

January 5<sup>th</sup>

2005

**KEY LARGO WASTEWATER TREATMENT DISTRICT BOARD OF  
COMMISSIONERS MEETING**

**AGENDA**

**Wednesday, January 5, 2005 at 5:00 PM**

**Key Largo Civic Club, 209 Ocean Bay Drive**

**Key Largo, FL**

**Charles Brooks**

**Gary Bauman**

**Andrew Tobin**

**Glenn Patton**

**Claude Bullock**

**Chairman**

**Vice Chairman**

**Secretary-Treasure**

**Commissioner**

**Commissioner**

.....  
**Charles F. Fishburn**

**Thomas Dillon**

**Carol Simpkins**

**General Manager**

**District Counsel**

**Board Clerk**

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the KLWTD Board, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Board Clerk at 305-451-5105 at least 48 hours in advance to request accommodations.

**I. CALL TO ORDER**

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

**IV. APPROVAL OF AGENDA WITH ANY ADDITIONS OR DELETIONS**

**V. APPROVAL OF MINUTES**

1. December 15 & December 29, 2004

(Action)

TAB 1

**VI. PUBLIC COMMENT**

**VII. FINANCIAL OFFICER'S REPORT**

- 2. Approval of Pending Payments list for January 5, 2005 (Action) TAB 2
  
- 3. RESOLUTION NO. 01-01-05  
ANNUAL RESOLUTION OF THE KEY LARGO  
WASTEWATER TREATMENT DISTRICT DESIGNATING  
SPECIFIC COMMISSIONERS AS AUTHORIZED  
SIGNATORIES OF THE KEY LARGO WASTEWATER  
TREATMENT BOARD'S BANK ACCOUNT: AND  
PROVIDING FOR AN EFFECTIVE DATE. (Action) TAB 3
  
- 4. Project Funding Status Report on KLTV & KLP TAB 4

**VIII. LEGAL COUNSEL REPORT**

**IX. ENGINEERS REPORT**

- 5. Monthly progress report TAB 5
  
- 6. Lake Surprise/Sexton Cove (Action) TAB 6

**X. GENERAL MANAGER'S REPORT**

- 7. Key Largo Park Status TAB 7

**XI. COMMISSIONER'S COMMENTS**

- 8. Discussion on Project Delivery Method, Commissioner Gary Bauman
  
- 9. State registration fee

**XII. ADJOURNMENT**

**ITEMS OF ONGOING CONCERN**

- a. Procedures
- b. Website Development
- c. Agency Coordination

# TAB 1

**KEY LARGO WASTEWATER TREATMENT DISTRICT  
Agenda Request Form**

Meeting Date: January 5, 2005

Agenda Item No. /

PUBLIC HEARING

RESOLUTION

DISCUSSION

BID/RFP AWARD

GENERAL APPROVAL OF ITEM

CONSENT AGENDA

Other:

SUBJECT: Minutes of December 15, 2004 Board Meeting and the Dec. 29, 2004 meeting

RECOMMENDED MOTION/ACTION: Approval of minutes with any needed additions, deletions or corrections.

Approved by General Manager C. J. J.

Date: 12-27-04

<p><b>Originating Department:</b> Board Clerk</p>	<p>Costs: Approximately \$0 Funding Source: Acct. #</p>	<p><b>Attachments:</b> Minutes of 12.15.04</p>
<p>Department Review: <input checked="" type="checkbox"/> District Counsel <u>MD</u> <input checked="" type="checkbox"/> General Manager <u>C. J. J.</u> <input type="checkbox"/> Finance _____</p>	<p><input type="checkbox"/> Engineering _____ <input checked="" type="checkbox"/> Clerk <u>es</u></p>	<p><b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required</p>
	<p>All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.</p>	<p>Yes I have notified everyone _____ OR Not applicable in this case _____: Please initial one.</p>

**Summary Explanation/Background:**

**Resulting Board Action:**

Approved

Tabled

Disapproved

Recommendation Revised

# DRAFT

## MINUTES Key Largo Wastewater Treatment District (KLWTD) Board of Commisisoner's Meeting

December 15, 2004, 5:00 PM  
Key Largo Civic Club, 209 Ocean Bay Drive

The KLWTD Board of Commissioners met for a regular meeting on December 15, 2004 at 5:00 PM. Present were Chairman Charles Brooks, Commissioners, Andrew Tobin, Claude Bullock, Gary Bauman, and Glenn Patton. Also present were General Manager Charles Fishburn, Board Clerk Carol Simpkins, District Counsel Thomas Dillon, Financial Officer Martin Waits, and all appropriate District staff.

Chairman Charles Brooks led the Pledge of Allegiance.

### ADDITIONS/DELETIONS TO THE AGENDA.

Commissioner Andrew Tobin requested that item 8, Roevac vs. Airvac be moved to the front of the agenda before the approval of the minutes followed by item 12, Connection and Rate Fees. Also item 6 under Legal is to be removed from the agenda.

**Motion: Commissioner Bullock made a motion to approve the agenda as amended. The motion was seconded by Commissioner Patton.**

Vote on motion:

Board Member	Yes	No	Other
Commissioner Gary Bauman	X		
Commissioner Claude Bullock	X		
Commissioner Glenn Patton	X		
Commissioner Andrew Tobin	X		
Chairman Charles Brooks	X		

Motion passed 5 to 0

### ROEVAC vs. AIRVAC

Peter Kinsley, the Haskell Company, stated that at the last meeting he was given two assignments. One was to discuss the approved Roediger Pittsburgh purchase order with Roediger Germany (the grant language requirements and the extended warranty. Assignment number two was to continue the process initiated by the District in coordinating with Airvac in

reviewing the existing designs, getting feed back from Airvac and then ultimately preparing a price to convert the project to Airvac if that was the direction of the Board.

Mr. Kinsley stated that Roediger Germany has a few concerns with the standard terms and conditions of the Haskell prepared purchase order. In Haskell's option they are not insurmountable but will require additional discussion. The two significant items are the program status and regulations attachment (B & D from the DCA grant agreement), they did not discuss this and Mr. Kinsley is assuming that it is something that they would be willing to roll into the purchase order. Regarding the extended warranty, they are willing to do some of what Roediger Pittsburgh was willing to do but Roediger Pittsburgh was offering a two year extended warranty from substantial completion not to exceed forty two months from delivery. Roediger Germany is willing to provide the same warranty on their valves and controllers but the balance of equipment that they furnish would fall under a one year warranty from substantial completion.

Roediger Germany stands ready to proceed with the project if they are approved to do so. Mr. Kinsley thinks that they will be able to meet the delivery schedule and that they will be able to get technical support both in the office and the field and they remain prepared to proceed in that direction.

Airvac was supplied with a set of drawings to review and they preformed a review of the drawings and came back with a review document and a cost proposal. After review of the documents Walt Messer prepared a revised cost proposal. The review said that everything that has been put into the ground to date is acceptable. But they would like to work with Brown and Caldwell on the piping that is not installed yet and make some changes to the design. Airvac did say that the review was cursory.

Mr. Kinsley prepared a price for the Board's consideration based on the design that they are working on today converted to an Airvac system on a straight material change. See attached memo Exhibit "A". There will be some changes that will add costs and some that will reduce the cost. Mr. Kinsley stated that the most appropriate thing today would be to assume that the piping changes will be subtle enough so that they will wash out and it will be a straight material change. The price proposal is \$191,000 to convert the project from Roevac to Airvac. There are three numbers that make up that price:

1. D. N. Higgins' Corp. cost proposal that is the straight Roevac to Airvac conversion and that is \$158,000 (straight material pass not labor).
2. Brown and Caldwell the redesign effort of reissuing drawings at a cost of \$19,200.
3. Standard 5% makeup and bonds and insurance.

District Counsel Thomas Dillon asked if the proposal for Airvac would include a 63 day increase in contract time. Mr. Kinsley stated it would. Mr. Dillon asked if Haskell would be requesting extended overhead for the 63 day-period. Mr. Kinsley replied that Haskell would not request extended overhead cost. Mr. Dillon asked if Haskell recommended either Airvac or Roevac one over the other. Mr. Kinsley stated that the Haskell position is that they are prepared to proceed with Roevac as the basis of their contract but if they are directed to put in Airvac they are ready

to proceed in that manner also. It would impact the project schedule and they would want to be reimbursed for the additional cost which is in the proposal.

