



Orange County Government

Orange County
Administration Center
201 S Rosalind Ave.
Orlando, FL 32802-1393

Legislation Text

File #: 25-531, **Version:** 1

Interoffice Memorandum

DATE: March 18, 2025

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, Fiscal and Operational Support Division

PHONE: 407-254-9801

DIVISION: Fiscal and Operational Support Division

ACTION REQUESTED:

Approval and execution of Project Sub-Agreement for Cost-Sharing Wheeling Infrastructure Project Sub-Agreement No.SA-6 (CL2-P-07C) for the Cypress Lake Alternative Water Supply Project. (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Since approval of the Interlocal Agreement, CFTOD has subsequently withdrawn, and Orange County has become a member of the WCCF and has continued to participate in design of the project.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. On September 19, 2024, the Board approved Project Sub-Agreement SA-5, which included reimbursement for water wheeling infrastructure segments CL1-P-02 and CL2-P-04A.

This Project Sub-Agreement for Cost-Sharing of Wheeling Infrastructure is Project Sub-Agreement SA-6 and provides reimbursement for water wheeling infrastructure segment CL2-P-07C, which includes 6,936 linear feet of new 24" pipe. The total cost of this segment is \$2,518,975, of which \$1,972,357 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: April 8, 2025

TO: Kerry Kates, Deputy Director
Fiscal and Operational Support Division, BCC

FROM: David Rooney, Manager *MP for DR*
Comptroller Clerk of BCC

SUBJECT: Request for Execution of Documents, Utilities Department Consent Item
1, Legislative File 25-531, April 8, 2025

Enclosed is the Project Sub-Agreement for Cost-Sharing Wheeling Infrastructure Project Sub-Agreement No.SA-6 (CL2-P-07C) (2 originals) which was approved by the Board of County Commissioners (BCC) at its regular meeting held on April 8, 2025.

Please forward the documents to all required parties for signature.

Email copies of the fully-executed documents to ClerkofBCC@occompt.com and copy jennifer.mcgill@ocfl.net. Note: 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 documents before May 8, 2025, 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.

dr:np

Enclosures (2)

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

Jon Weiss, Deputy County Administrator, BCC [email]

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

Pending File

BCC Mtg. Date: April 8, 2025

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-6 (CL2-P-07C)

1. This Project Sub-Agreement No. SA-6 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:

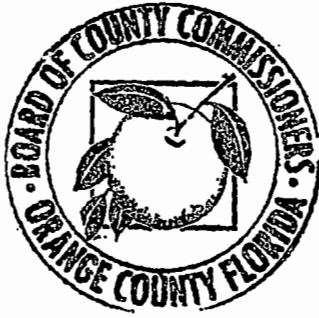
Conveying Party	Percentage	Allocation (MGD)
Toho Water Authority	21.7%	1.11
Receiving Party		
Orange County	78.3%	4.00

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

Accepted this ____ day of _____.

Toho Water Authority

By:



ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: *Jerry L. Demings*
for Jerry L. Demings
Orange County Mayor

Date: April 8, 2025

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

By: *David Rooney*
Deputy Clerk

Print: David Rooney

Exhibit A to Project Sub-Agreement No. SA-6 (CL2-P-07C)

Name: Cypress Lake Segment CL2-P-07C

Description: Approximately 6,936 Linear Feet (LF) of new 24" pipe along Westside Boulevard as depicted on the Location Map and Description of Segments: 1,180 LF from south of Carey Palm Circle (Segment 1) connects to a segment of 3,150 LF at Nine Iron Drive (Segment 2) and a segment of 2,606 LF from Nine Iron Drive connects to north of Whistling Straits Boulevard (Segment 3).

Capital Cost Breakdown:

- Segment 1: 1,180 LF from south of Carey Palm Circle connecting to Segment 2
 - Constructed by developer at no cost to Toho Water Authority and Orange County
- Segment 2: 3,150 LF from Segment 1 to Nine Iron Drive
 - Design and Permitting: \$34,700
 - Bidding and Construction Administration Services: \$16,740
 - Lennar Project Management Fee: \$61,885
 - Construction and Installation \$1,242,900
 - Construction Contingency (10% of the construction and installation cost): \$124,290
- Segment 3: 2,606 LF from Nine Iron Drive to north of Whistling Straits Boulevard
 - Design, Permitting, Bidding and Construction Administration Services at developer cost and no cost to Toho Water Authority and Orange County
 - Construction and Installation: \$1,005,460
 - Construction Contingency: \$33,000

Total Capital Cost: \$2,518,975

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

Conveying Party	Cost-Share Amount
Toho Water Authority	\$546,618
Receiving Party	
Orange County	\$1,972,357

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.

