



## Legislation Text

---

**File #:** 26-0274, **Version:** 1

---

### Interoffice Memorandum

**DATE:** February 17, 2026

**TO:** Mayor Jerry L. Demings and County Commissioners

**THROUGH:** N/A

**FROM:** Ed Torres, M.S., P. E., LEED AP, Director, Utilities

**CONTACT:** Kerry Kates, P.E., LEED AP, Deputy Director, Utilities

**PHONE:** 407-254-9801

**DIVISION:** Fiscal and Operational Support Division

**ACTION REQUESTED:**

Approval and execution of Project Sub-Agreement for Cost-Sharing of Wheeling Infrastructure Project Sub-Agreement No. SA-7 (CL1-P-05C). The total cost of this project is \$9,748,489, of which \$3,772,665 is Orange County's share. All Districts. (Fiscal and Operational Support Division)

**PROJECT:** N/A

**PURPOSE:** On August 30, 2011, the City of St. Cloud, Tohopekaliga Water Authority, and Polk County, all as member governments of The Water Cooperative of Central Florida (WCCF), and Orange County and the Central Florida Tourism Oversight District (CFTOD), formerly the Reedy Creek Improvement District, entered into an agreement captioned "Interlocal Agreement Amongst The Water Cooperative of Central Florida, Orange County and Reedy Creek Improvement District Relating to the Preliminary Design and Permitting of the Alternative Water Supply Project Known as the Cypress Lake Wellfield and Related Matters." The Interlocal Agreement defined all parties' financial and implementation obligations for permitting, a water transmission study, and design of the Cypress Lake Wellfield project.

Since approval of the Interlocal Agreement, CFTOD has subsequently withdrawn, and Orange County has become a member of the WCCF and has continued to participate in design of the project. As part of the design, the parties initiated a water transmission study which identified benefits to a water wheeling project among the parties.

On October 26, 2021, the Board approved The Cypress Lake Water Wheeling Infrastructure Master Cost-Sharing Agreement (Agreement) and Project Sub-Agreements SA-1, SA-2, SA-3, and SA-4. The Agreement established a mechanism for sharing the cost of water wheeling infrastructure amongst the benefiting parties and included the process and terms for reimbursement of costs for all wheeling infrastructure, the costs previously incurred, and provided for future costs. Project Sub-Agreements SA-1, SA-2, SA-3, and SA-4 included reimbursement for five water wheeling infrastructure segments. The Board has since approved Project Sub-Agreement SA-5 on September 19, 2024 and SA-6 on April 8, 2025.

This Project Sub-Agreement for Cost-Sharing of Wheeling Infrastructure is Project Sub-Agreement SA-7 and provides reimbursement for water wheeling infrastructure segment CL1-P-05C, which includes 12,000 linear feet of new 30" pipe. The total cost of this segment is \$9,748,489, of which \$3,772,665 is Orange County's share. Costs are calculated from contractor bid prices and percent capacity share identified from performing hydraulic model simulations.

The County Attorney's Office and Risk Management Division reviewed the Agreement and find it acceptable as to form. Utilities Department staff recommends approval.

**BUDGET:** N/A



## OFFICE OF COMPTROLLER

---

**ORANGE  
COUNTY  
FLORIDA**

**Phil Diamond, CPA**  
County Comptroller as  
Clerk of the Board of County Commissioners  
201 South Rosalind Avenue  
Post Office Box 38  
Orlando, FL 32802  
Telephone: (407) 836-7300  
Fax: (407) 836-5359

DATE: March 13, 2026

TO: Kerry Kates, Deputy Director  
Utilities Department, BCC

FROM: Jennifer Lara-Klimetz, Manager *TK for JLK*  
Comptroller Clerk of BCC

SUBJECT: Request for Execution of Document, Utilities Department Consent Item 1,  
Legislative File # 26-0274, March 10, 2026

Enclosed is the Project Sub-Agreement for Cost-Sharing of Wheeling Infrastructure Project Sub-Agreement No. SA-7 (CL1-P-05C) (5 originals) which was approved by the Board of County Commissioners (BCC) at its regular meeting held on March 10, 2026.

Please forward the documents to all required parties for signature.

**Email copies of the fully-executed documents to [ClerkofBCC@occompt.com](mailto:ClerkofBCC@occompt.com) and copy [jennifer.mcgill@ocfl.net](mailto:jennifer.mcgill@ocfl.net). Note: [ClerkofBCC@occompt.com](mailto:ClerkofBCC@occompt.com) is **used only** for County staff submission of pending documents.**

Please include in cover memo or subject line identification of the documents by name, agenda item number, and date of BCC approval. Emailed copies must be in full-size PDF format. The documents will be processed and filed for the record upon receipt.