Mr. Dillon stated that the contract states that if the District selects a vendor that is not submitted by the Haskell Company then the District assumes the responsibilities for cost or time impacts. If the District had a change order to go to Airvac would Haskell be willing to waive that and say that Airvac is a submitted vendor. Mr. Kinsley stated that the sole intent of that statement is to protect Haskell if there is a financial impact or schedule impact and that is what the proposal submitted to the District does. In other words, the proposal includes all of the cost and time impacts to Haskell as a result of the change.

Mr. Dillon asked if the District could do a direct purchase with Airvac and Mr. Kinsley stated that it would have to be negotiated but they are willing to work with the District on the direct purchase. Commissioner Bauman asked how much would be saved with a direct purchase order. It would be \$40,516.

Mr. Kinsley stated that the Haskell Company is prepared to go in the direction that the Board favors but they are not prepared to pay for the additional cost to go with Airvac.

General Manager Charles Fishburn asked Mr. Kinsley if know what he knows today and could start over would he do. He stated he would go with Airvac.

Commissioner Patton explained that he and staff had visited Bay Point and there was a problem with one of the Airvac pits and he asked Mr. Messer if the problem had been solved yet. Mr. Messer stated that he is getting the technical support that he needs just not as timely as he would like. Commissioner Patton stated that he is comfortable with Airvac, there is a support structure there and he has faith in their system

Commissioner Andrew Tobin stated that out of the \$191,000 the \$40,000 is what would have been charged for the escalation of the Roediger product. If the District buys direct another \$40,000 is saved. So it will really take \$100,000 to make the switch from Roevac to Airvac. Mr. Tobin stated that the problem is a joint problem and no one could have anticipated the problem with Roediger. As prudent business people no one really wants to find out if Roediger indeed can make the delivery schedule. It does not make sense to guess and depending on who guessed wrong to face liability for the wrong guess. He would like this not to be Board demands but truly a joint decision so that at some latter date the Haskell Company is not saying that the Board forced them to change to Airvac. He does not want to be in that legal position, that is his main concern. He wants things real clear and that whatever deal is worked out is a joint deal and no one is pointing the finger at anyone for making them do something that they do not want to do. He asked Mr. Kinsley if that was fair. Mr. Kinsley stated that it is fair. He would like to be a team. This could be a defining moment for that. If the Board wants Airvac Haskell will give them Airvac there is no question about it.

Commissioner Andrew Tobin asked Mr. Kinsley that if the District signs the purchase order to save the sales tax will you agree that the District is not taking on all of the liability and that the District is signing it as an accommodation to save the sales tax and that Haskell will not point a

finger saying that the District signed the purchase order and that they are not liable for shipping delays, etc. Mr. Kinsley stated that that was the case with Fluidyne and he sees the same activity with Airvac and he thinks Airvac will be very agreeable.

District Counsel Thomas Dillon explained that there is a provision in the contract that says if the District issues the purchase order and there is a delay in shipment then that it will be the District's risk. He believes that it is a requirement to qualify for the sales tax break. Commissioner Andrew Tobin stated that Mr. Dillon may be able to minimize the risk.

**Motion: Commissioner Bauman made a motion to switch to Airvac as a supplier instead of Roediger pursuant to a joint decision of contractors and the District subject to drafting an appropriate purchase order with staff and contractor also working out the appropriate language and price for a change order. Also staff is directed to send Airvac a letter of intend. Motion seconded by Commissioner Bullock.**

Mr. Kinsley explained that they would like to release pits now. A change order for \$191,000 should be issued now (totally budgetary) and then a reconciliation change order should be released to correct unless Airvac would start fabricating pits off of a letter of intent.

Vote on motion:

Board Member	Yes	No	Other
Commissioner Gary Bauman	X		
Commissioner Claude Bullock	X		
Commissioner Glenn Patton	X		
Commissioner Andrew Tobin	X		
Chairman Charles Brooks	X		

Motion passed 5 to 0

#### RATE AND CONNECTION FEES

District Counsel Thomas Dillon explained his memo said that the District is not locked into the \$2,700 for connection fees and the \$35 a monthly service fee. The FONSI imposes a \$4,500 cap on the connection fees and a \$60 cap on monthly service fees; these are limitations on the Key Largo Trailer Village and the Key Largo Park. The \$60 a month fee is exclusive of debt service cost.

Commissioner Bauman asked if the District was precluded from going to a usage-based system. Mr. Dillon explained that the FONSI conclusions were based on EDU's, which is a usage-based rate system.

Commissioner Glenn Patton explained that the draft of the Wastewater Rules and Regulations should be used by PRMG to use as a basis for the rate study. The other document he had given the Board to review was the Rate Study Scope and Issues (it defines the studies structure). Please see two reports submitted by Commissioner Patton attached to the minutes.

Commissioner Patton stated that he and staff had met with the attorneys from Monroe County about the \$40 million dollar bond monies and that documentation of financial feasibility of how the District is going to use \$20 million is needed ASAP. The money will be available April 1, 2005. District Counsel Thomas Dillon explained that what is needed from the District is a project description that demonstrates the public purpose for the bonds, the District is not required to provide financial or economic projections.

Commissioner Patton stated that there is also a need to extend the economical analysis to sewer the remained of the District beyond the currently planned projects.

Commissioner Andrew Tobin suggested that in the engagement letter that a specific analysis is required of the currently planned project phase 1 to the last quarter of 2008 with 4000 EDU's on line consisting of X number of family residents, X number of hotel rooms, X number of RV's and X number of commercial broken down by square footage or some other method of distinctions. Also, the type of EDU's have to be broken down and have either a flat rate system or do a water flow base.

Commissioner Patton explained that for the rate study only the District is going to use the Rules and Regulations Draft #1 which addresses Commissioner Tobin's concerns.

Commissioner Bullock stated that there are some other issues that he would like to see addressed in the Rules and Regulations Draft #1 but as a draft he has no problems with using it for a rate study.

**Motion:**        **Commissioner Patton made a motion to have PRMG do a study that will be used to support the public purpose of the Monroe County Infrastructure Money Bond Fund and to have staff come back to the next meeting with a cost estimate for PRMG to do phase one and phase three. The motion was seconded by Commissioner Tobin.**

Vote on motion:

Board Member	Yes	No	Other
Commissioner Gary Bauman	X		
Commissioner Claude Bullock	X		
Commissioner Glenn Patton	X		
Commissioner Andrew Tobin	X		

Chairman Charles Brooks	X		
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Motion passed 5 to 0

Chairman Brooks and Commissioner Tobin thanked Commissioner Patton for the work that he was put into the project.

MINUTES

Chairman Brooks requested that on page 6 of the December 1, 2004 minutes the word “directed” in the second to last paragraph be changed to “approved”. He also stated that even though at the end of the 3<sup>rd</sup> paragraph on page 6 the Board directed Commissioner Bullock to attend the Bond meeting the intent of the Board was to send Commission Patton.

**Motion: Commissioner Bullock made a motion to approve the minutes of December 1, 2004 as amended. The motion was seconded by Commissioner Patton.**

Vote on motion:

Board Member	Yes	No	Other
Commissioner Gary Bauman	X		
Commissioner Claude Bullock	X		
Commissioner Glenn Patton	X		
Commissioner Andrew Tobin	X		
Chairman Charles Brooks	X		

Motion passed 5 to 0

PUBLIC COMMENT: The following persons addressed the Commission: None

CHIEF FINANCIAL OFFICERS REPORT

*Pending Payments*

Financial Officer Martin Waits presented the pending payments schedule for December 1, 2004.

**Motion: Commissioner Patton made a motion to approve the pending payments list subject to the availability of the funds for December 15, 2004. Commissioner Bullock made the second.**

Vote on motion:

Board Member	Yes	No	Other
Commissioner Gary Bauman	X		
Commissioner Claude Bullock	X		
Commissioner Glenn Patton	X		
Commissioner Andrew Tobin	X		
Chairman Charles Brooks	X		

Motion passed 5 to 0

*Discussion of Bank signature authority requirements.*

Financial Officer Martin Waits reviewed the current requirements for bank signature authority and the processes that are in place to check security.

*Resolution for designating bank account signatories.*

**Motion: Commissioner Patton made a motion to approve Resolution No. 07-12-04.**

Commissioner Bauman stated that there should be a policy for checks under \$10,000 and that the District should have a policy were all checks are signed by at least two people.

