



# Orange County Government

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

## Legislation Text

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**File #:** 24-1298, **Version:** 1

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### Interoffice Memorandum

**DATE:** August 20, 2024

**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-5 (CL1-P-02 and CL2-P-04A). All Districts. (Fiscal and Operational Support Division)

**PROJECT:** N/A

**PURPOSE:** On August 30, 2011, the Board approved the 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, Orange County has become a member of the Water Cooperative of Central Florida 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. This Project Sub-Agreement for Cost-Sharing of Wheeling Infrastructure is Project Sub-Agreement SA-5, which includes reimbursement for water wheeling infrastructure segments CL1-P-02 and CL2-P-04A. The total cost of these segments is \$17,033,707, of which \$8,952,916 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

BCC Mtg. Date: September 10, 2024

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

### **Project Sub-Agreement No. SA-5 (CL1-P-02 and CL2-P-04A)**

1. This Project Sub-Agreement No. SA-5 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.

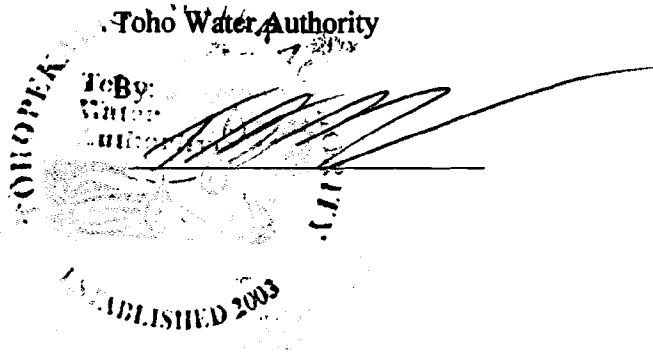
2. Each Party shall pay its Cost-Share amount of the design, permitting, construction, installation and subsequent Long-Term Maintenance of the Applicable Segment as set forth below in accordance with the payment provisions of the Agreement:

<b>Segment Names</b> CL1-P-02 and CL2-P-04A	
<b>Conveying Party</b> Toho Water Authority	<b>Percentage*</b> 31.39%
<b>Receiving Party(ies)</b> Orange County Polk County	52.56% 16.05%

\*Percentage for combined segments CL1-P-02 and CL2-P-04A is a proportional average calculation based on the approximate Linear Feet (LF) of each segment.

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

Accepted this 23 day of AUGUST, 2024





**ORANGE COUNTY, FLORIDA**

By: Board of County Commissioners

By: *[Signature]*  
Jerry L. Demings  
for  
Orange County Mayor

Date: 10 September 2024

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

By: *[Signature]*  
Deputy Clerk

Print: 9/10/24

Accepted this 20<sup>th</sup> day of August, 2024.

**ATTEST:**

Stacy M. Butterfield  
Clerk to the Board

By: Alison Brown  
Deputy Clerk

**POLK COUNTY**, a political  
subdivision of the State of Florida

By: W. C. Braswell  
W. C. Braswell, Chair  
Board of County Commissioners

Approved as to form and legal sufficiency:

[Signature]  
County Attorney's Office



**Exhibit A to Project Sub-Agreement No. SA-5 (CL1-P-02 and CL2-P-04A)**

Name: Cypress Lake Segments CL1-P-02 and CL2-P-04A

Description: Approximately 29,910 linear feet (LF) of new 30" pipe from the intersection of South Poinciana Boulevard and Pleasant Hill Road, northwest along South Poinciana Boulevard to Crescent Lakes Way. Segments CL1-P-02 and CL2-P-04A are approximately 17,091 LF and 12,819 LF, respectively.

Capital Cost:

- Design and Permitting: \$386,550
- Construction and Installation: \$14,465,704

Total Capital Cost: \$14,852,254

Allowances\*:

- Construction and Installation:
  - Construction Contingency, per Osceola County Interlocal Agreement (10%): \$1,446,570
  - CEI Services (2%): \$289,314
- Capital Cost Supplemental Contingency (3%): \$445,568

Total Allowances: \$2,181,452

*\*Allowances only invoiced if expended*

**Total Not-to-Exceed (NTE) Cost\*\*: \$17,033,707**

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

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	\$5,346,881
<b>Receiving Party(ies)</b>	
Orange County	\$8,952,916
Polk County	\$2,733,910

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.

## Location Map and Description of Segment(s)

