Grant Manager will review the documentation to verify that the deliverables are completed as described above. Upon review and written acceptance by the Department's Grant Manager, the Grantee may proceed with payment request submittal.

**Payment Request Schedule:** The Grantee may submit a payment request for cost reimbursement no more frequently than monthly.

**Task 2: Construction of Water Main**

**Deliverables:** The Grantee will construct the Indian River County North Sebastian Septic to Sewer Phase II in accordance with the construction contract documents to include water main installation, fire hydrants, and related equipment.

**Documentation:** The Grantee will submit a signed acceptance of the completed work to date by the Grantee and the Engineer's Certification of Payment Request.

**Performance Standard:** The Department's Grant Manager will review the documentation to verify that the deliverables are completed as described above. Upon review and written acceptance by the Department's Grant Manager, the Grantee may proceed with payment request submittal.

**Payment Request Schedule:** The Grantee may submit a payment request for cost reimbursement no more frequently than monthly.

**PROJECT TIMELINE & BUDGET DETAIL:** The tasks must be completed by, and all documentation received by, the corresponding task end date.

Task No.	Task Title	Budget Category	Budget Amount	Task Start Date	Task End Date
1	Construction of Gravity Sewer	Contractual Services	\$2,000,000	07/01/2019	02/02/2024
2	Construction of Water Main	Contractual Services	\$1,250,000	07/01/2019	02/02/2024
		Total:	\$3,250,000		

Note that, per Section 8.h. of Attachment 1 in the Agreement, authorization for continuation and completion of work and any associated payments may be rescinded, with proper notice, at the discretion of the Department if the Legislature reduces or eliminates appropriations. Extending the contract end date carries the risk that funds for this project may become unavailable in the future. This should be a consideration for the Grantee with this and future requests for extension.

Figure 1. Project Location