**Commissioner Patton withdrew his motion.**

**Motion: Commission Patton made a motion to table Resolution No. 07-12-04 until the January 5, 2005 meeting. Motion was seconded by Commissioner Bauman.**

**Commission Patton withdrew his motion to approve and Commissioner Bauman withdrew his second.**

**Motion: Commissioner Bullock made a motion to rewrite the resolution and bring it back to the January 5, 2005 meeting and to give the General Manager the authority to inform the Board of his obligating the District for up to \$10,000. All checks under \$1,000 need only have one signatory and anything over \$1,000 and under \$2,500 will require two signatories and any check over \$10,000 will require one Board member and one member of staff. Commissioner Patton seconded the motion.**

Vote on motion:

Board Member	Yes	No	Other
Commissioner Gary Bauman	X		

Commissioner Claude Bullock	X		
Commissioner Glenn Patton	X		
Commissioner Andrew Tobin	X		
Chairman Charles Brooks	X		

Motion passed 5 to 0

*Operating Budget Report*

Financial Officer Martin Waits presented the current operating budget report and reviewed how to read it.

LEGAL COUNSEL REPORT

*Discussion of Project Delivery Methods.*

District Counsel Thomas Dillon explained that Design-Bid-Build is a well understood process. All other methods are tailor made. If it is Construction Management it is run by a professional manager. If it is a Design-Build it is run by a contractor. Mr. Dillon said that the memo he had provided explained the delivery systems, and he would be willing to respond to any questions.

ENGINEERS REPORT

Ed Castle, District Engineer, reported that on the Treatment Plant site the property has been cleared and retention ponds have been dug, and rock has been removed and most of the pit for the vacuum tank to go into has been dug. The permit for the Treatment Plant may be available before the first of they year.

General Manager Charles Fishburn stated that the environmental may have a potential for another \$2,500 for testing added to it or as little as \$1,000. There is a potential road south of the Treatment Plant site and it would cost \$1,400 to put a gate up to access the road. The gate would give additional access to the property off of the site. The Board had no objections to putting the gate in.

GENERAL MANAGER'S REPORT

*LOGO*

**Motion: Commissioner Patton made a motion to conceptually adopt the Egret (see attachment) as the KLWTD logo. Commission Bullock seconded the motion.**

Chairman Brooks will put together what text, format, positioning and a "statement of purpose" for the official logo.

Vote on motion:

Board Member	Yes	No	Other
Commissioner Gary Bauman	X		
Commissioner Claude Bullock	X		
Commissioner Glenn Patton	X		
Commissioner Andrew Tobin	X		
Chairman Charles Brooks	X		

Motion passed 5 to 0

*Key Largo Park Status*

Mr. Fishburn requested direction to begin negotiations with other underground contractors to begin the Park Project.

**Motion:** Commissioner Patton made a motion to direct staff to begin negotiations with other underground contractors for firm offers for the Key Largo Park Project. Motion was seconded by Commissioner Andrew Tobin.

Vote on motion:

Board Member	Yes	No	Other
Commissioner Gary Bauman	X		
Commissioner Glenn Patton	X		
Commissioner Claude Bullock	X		
Commissioner Andrew Tobin	X		
Chairman Charles Brooks	X		

Motion passed 5 to 0

*Potential Non-Ad Valorem Assessment Notification*

Commissioner Bauman stated that he is very much against the non-ad valorem assessment.

Commissioner Tobin stated that he thought that the Board should wait until the end of 2005 to consider a non-ad valorem special assessment and if needed put it in place in 2006.

Commission discussion ensued.

**Motion:** Commissioner Bullock made a motion to hold a special call meeting on December 29, 2004 to consider a resolution considering the election to use the uniform method of collecting non-as valorem special assessment levied within the unincorporated area of the Island of Key Largo. The motion was seconded by Commissioner Patton.

Vote on motion:

Board Member	Yes	No	Other
Commissioner Gary Bauman		X	
Commissioner Claude Bullock	X		
Commissioner Glenn Patton	X		
Commissioner Andrew Tobin		X	
Chairman Charles Brooks	X		

Motion passed 3 to 2

**COMMISSIONER COMMENTS**

None

**ADJOURNMENT**

After a motion by Commissioner Andrew Tobin and seconded by Commissioner Claude Bullock to adjourn the meeting adjourned at 8:30 PM.

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The KLWTD meeting minutes of December 15, 2004 were approved on January 5, 2005.

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Chairman Charles Brooks

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Carol Simpkins, CMC  
Board Clerk

**MINUTES**  
**Key Largo Wastewater Treatment District (KLWTD) Board of**  
**Commisisoner's Special Call Meeting**

**DRAFT**

December 29, 2004, 5:00 PM  
 Key Largo Civic Club, 209 Ocean Bay Drive

The KLWTD Board of Commissioners met for a special call meeting on December 29, 2004 at 5:10 PM. Present were Chairman Charles Brooks, Commissioners, Claude Bullock, and Glenn Patton. Also present were General Manager Charles Fishburn, Board Clerk Carol Simpkins, District Counsel Thomas Dillon, Financial Officer Martin Waits, and all appropriate District staff.

Chairman Charles Brooks led the Pledge of Allegiance.

**ADDITIONS/DELETIONS TO THE AGENDA.**

**Motion: Commissioner Bullock made a motion to approve the agenda. The motion was seconded by Commissioner Patton.**

Vote on motion:

Board Member	Yes	No	Other
Commissioner Gary Bauman			Absent
Commissioner Claude Bullock	X		
Commissioner Glenn Patton	X		
Commissioner Andrew Tobin			Absent
Chairman Charles Brooks	X		

Motion passed 3 to 0

**PUBLIC HEARING:**

RESOLUTION NO. 07-12-04

A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT, KEY LARGO, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE UNINCORPORATED AREA OF THE ISLAND OF KEY LARGO; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

Chairman Brooks opened the public hearing.

Chairman Brooks requested that District Counsel Thomas Dillon give an explanation of the intent of Resolution No. 07-12-04 for the public in attendance. Mr. Dillon explained that by adopting the resolution the KLWTD would have the option to use the uniform method of collection of non-ad valorem assessments for wastewater purposes. Adoption of the resolution does not commit the District to do anything; it gives the District the flexibility to use the uniform method of collection if they chose to do so during 2005.

Commissioner Patton stated that he felt that it should be standard procedure to provide for the option to use non-ad valorem assessments as a means of raising funds for capital projects.

Commissioner Bullock explained that there is no immediate need for the non-ad valorem assessment at this time but he feels strongly that the District should have the option available if the need arises, especially if needed for the purposes of matching grant funds.

Chairman Brooks pointed out that the District is not taking any action on taxes by adopting the resolution. If the non-ad valorem taxing method is used it would be limited to Capital Improvement.

The following persons addressed the Commission with comments on the Resolution: Chris Gardner, P.O. Box 1444 Tavernier, FL, John Hammerstrom, P.O. Box 860 Tavernier, FL, and Jerry Wilkinson, 38 E. Beach Road, Tavernier, FL.

Chairman Brooks closed the public hearing.

**Motion: Commissioner Patton made a motion to adopt Resolution No. 07-12-04. The motion was seconded by Commissioner Bullock.**

Vote on motion:

Board Member	Yes	No	Other
Commissioner Gary Bauman			Absent
Commissioner Claude Bullock	X		
Commissioner Glenn Patton	X		
Commissioner Andrew Tobin			Absent
Chairman Charles Brooks	X		

Motion passed 3 to 0

#### ADJOURNMENT

After a motion by Commissioner Bullock and seconded by Commissioner Patton to adjourn the meeting adjourned at 5:54 PM.

The KLWTD meeting minutes of December 29, 2004 were approved on January 5, 2005.

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Chairman Charles Brooks

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Carol Simpkins, CMC  
Board Clerk

# TAB 2

**KEY LARGO WASTEWATER TREATMENT DISTRICT  
Agenda Request Form**

Meeting Date: January 5, 2005

Agenda Item No. *2*

PUBLIC HEARING

RESOLUTION

DISCUSSION

BID/RFP AWARD

GENERAL APPROVAL OF ITEM

CONSENT AGENDA

Other:

SUBJECT: Pending Payments List

RECOMMENDED MOTION/ACTION: Motion to approve pending payments list for payment contingent upon available funds.

Approved by General Manager *C. J. [Signature]*

Date: *12-29-04*

*NO BACK UP!*

<b>Originating Department:</b> Finance	Costs: \$ Funding Source: Acct. #	<b>Attachments:</b>
<b>Department Review:</b> <input type="checkbox"/> District Counsel <input checked="" type="checkbox"/> General Manager <i>[Signature]</i> <input checked="" type="checkbox"/> Finance <i>[Signature]</i>	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case _____:  Please initial one.