If you are unable to return a copy of the fully-executed document before April 10, 2026, notify the Clerk's Office by email of the reason for the delay prior to that date.

If you have any questions, please do not hesitate to call.

jlk:th

Enclosures (5)

dl: Ed Torres, Director, Utilities Department, BCC [email]

Jon Weiss, Deputy County Administrator, BCC [email]

Nicole Robinson, Executive Assistant, Utilities Department, BCC [email]

Pending File

BCC Mtg. Date: March 10, 2026

This instrument prepared by:  
Silvia M. Alderman, Esq.  
Akerman LLP  
201 East Park Avenue, Suite 300  
Tallahassee, Florida 32301

Return to: Office of the General Counsel  
Toho Water Authority  
951 Martin Luther King Blvd.  
Kissimmee, Florida 34741

## **Project Sub-Agreement for Cost-Sharing of Wheeling Infrastructure**

### **Project Sub-Agreement No. SA-7 (CL1-P-05C)**

1. This Project Sub-Agreement No. SA-7 is entered into by the Parties signing below to implement Cost-Sharing for the segment of the Wheeling Infrastructure described in Exhibit A attached hereto and incorporated herein (the "Applicable Segment"), pursuant to the terms of the Water Wheeling Infrastructure Master Cost-Sharing Agreement (the "Agreement") of which this Project Sub-Agreement is a part.

2. Each Party shall pay its Cost-Share amount of the design, permitting, construction, installation and subsequent Long-Term Maintenance of the Applicable Segment as set forth below in accordance with the payment provisions of the Agreement:

<b>Conveying Party</b>	<b>Percentage</b>	<b>Allocation (MGD)</b>
Toho Water Authority	34.1%	3.51
<b>Receiving Party(ies)</b>		
Orange County	38.7%	4.00
Polk County	27.2%	2.81

3. This Project Sub-Agreement shall become effective upon recording in Orange, Osceola and Polk Counties.

Accepted this \_\_\_\_ day of \_\_\_\_\_.

Toho Water Authority

By:

\_\_\_\_\_

ATTEST:

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

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



**ORANGE COUNTY, FLORIDA**

By: Board of County Commissioners

By: *Bryan B. Burks*  
Jerry L. Demings  
Orange County Mayor

Date: *10 March 2026*

ATTEST: Phil Diamond, CPA, County Comptroller  
As Clerk of the Board of County Commissioners

By: *Jennifer Lara-Klimetz*  
Deputy Clerk

Print: *Jennifer Lara-Klimetz*

Accepted this \_\_\_\_ day of \_\_\_\_\_.

Polk County

By:

\_\_\_\_\_

ATTEST:

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

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

Exhibit A to Project Sub-Agreement No. SA-7 (CL1-P-05C)

Name: Cypress Lake Segment CL1-P-05C

Description: Approximately 12,000 Linear Feet (LF) of new 30” pipe along Osceola Polk Line Road (CR-532) from Toho Southwest Water Treatment Plant (WTP) east to U.S. Route 17/92 (Orange Blossom Trail) as depicted on the attached Location Map and Description of Segment

Capital Cost Breakdown:

- o Design, Permitting, Bidding, and Construction Administration Services: \$325,883
- o Construction and Installation: \$8,122,936
- o Construction Engineering and Inspection (CEI) – 6% (CFX requirement): \$487,376
- o Construction Contingency – 10% of construction and installation: \$812,294

Total Capital Cost: \$9,748,489

*\* Invoicing will occur on a quarterly basis.*

*\*\* Any segment where funds are contributed to or constructed by the developer will be reimbursed and/or applied as a credit toward the total capital cost.*

As used herein, "Capital Cost" means the expenses involved in design, permitting, construction, and installation of one or more segments of Wheeling Infrastructure.

<b>Conveying Party</b>	<b>Cost-Share Amount</b>
Toho Water Authority	\$3,324,235
<b>Receiving Parties</b>	
Orange County	\$3,772,665
Polk County	\$2,651,589

Long-Term Maintenance is not included in the Total Capital Cost of this Project Sub-Agreement but the Parties hereto recognize and agree that the execution of the Agreement and this Project Sub-Agreement commits the Parties to this specific Project Sub-Agreement to Long-Term Maintenance Costs for the Applicable Segment identified in this Project Sub-Agreement.