**Summary Explanation/Background:** Due to the holidays some invoices have not been received at time of agenda preparation. List of pending payments will be presented at the meeting for approval.

**Resulting Board Action:**

Approved

Tabled

Disapproved

Recommendation Revised

# TAB 3

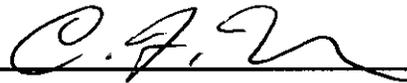
**KEY LARGO WASTEWATER TREATMENT DISTRICT  
Agenda Request Form**

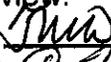
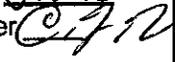
Meeting Date: January 5, 2005                      Agenda Item No. **3**

- |   |  |
|---|--|
| <input type="checkbox"/> PUBLIC HEARING           | <input checked="" type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> DISCUSSION               | <input type="checkbox"/> BID/RFP AWARD         |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input type="checkbox"/> CONSENT AGENDA        |
| <input type="checkbox"/> Other:                   |  |

**SUBJECT:** Resolution for designation of authorized signatories on bank account.

**RECOMMENDED MOTION/ACTION:** Approval of Resolution No. 01-01-05

Approved by General Manager   
Date: 12-29-04

<b>Originating Department:</b> Finance Dept.	Costs: Funding Source Acct.	<b>Attachments:</b> Resolution No. 01-01-005
<b>Department Review:</b> <input checked="" type="checkbox"/> District Counsel  <input checked="" type="checkbox"/> General Manager  <input type="checkbox"/> Finance _____	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case _____:  Please initial one.

**Summary Explanation/Background:**

**Resulting Board Action:**

- Approved                       Tabled                       Disapproved                       Recommendation Revised

**RESOLUTION NO. 01-01-05**

**ANNUAL RESOLUTION OF THE KEY LARGO  
WASTEWATER TREATMENT DISTRICT DESIGNATING  
SPECIFIC COMMISSIONERS AS AUTHORIZED  
SIGNATORIES OF THE KEY LARGO WASTEWATER  
TREATMENT BOARD'S BANK ACCOUNT: AND  
PROVIDING FOR AN EFFECTIVE DATE.**

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WHEREAS, the Board of Commissioners of the Key Largo Wastewater Treatment District desires to designate and authorize certain Officials to sign bank checks, bank drafts, and other obligations and instruments on behalf of the Key Largo Wastewater Treatment District; and

WHEREAS, the Board of Commissioners of the Key Largo Wastewater Treatment District desires to increase the authority of the General Manager to approve the encumbrance or expenditure of District Funds;

NOW, THEREFORE, BE IT RESOLVED BY THE KEY LARGO WASTEWATER TREATMENT DISTRICT BOARD OF KEY LARGO, FLORIDA, THAT:

Section 1. The following officials of the Key Largo Wastewater Treatment District, are hereby designated as authorized signatories at TIB BANK OF THE KEYS, for the account of the Key Largo Wastewater Treatment District, account number 20154139006, and such other accounts as the Board may authorize to open in the future. The signatories are comprised of two groups, as follows:

- a. District Officers: Charles Brooks, Chairman, Gary Bauman; Vice Chairman, and Andrew Tobin, Secretary/Treasurer.
- b. District Staff: Charles Fishburn, General Manager and Carol Simpkins, Clerk.

Section 2. It is the official policy of the Board of Commissioners and this District to require that:

- a. all bank checks or bank drafts in excess of \$10,000.00 (Ten Thousand Dollars) shall require the signatures of two signatories, at least one of which must be a District Officer.

- b. All bank checks or bank drafts of \$10,000 (Ten Thousand Dollars), or less, but in excess of \$1,000 (One Thousand Dollars) shall require the signatures of two signatories.
- c. All bank checks or bank drafts of \$1,000, (One Thousand Dollars), or less, should be signed by two signatories, but, in exigent circumstances, may be signed by one signatory.

Section 3. The following officials are authorized to approve encumbrances and expenditures without prior Board approval:

- a. The General Manager is authorized to approve the encumbrance or expenditure of amounts not to exceed Ten Thousand Dollars (\$10,000.00) per transaction without prior approval of the Board of Commissioners. This approval is contingent on the General Manager ensuring that the total amount encumbered or expended does not exceed the amount budgeted for that purpose.
- b. The Clerk is authorized to approve the encumbrance or expenditure of amounts not to exceed Two Thousand Five Hundred Dollars (\$2,500.00) per transaction without prior approval of the Board of Commissioners. This approval is contingent on the Clerk ensuring that the total amount encumbered or expended does not exceed the amount appropriated for that purpose.
- c. The General Manager shall provide on a monthly basis to the Board of Directors for ratification, a listing of all encumbrances and payments approved by the General Manager or the Clerk.
- d. Neither the General Manager nor the Clerk is authorized to divide a single transaction into smaller amounts in order to reduce the amount of the transaction to a level within the General Manager's authority or the Clerk's authority.

Section 4. This Resolution and authority shall supersede and replaces all prior authorizations by this Board relating to the authority of individuals to sign checks or bank drafts and relating to the authority of the General Manager and of the Clerk.

Section 5. EFFECTIVE DATE. This resolution shall take effect immediately upon its adoption.

**RESOLVED AND ADOPTED this 5<sup>th</sup> day of January 2005.**

The foregoing RESOLUTION NO. 01-01-05 was offered by Commissioner

\_\_\_\_\_, who moved its approval. The motion was seconded by

Commissioner \_\_\_\_\_, and being put to a vote the result was as follows:

	AYE	NAY
Commissioner Gary Bauman	_____	_____
Commissioner Claude Bullock	_____	_____
Commissioner Glenn Patton	_____	_____
Commissioner Andrew Tobin	_____	_____
Chairman Charles Brooks	_____	_____

The Chairman thereupon declared Resolution No. 01-01-05 duly passed and adopted the 5<sup>th</sup> day of January 2005.

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: \_\_\_\_\_  
Chairman Charles Brooks

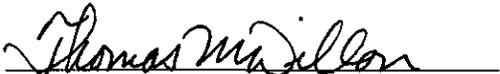
ATTEST:

\_\_\_\_\_

Carol Simpkins, Clerk

SEAL

Approved to as to form and legal sufficiency



District Counsel, Thomas Dillon

# TAB 4

**KEY LARGO WASTEWATER TREATMENT DISTRICT  
Agenda Request Form**

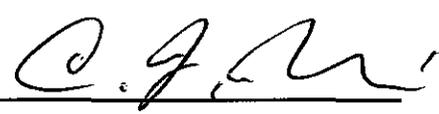
Meeting Date: January 5, 2005

Agenda Item No. 4

- |   |   |
|---|---|
| <input type="checkbox"/> PUBLIC HEARING           | <input type="checkbox"/> RESOLUTION     |
| <input checked="" type="checkbox"/> DISCUSSION    | <input type="checkbox"/> BID/RFP AWARD  |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> Other:                   |   |

**SUBJECT:** Project Funding Status Report on KLTV & KLP

**RECOMMENDED MOTION/ACTION:** No action required

Approved by General Manager   
Date: 12-29-04

<b>Originating Department:</b> Finance	Costs: \$ Funding Source: Acct. #	<b>Attachments:</b> KLTV Sources & Uses KLP Sources & Uses
<b>Department Review:</b> <input type="checkbox"/> District Counsel <input checked="" type="checkbox"/> General Manager <u></u> <input type="checkbox"/> Finance <u></u>	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____:  Please initial one.

**Summary Explanation/Background:** Staff is providing a monthly update on funding status of our two projects.

**Resulting Board Action:**

- Approved       Tabled       Disapproved       Recommendation Revised

**Key Largo Trailer Village**

**TOTAL PROJECT SOURCES AND USES OF FUNDS**  
December 15, 2004

**FUNDING COMMITMENT**

		<u>General Comments</u>
<b>Federal:</b>		
FEMA I (FKAA)	\$ 1,097,143	\$642,590 spent \ \$361,070 held by FKAA
FEMA II	<u>4,388,571</u>	\$2,018,683 advanced
Subtotal Federal Funds	5,485,714	
	62%	
<b>State:</b>		
SFWMD	100,000	Advanced and spent
DCA Cesspit Grant	1,118,020	Interlocal amount \$1,225,600 / KLP \$107,580
DCA (12.5% FEMA I Match-FKAA)	182,187	\$107,098 spent / \$75,759 held by FKAA
DCA (12.5% FEMA II Match)	<u>731,429</u>	\$293,475 advanced
Subtotal State Funds	2,131,636	
	23%	
<b>Local:</b>		
304 Fund (12.5% FEMA I Match-FKAA)	182,857	\$107,098 spent / \$75,759 held by FKAA
304 Fund (12.5% FEMA II Match)	731,428	Reimbursement basis when construction starts
304 Fund (Cesspits)	640,000	Interlocal amount \$790,000 / KLP \$150,000
Plant Site Mitigation Funding	<u>294,708</u>	
Subtotal Local Funds	1,848,993	
	20%	
<b>Total Funds</b>	<b><u>\$ 9,466,343</u></b>	Excludes land purchase \$826,234 (in kind)

**ESTIMATED PROJECT COST**

	Billings to 12/15/2004	Estimate To Complete	Est. Total Completed Cost
FKAA Spending	\$ 374,678	\$ -	\$ 374,678
Weiler Engineering	95,880	73,485	169,365
Haskell Contract (excl. Escalation Claim)*	1,587,957	6,382,043	7,970,000 *
Haskell Change #5 (Expand Plant Site)	-	7,182	7,182
Haskell Change #7 (AirVac Estimate)	-	191,000	191,000
Sales Tax Credits**	-	(72,000)	(72,000) **
Plant Site Mitigation	-	294,708	294,708
Misc. Construction Expense (contingency)	7,053	92,947	100,000
GSG (incl. Feb-May, 03 Engineering)	50,258	-	50,258
KLWTD Staff Expense (Insp / Mgmt / Legal)	<u>23,904</u>	<u>106,096</u>	<u>130,000</u>
<b>Total Expenses</b>	<b><u>\$ 2,139,730</u></b>	<b><u>\$ 7,075,461</u></b>	<b><u>\$ 9,215,191</u></b>

\*Escalation claim +\$251,152 (\$296,093 - \$44,941 Rovac). \*\*Estimate \$1.2 million Fluidyne, AirVac, generator

**TOTAL PROJECT RECEIPTS TO DATE**      **\$ 3,268,944**

**Key Largo Park**

**TOTAL PROJECT SOURCES AND USES OF FUNDS**

December 15, 2004

**FUNDING COMMITMENT**

**General Comments**

<b>Federal:</b>			
Army Corps.	\$ 330,000		Potentially available
	12%		
<b>State:</b>			
FDEP Grant	1,660,000		\$ 101,466 Advanced
FDEP Grant Amendment 2	187,312		Unused Cesspit Replacement Allocation
DCA Cesspit Grant	107,580		Interlocal amount \$1,225,600 / KLTV \$1,118,020
Subtotal	<u>1,954,892</u>		
	70%		
<b>Local:</b>			
148 Fund	356,000		FKAA used \$323,393 for Boyle
148 Fund (Cesspits)	100,000		Admin portion Interlocal \$790,000 (See below)
304 Fund (Cesspits)	50,000		Balance Interlocal \$790,000 / KLTV \$640,000
Subtotal	<u>506,000</u>		
	18%		
<b>Total Funds</b>	<b><u>\$ 2,790,892</u></b>		

**ESTIMATED PROJECT COST**

	<u>Billings to</u>	<u>Estimate To</u>	<u>Est. Total</u>
	<u>12/15/2004</u>	<u>Complete</u>	<u>Completed Cost</u>
FKAA Spending	\$ 326,000	0 \$	326,000
Weiler Engineering	58,310	41,950	100,260
Higgins Contract (Proposed)	0	2,200,000	2,200,000
Higgins Change (Calusa Pipe Increase)	0	65,225	65,225
Haskell Change Order (Eng'g))	66,391	7,376	73,767
Government Services Group	18,365	0	18,365
KLWTD Staff Expense (Mgmt / Legal)	3,280	56,720	60,000
Contingency*			<u>150,000</u>
<b>Total Expenses</b>	<b><u>\$ 472,346</u></b>	<b><u>\$ 2,371,271</u></b>	<b><u>\$ 2,993,617</u></b>

\*Certain valves (\$ 59,000) and pits (\$ 54,000) included in the KLTV project may be utilized in the KLP project, in which case funding in the total amount of \$ 113,000 would be transferred from the KLTV project to the KLP project.

**TOTAL PROJECT RECEIPTS TO DATE**    **\$ 443,916.00**

# TAB 5

**KEY LARGO WASTEWATER TREATMENT DISTRICT  
Agenda Request Form**

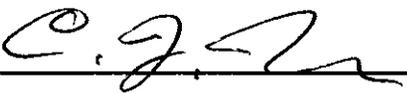
Meeting Date: January 5, 2005

Agenda Item No. 5

- |   |   |
|---|---|
| <input type="checkbox"/> PUBLIC HEARING           | <input type="checkbox"/> RESOLUTION     |
| <input checked="" type="checkbox"/> DISCUSSION    | <input type="checkbox"/> BID/RFP AWARD  |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> Other:                   |   |

SUBJECT: KLTW Monthly Progress Report

RECOMMENDED MOTION/ACTION: No action required. Update on construction progress with integration of Airvac into Project.

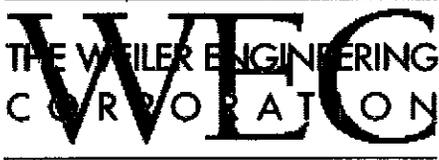
Approved by General Manager   
Date: 12-30-04

<b>Originating Department:</b> General Manger	Costs: \$ Funding Source: Acct. #	<b>Attachments:</b> Weiler Monthly Report Airvac letter of intend Airvac's response
<b>Department Review:</b> <input type="checkbox"/> District Counsel <input checked="" type="checkbox"/> General Manager <u></u> <input type="checkbox"/> Finance _____	<input checked="" type="checkbox"/> Engineering <u>EC</u> <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case _____: Please initial one.

**Summary Explanation/Background:**

**Resulting Board Action:**

- Approved     
  Tabled     
  Disapproved     
  Recommendation Revised



*"Excellence in Engineering"*

20020 Veterans Boulevard., Suite 7  
Port Charlotte, FL 33954  
(941) 764-6447 ph  
(941) 764-8915 fax

**Key Largo Wastewater Treatment District  
Engineering Status Report  
Period Ending 12/30/04**

**Client Issues**

**Key Largo Park**

A notice to proceed on the Key Largo Park construction project was issued to DN Higgins several months ago. Having had no formal response from DN Higgins as to whether they intended to proceed with the project or not, staff was directed to provide alternative contractors with an opportunity to provide unit prices for the project. The necessary information has been provided to several firms. Pricing is anticipated in the near future.

After having proceeded along these lines, the District received a letter from DN Higgins dated December 17, 2004 stating that they are unable to respond to correspondence from the District regarding the KLP project due to uncertainties in which vacuum system supplier would be used for the project. The District Manager responded, informing DN Higgins that AirVac equipment would be used, and reminding DN Higgins that AirVac was the original intended supplier at the time of bid solicitation. We are currently waiting for further communication.

**Key Largo Village**

Installation of the vacuum mains in Key Largo Village continued in December. The installation included mainly 4-inch vacuum mains on the side streets off Kay Drive. The second crew that was scheduled to begin work has not yet been brought in. Work in the second half of the month consisted mainly of cleanup, due to the holidays.

Through November and into December, the District continued expressing concerns about the viability of Roediger (either Pittsburg or Germany) as a supplier of the vacuum system for the Key Largo Village project. Staff was directed to provide AirVac with the necessary drawings and work completed to date so that their engineers could evaluate the Roediger design and determine if AirVac could be substituted at this point. AirVac determined that the piping installed to date was acceptable, and that the design of the

remaining areas could be adjusted without major changes to optimize the system performance. AirVac supplied pricing to The Haskell Company, and at the December 15<sup>th</sup> meeting, The Haskell Company presented the KLWTD Board with a change order for switching from Roediger equipment to AirVac equipment. The Haskell Company, DN Higgins and the Board agreed jointly that it was in the best interest of the project to switch to AirVac. The Board approved the change order to the Design/Build contract with the understanding that the pricing may be subject to some change if further evaluation of the Roediger design reveals any need for significant cost changes.

### **KLV Treatment Plant**

The change order from The Haskell Company for clearing of the additional 20 feet of width at the treatment plant site was approved. Clearing and removal of debris continued. Preliminary grading of the site occurred in December, including the construction of the storm water retention ponds.

The wastewater treatment plant FDEP permit application is pending. Another Request for Additional Information has been submitted to Brown & Caldwell by the FDEP asking for clarification on three items regarding the treatment process. This information has not yet been submitted. The additional information requested by the FDEP for the Environmental Resources Permit application was submitted, but will not be reviewed until after New Year's. WEC anticipates that a Notice of Intent to Issue Permit may be received by mid-January, with permit issuance several weeks after the required advertising period.

Excavation of the pit for the vacuum tank continued in December, with removal of the coral rock approved by FDEP. No dewatering of the pit has occurred to date. Samples of water from the pit were collected by District staff and sent off for analysis for petroleum contamination. The results of the analysis has been received. Based on reports of contamination from several monitoring wells, FDEP's main concern was contamination with benzene. The results from the water in the pit show no benzene detected, although low levels of a few other contaminants were found. The reports have been forwarded to FDEP for review. Clearance for dewatering without further treatment is anticipated.

The South Florida Water Management District has issued the Water Use Permit required for the dewatering operation.

### **Lake Surprise Project**

The draft solicitation documents for the Lake Surprise RFQ have been submitted to District Staff by WEC for internal review and comments.

### **Haskell Pay Applications**

The Haskell Company Pay Application No. 14 was processed in the month of December. After several reviews, the requested changes and backup documentation were provided.

The summary table previously presented has been removed from this report since the details of the payment are provided as backup for the payment approval.

### **Regulatory Compliance Issues**

No additional issues beyond those reported under the Wastewater Treatment Plant section.

### **Project Team Meetings and Actions**

Ed Castle and Jeff Weiler attended meetings with AirVac and with The Haskell Company prior to attending the December 1<sup>st</sup> Board meeting. Ed Castle also attended the December 15<sup>th</sup> Board meeting, the December 2<sup>nd</sup> and 15<sup>th</sup> Construction Progress Meetings and met with Chuck Fishburn and District Staff on December 7<sup>th</sup>.

Ed Castle visited the KLVV work sites for construction observation on the following dates: 12/2, 12/7 & 12/15. Craig Kempshall represented WEC on construction inspections as well.

**KEY LARGO WASTEWATER TREATMENT DISTRICT  
POST OFFICE BOX 491; KEY LARGO, FLORIDA 33037  
(305) 852-2477**

December 17, 2004

Richard Naret, P.E.  
AIRVAC, Inc.  
200 Tower Drive, Suite A  
Oldsmer, Florida 34677

By Facsimile: 813-855-9093 and U.S. Mail

Dear Mr. Naret:

This is to advise you that the Key Largo Wastewater Treatment District ("District") Board of Commissioners acted at its meeting of December 15, 2004, to select AIRVAC, Inc. as the supplier of the items described in your letter to Mr. Walt Messer of December 10, 2004. (A copy of the letter is attached.)

The District will purchase all of the items shown in the table entitled "Summary of AIRVAC Offer," attached to the referenced letter, and will accept your "Special Offer," as described on Page 2 of the referenced letter, with respect to field inspector services and system startup assistance.

The District will purchase these items directly from AIRVAC in order to avoid sales and use taxes. Although your letter indicates that your offer to honor the 2004 prices is conditional on your receiving a purchase order prior to December 24, 2004 for shipment prior to March 1, 2005, I ask that you accept this letter of intent, which will be followed by a formal conforming purchase order as soon as practicable.

Yours sincerely,

Charles F. Fishburn  
General Manager

CC: Board of Commissioners  
Peter Kinsley, The Haskell Company  
Thomas M. Dillon, District Counsel

SENT BY: AIRVAC TAMPA;

8138559093;

DEC-16-04 5:27PM;

PAGE 1/1

**FAX FORM**

**Date:** 17 December, 2004

**Pages:** 1 Including this one.

**To:** Charles F. Fishburn

**Of:** KLWTD

**Fax No.** 305-852-2477

**Ref No.**

**From:** Rich Naret

**Extension:**

**CC:** Mark Jones, Dave Elias

**Subject:** Letter of Intent

**AIRVAC®**

**Vacuum Sewer Systems**

200 Tower Drive, Suite A

Oidsmar, FL 34677

U.S.A.

Phone: (813)-855-6297

Fax: (813)-855-9093

AIRVAC will accept the letter of intent from KLWTD as outlined in your Dec 17, 2004 letter.

On behalf of AIRVAC, I would like to extend our thanks to you and the Board for your patience and understanding during this difficult process. We appreciate your commitment to us and look forward to working with your design and construction team.

# TAB 6

**KEY LARGO WASTEWATER TREATMENT DISTRICT**  
**Agenda Request Form**

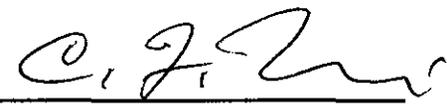
Meeting Date: January 5, 2005

Agenda Item No. 6

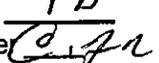
- |  |   |
|--|---|
| <input type="checkbox"/> PUBLIC HEARING                      | <input type="checkbox"/> RESOLUTION     |
| <input type="checkbox"/> DISCUSSION                          | <input type="checkbox"/> BID/RFP AWARD  |
| <input checked="" type="checkbox"/> GENERAL APPROVAL OF ITEM | <input type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> Other:                              |   |

**SUBJECT:** Lake Surprise/Sexton Cove

**RECOMMENDED MOTION/ACTION:** Approve action by staff to update "Statement of Qualifications" by eight engineering firms with engineering services contract with District.

Approved by General Manager 

Date: 12-30-04

<b>Originating Department:</b> General Manger	Costs: \$ Funding Source: Acct. #	<b>Attachments:</b> SOQ Update Memo: Engineers
<b>Department Review:</b> <input checked="" type="checkbox"/> District Counsel <u>TD</u> <input checked="" type="checkbox"/> General Manager <u></u> <input type="checkbox"/> Finance _____	<input checked="" type="checkbox"/> Engineering <u>EC</u> <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case _____: Please initial one.

**Summary Explanation/Background:** Board has previously approved eight engineering firms selected by CCNA process for future projects. Staff is moving forward with updating the engineering firm submissions so that a selection of the firm or firms for the Sexton Cove project can be completed.

**Resulting Board Action:**

- Approved       Tabled       Disapproved       Recommendation Revised

# Memo

**To:** KLWTD Board  
**From:** Charles F. Fishburn, General Manager  
**Date:** December 30, 2004  
**Re:** Selection of Engineer or Engineers for Sexton Cove Project

---

The District, using CCNA procedures, selected eight engineering firms for future engineering services in June of 2003. The District in July of 2004 assigned Weiler Engineering the task of outlining a future project for the District (prompted by the prospect of \$20 million in county funds). Weiler Engineering has completed their proposal.

The Design Bid Build project can be designed by up to four engineering firms and up to four contractors.

The Key Largo Trailer Village Project uses a design/build delivery method, which was selected due, in part, to time considerations, grants requirements, and the lack of District expertise in managing design/bid/build work. Since that time, the District has acquired the capability to manage a design/bid/build project. The General Manager, the District Engineer, District Inspector, and District Counsel are all experienced in construction issues, and they have the ability to manage future construction projects. In addition, as discussed above, the District already has contracts with eight design firms, all of whom are capable of designing all or part of the next phase.

I propose to continue to use Weiler Engineering as the District's design consultant, to provide assistance in evaluating potential design consultants and construction contractors, and to provide input on the design as it is developed.

I believe that this method of project delivery (Design-Bid-Build in sections) will result in the greatest benefit to the District because it is the standard method of project delivery, it is likely to result in the best design for the long-term interests of the District, and it allows for straightforward competitive procurement of the construction work.

At this point the District will begin the procurement of engineering services in support of the next phase of development by updating the qualifications from the eight engineering firms currently under contract to the District.

Each of these firms has extensive experience in designing sewage collection, transmission, and treatment facilities. As part of the procurement of these contracts, the District evaluated a large number of design consultants, and selected the top eight most qualified firms. I have reviewed the qualifications of these firms, and I believe that all of them are qualified to provide design services for the next phase of development. I note that when the District last evaluated these firms, there was very little spread between the second-ranked firm and the eighth-ranked firm.

Although all of the firms are qualified, each firm has special qualifications that it can bring to the District. Some of the firms have very similar experiences with one phase of our project but not as strong in other areas.

In order to proceed with the design, I propose to divide the work into four parts: treatment plant design, reuse and/or injection wells study and design, transmission system design, and collection system design. I would then ask each of the firms with whom the District has a contract, other than Weiler, to provide specific information about its qualifications to design these specific parts of this project. (A draft letter requesting this information is attached for Board review.) Upon receipt of the responses, the Board with staff input would select the most qualified firms to perform each part of the design. It is likely that one firm will be most qualified to perform more than one part.

The District would then attempt to negotiate a contract work authorization with the most qualified firm for each part of the design.

In light of the strength of the local staff and past experience I believe this is the most logical way to precede with the Sexton Cove Project.

## SOQ update request

Name *(See attached list of eight firms)*

Address

Address

Re: Updated Statement of Qualifications for expansion and development of District facilities

Date due: January 17, 2005, (Response is optional; see below)

Send to: Charles F. Fishburn, General Manager

The Key Largo Wastewater Treatment District ("District") intends to expand and further develop its sewage processing capacity by constructing the following improvements:

- Design of a new 2.25 MGD sewage treatment plant on the District's treatment site located at MM 100.5, US 1, Key Largo.
- Feasibility Study and Design of Deep Injection Wells and/or reuse for wastewater effluent discharge.
- Design of a wastewater force main system to include approximately 5.5 miles of force main piping north along US 1 from MM 100.5, together with highway crossings and associated pumping and other facilities.
- Design of collection systems to serve the residential and commercial properties on Key Largo, north of US 1 MM 100.5.

These improvements are described in more detail in the attached Task Document.

Your firm already has an engineering services contract with the District. At this time, the District is seeking updates, only, to your statement of qualifications, focusing on your firm's qualifications to perform design of anyone or all of the tasks outlined above. In particular, the District is interested in the following:

- NEW information showing that your firm is capable of addressing wastewater and construction design issues in Monroe County, as well as proficiency in the types of tasks described in the Task Document;
- Names and project-specific qualifications of key managers and design professionals whom you would assign to the project enumerated above.
- Provide a summary of up to five projects of similar scope to the task of interest. The summary should include a brief project description, cost information (Firm's fees, estimated construction cost, actual construction cost, change order costs, etc.), Firm's employees and consultants who worked on the project and their assignment, client contact person and their telephone number and email address. Include examples of value engineering and use of alternative or innovative technology to achieve cost savings.
- Review the current workload of your staff.

PLEASE LIMIT YOUR RESPONSE TO NO MORE THAN 20 SINGLE-SIDED, 8½ X 11 PAGES. THE DISTRICT MAY ELECT TO DISREGARD ALL PAGES IN EXCESS OF 20. (PLEASE PROVIDE TEN (10) COPIES OF YOUR RESPONSE.)

YOU ARE NOT REQUIRED TO RESPOND TO THIS REQUEST UNLESS YOU WANT TO UPDATE YOUR EXISTING STATEMENT OF QUALIFICATIONS ("SOQ").

If you do not update the existing SOQ, the District will use the SOQ currently on file. If you do not want to be considered for this work, please advise the District in writing by the due date above.

The District reserves the right to select among one or more firms to perform the design services. Further, the District may reject all SOQ's and commence a new procurement. At present, the District plans to use the design/bid/build method of project delivery. However, the District may elect at a later date to use another delivery method.

Yours,

Charles F. Fishburn  
General Manager

Attachment: Task Document

## TASK DOCUMENT

### General Description of Scope of Work

The scope of work includes the design of a wastewater collection, treatment and disposal system as described further in this document. The intent of the District is to solicit qualifications from interested firms to prepare detailed design of the wastewater treatment system components, to obtain appropriate permitting through the Florida Department of Environmental Protection, and to prepare bid solicitation and construction contract documents. The selected firm(s) will work closely with the District's General Manager and Engineer throughout design development.

#### Task A, Wastewater Treatment Plant Expansion Design

The wastewater treatment plant must be capable of meeting the following effluent quality limits: 5 mg/l CBOD, 5 mg/l TSS, 3 mg/l TN and 1 mg/l TP on an annual average basis. Monthly average, weekly average and single sample limits also apply.

The wastewater treatment plant will be designed to treat the anticipated flow for the entire KLWTD service area through the 20-year planning horizon. At this time, that flow is estimated to be 2.25 MGD AADF. The influent will be comprised mainly of domestic wastewater, but due to water conservation efforts and the relatively high density of food preparation facilities in the Florida Keys, it is anticipated that the concentrations of the wastewater constituents will be above average levels. The design of the wastewater treatment system will include verification of anticipated flows and concentrations. The design will also take into consideration seasonal variations in wastewater flows and will apply appropriate peaking factors.

Preliminary investigation has considered pre-engineered Sequencing Batch Reactor (SBR) technology for the biological treatment train. The Treatment Plant selected must be designed such that the phased connection of collection basins in the service area is possible. In this initial phase, the flow from the existing Key Largo Village and Key Largo Park service areas will be combined with residential flows from the Lake Surprise basin and a portion of the Largo Gardens basin. Flow from commercial properties located to the north of the wastewater treatment plant site will also contribute. It is estimated that at start-up, the AADF will be 0.5 MGD. When configuring the wastewater treatment system, consideration must be given to maintaining Class I reliability. Consideration must also be given to maintaining treatment for the Key Largo Park and Key Largo Village service areas while construction of the new treatment facilities occurs.

Effluent filtration and disinfection will be required. Ultraviolet disinfection is desirable both to avoid the hazards of chlorine gas and to reduce the treatment system footprint.

The residuals treatment system will be designed, at a minimum, to produce Class B residuals suitable for land application. A sludge dewatering system will be designed to provide the most cost-efficient means of disposal. It is anticipated that the residuals will be land-applied as fertilizer in an area north of Lake Okeechobee. The District may elect to have the design engineers perform a cost-benefit analysis comparing the various available means of sludge disposal. Consideration should be given to production of both Class A and Class B residuals, as well as exploration of alternative means of dewatering, such as mobile centrifuges or belt presses.

### Task B, Reuse and/or Deep Injection Wells Study and Design

For wastewater effluent discharges of 1.0 MGD or greater, disposal through deep injection wells is required. In the Florida Keys, effluent is discharged into the boulder zone, approximately 3000 feet below the surface. The effluent must be disposed of in this manner. Class I reliability requirements dictate that two disposal wells be installed. A monitoring well is also required. The cost of construction should be given high priority in design of the disposal well system. Consideration should be given to the use of alternative casing materials and other means to reduce the cost of construction.

An effluent reuse feasibility study is required as part of the wastewater treatment plant permitting process. If it is found that reuse of 100% of effluent is feasible, then only one deep injection well will be required. Since there is no local golf course or other area suitable for irrigation with reclaimed water the District is interested in innovative reuse options.

### Task C, Raw Wastewater Transmission System Design

A force main of approximately 5.5 miles will be designed to transport the collected wastewater to the wastewater treatment plant site at mile marker 100.5. The force main will be sized to accept the anticipated flows for the 20-year planning horizon. This will include all residential and commercial properties in the KLWTD north of the wastewater treatment plant except for those areas served by the vacuum collection system associated with the Key Largo Park and Key Largo Village projects.

The force main will be routed in the most economical manner and will include branch mains intended to serve the collection basins identified on the attached drawing and the larger commercial properties along US 1. The branch force mains will be positioned such that access to the properties to be served is adequate while minimizing the capital construction costs. Special consideration should be given to the cost of US 1 crossings.

Alternative technologies for construction of the force main and branch mains should be examined. These technologies include, but are not limited to, directional boring and pipe bursting. Abandoned water lines, as small as two inches, can serve as conduits for pipe bursting, provided that the consequent heaving of the fill upward will not cause problems.

### Task D, Wastewater Collection System Design

Two wastewater collection basins from the "Monroe County Sanctuary Wastewater Master Plan" have been identified to be included in this phase of the KLWTD project design. These are identified as Collection Basin VII and Collection Basin III on the attached drawings. In addition, many of the commercial properties along US 1 will be connected into the force main as part of this project.

Collection Basin 1 includes the Lake Surprise, Sexton Cove and Ocean Isle Estates residential subdivisions as outlined on the drawings. The commercial properties along US 1 within the boundaries of Collection Basin 1 are also to be included in the design. It is anticipated that all of the properties in this basin will be connected as part of this phase.

Collection Basin 2 includes the Largo Gardens residential subdivision and other areas as outlined on the drawings. It is anticipated that only the Largo Gardens subdivision will

be constructed at this time. However, the entire basin is to be designed at this time in a manner that will provide for the eventual connection of all properties.

Connections of the larger commercial properties along US 1 will be included in this phase. Many of these properties have existing wastewater treatment plants and wastewater pump stations. In certain areas, a short run of gravity main to collect wastewater from adjacent properties may provide the most cost-effective means of connection. In these cases, design of the gravity main and the associated pump station would be included in the scope

Both vacuum and gravity wastewater collection technologies will be considered when designing the collection systems for Basins 1 and 2. The use of a hybrid system will also be considered. The selection of one or the other technology will be based on construction cost, operation and maintenance cost, reliability and susceptibility to I&I. The local geology, topography, ground water elevation and weather conditions will affect the costs and reliability. Special consideration should be given to the potential effects of tropical storms, hurricanes and power outages. A cost-benefit analysis of the alternatives for each service area will be prepared as part of the preliminary design phase.

# TAB 7

**KEY LARGO WASTEWATER TREATMENT DISTRICT  
Agenda Request Form**

Meeting Date: January 5, 2005

Agenda Item No. 7

- |  |   |
|--|---|
| <input type="checkbox"/> PUBLIC HEARING                      | <input type="checkbox"/> RESOLUTION     |
| <input type="checkbox"/> DISCUSSION                          | <input type="checkbox"/> BID/RFP AWARD  |
| <input checked="" type="checkbox"/> GENERAL APPROVAL OF ITEM | <input type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> Other:                              |   |

**SUBJECT:** Key Largo Park Status

**RECOMMENDED MOTION/ACTION:** No action required. Staff is proceeding with briefing prospective underground contractors on the scope of this project.

Approved by General Manager   
Date: 12-30-04

<b>Originating Department:</b> General Manger	Costs: \$ Funding Source: Acct. #	<b>Attachments:</b> Higgins letter 12.17.04 KLWTD letter 12.28.04
<b>Department Review:</b> <input checked="" type="checkbox"/> District Counsel <u>T.D.</u> <input checked="" type="checkbox"/> General Manager <u>C.J.Z.</u> <input type="checkbox"/> Finance _____	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____: Please initial one.

**Summary Explanation/Background:**

**Resulting Board Action:**

- Approved       Tabled       Disapproved       Recommendation Revised



December 17, 2004

CORPORATE OFFICE  
3390 TRAVIS POINTE ROAD  
SUITE A  
ANN ARBOR, MI 48108  
(734) 996-9500  
FAX: (734) 996-8480

REGIONAL OFFICE  
2887 TAMIAMI TRAIL EAST  
SUITE 1  
NAPLES, FL 34112  
(239) 774-3130  
FAX: (239) 774-4266

REGIONAL OFFICE  
6241 N. DIXIE HWY.  
SUITE A  
FT. LAUDERDALE, FL 33334  
(954) 776-6665  
FAX: (954) 776-7205

Mr. Charles F. Fishburn  
General Manager, KLWTD  
Key Largo Wastewater Treatment District  
P.O. Box 491  
Key Largo, FL 33037  
Phone: 305-451-5105  
Fax: 305-852-2477

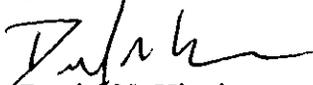
RE: Notice to Proceed  
Key Largo Park

Dear Mr. Fishburn:

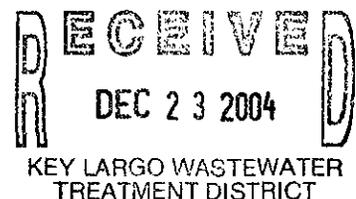
We are responding to your letter dated December 9, 2004. It is uncertain which vacuum pump supplier the Key Largo Wastewater Treatment District will choose for the above referenced project. Please give us direction on which vacuum pump supplier you will choose and the subsequent design/plans that will be used and approved by the vacuum pump supplier. We can not fulfill your requests to date due to the lack of direction and information from the Key Largo Wastewater Treatment District.

Please feel free to contact me at 734-996-9500 with any questions or concerns.

Sincerely  
DOUGLAS N. HIGGINS, INC.

  
Daniel N. Higgins  
Vice President

cc: Walter Messer, D.N.Higgins, Inc. Project Manager



E.E.O.

KEY LARGO WASTEWATER TREATMENT DISTRICT  
POST OFFICE BOX 491; KEY LARGO, FLORIDA 33037  
(305) 451-5105

December 28, 2004

Daniel N. Higgins, Vice President  
D.N. Higgins, Inc.  
3390 Travis Pointe Road, Suite A  
Ann Arbor, Michigan 48108

RE: Notice to Proceed

VIA: Facsimile: 734-995-5480 and first class mail

Dear Mr. Higgins:

I am in receipt of your letter of December 17, 2004, in which you have requested direction regarding "which vacuum pump supplier you will choose and the subsequent design/plans that will be used and approved by the vacuum pump supplier."

I am somewhat confused by your request. Your letter of November 12, 2004 promised a change order proposal by November 24, 2004, and did not express any concerns about the vacuum pump supplier or the plans. However, to respond to your request, the vacuum pump supplier is AirVac; please base your change order proposal on the updated plans already in your possession as of November 12, 2004, substituting the Airvac pits and valves for the Roevac pumps and valves. Note that since your original bid for this work specified Airvac, I do not believe that your submittal should require much effort, and I do not expect to see changes from the unit prices in your bid. If your proposal includes such changes, I will expect a written narrative explaining why you believe that Higgins is entitled to them.

Please provide your proposal by 3:00 p.m. on January 7, 2005. If it is not received by that date and time, the District intends to exercise its rights to terminate the contract for failure to prosecute the work.

Sincerely,



Charles F. Fishburn, General Manger, KLWTD

CC: Mr. Walt Messer, Hand Delivered  
Key Largo Wastewater Treatment District Board  
District Counsel Thomas Dillon



**Key Largo Wastewater Treatment District**  
**Discussion of Alternative Project Delivery Methods**

**OUTLINE AGENDA**

**1. INTRODUCTION**

- a) Introduction to MWH
- b) Purpose of Presentation

**2. ALTERNATIVE DELIVERY MODELS**

- a) Design Bid Build
- b) Design Build
- c) Design – Construction Management at Risk

**3. EXAMPLE: CAPE CORAL PROGRAM**

- a) Intro/Background
- b) Design Bid Build Experience
- c) Innovative Project Delivery Model
- d) Results

**4. SUGGESTED APPROACH**

- a) Proposed Model for KLWTD
- b) Procurement Issues

**5. QUESTIONS**

Key Largo Wastewater Treatment District

Payments Pending 01/05/05

Prepared 01/03/05

CONSOLIDATED CASH BALANCE FORWARD

\$ 1,275,819.02

**Administration & Operations**

Cash Balance A&O Account Forward \$ 178,045.50

Plus: No reimbursements received 0.00

Sub-total Receipts 0.00

Less: FMIT - Qtly Liability & Workers Comp Insurance 3,786.00

Weiler Engineering - RFQ (December) 4,204.00

Data Systems - Network Repairs 159.00

Tomas Dillon - Legal Services 4,178.00

Charles Fishburn - Travel Mileage 46.98

Federal Express - Delivery Service 89.03

GSG - Audit Support 341.90

Office Depot - Office Supplies 339.44

Bank One Visa - AWWA Dues, Software, Misc. 754.81

BellSouth - Local Line 21.23

BellSouth - Office Line 79.50

Board Compensation - December 3,900.00

Staff Salaries - December 13,477.74

Payroll Benefits - FICA, Medicare 1,329.38

Sub-total Invoices 32,707.01

\$ (32,707.01)

Cash Balance A&O Account If All Paid \$ 145,338.49

Memo: MSTU Draw #7 Submitted 12/16/04 \$45,524

**Key Largo Park**

Cash Balance KLP Account Forward \$ (31,441.28)

Less: Weiler Engineering - December 3,022.43

Thomas Dillon - Legal Services 1,110.00

Staff Salaries (incl. benefits) - December 683.74

Sub-total Invoices 3,022.43

(3,022.43)

Cash Balance KLP Account If All Paid \$ (34,463.71)

**Key Largo Trailer Village**

Cash Balance KLTV Account Forward \$ 1,129,214.80

Plus: FEMA (State) Draw #3 42,973.00

Less: Weiler Engineering - December 5,676.87

Thomas Dillon - Legal Services 2,175.00

Jupiter Environmental - Hydrocarbon Testing 660.00

Staff Salaries (incl. benefits) - December 5,663.22

BTEX Engineering - Report Fee 375.00

Sub-total Invoices 14,550.09

28,422.91

Cash Balance KLTV Account If All Paid \$ 1,157,637.71

Memo: FEMA Draw #4 Submitted 12/17/04 \$242,220

CONSOLIDATED CASH BALANCE IF ALL PAID

\$ 1,268,512.49

Approved for payment:

\_\_\_\_\_  
Charles Brooks, Chairman

\_\_\_\_\_  
Andrew Tobin, Secretary