

**FLORIDA KEYS AQUEDUCT AUTHORITY**  
**BOARD OF DIRECTORS' MEETING**  
**OPEN TO THE PUBLIC**  
**A G E N D A**

**FLORIDA KEYS MOSQUITO CONTROL DISTRICT**  
**503 107<sup>th</sup> Street**  
**Marathon, Florida 33050**

**THURSDAY, JANUARY 27, 2011**

**10:00 a.m.**

**REGULAR MEETING**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**AWARDS:**

Retirement Recognition: Terry Stofer.....30 Years

Service Awards: Maria Sardina.....20 Years  
Dori Anderson.....20 Years

**Note:** The Board of Directors does allow time for comments from the public, who have completed sign-in cards, on any Agenda Item or any specific areas of concern. Individuals will be allotted 3 minutes to make presentation, representatives from established groups will be allotted 5 minutes to make presentation.

**APPROVAL OF MINUTES:**                    December 23, 2011

**ADDITIONS/DELETIONS TO AGENDA**

**ACCEPTANCE OF AGENDA**

**CONSENT AGENDA ITEMS**      (c) = Consent Item

**OFFICE OF COUNSEL:**

1.      (c)      **OOO – 01.**      Consideration to Approve Payment to Allen, Norton & Blue, P.A. for Legal Services Rendered December 2010.      **(69.00)**

**DEPARTMENT OF ADMINISTRATION:**

2.      (c)      **DOA – 01.**      Summary of Contractual Commitments through December 31, 2010.

**DEPARTMENT OF ENGINEERING:**

3.      (c)      **DOE – 01.**      Status Report on Wastewater Projects
4.      (c)      **DOE – 02.**      Consideration for Approval, No Objection to the abandonment of the southeast 220 feet of the existing 25 foot utility easement along the south side of Tract 1M, Book 509, Page 1047 of Pine Key Acres.

**REGULAR AGENDA ITEMS**

**EXECUTIVE DEPARTMENT:**

- EO – 01.**      Executive Director’s Report

**OFFICE OF COUNSEL:**

- OOO – 01.**      Consideration to Approve a Contract to Retain Robert N. Sechen to provide Governmental Relations Consulting Services for the FKAA February 1, 2011 to January 31, 2012.      **(\$36,000.00)**
- OOO – 02.**      Consideration to Approve a Letter of Understanding between the FKAA and Caribe Nautical Services, Inc.

**DEPARTMENT OF ADMINISTRATION:**

- DOA – 01.**      Financial Summary Information – October 2010 through December 2010

## **DEPARTMENT OF ENGINEERING:**

- DOE – 01.** Consideration of Approval to Award Project Bid# FKAA-IFB-0005-11, Contract 2 for the Duck Key Utilities Program to the lowest responsive, responsible bidder. (not to exceed \$1,200,000)

## **DEPARTMENT OF OPERATIONS:**

- DOO – 01.** Consideration of Approval to Award Bid #IFB-FKAA-0008-11, for the purchase of Liquid Chlorine, 1-year contract with the option to renew for one additional year, for the J. Robert Dean Water Treatment Plant, Florida City to Allied Universal. **(\$105,840.00 approx.)**

## **TECHNICAL SERVICES:**

- TS – 01.** Consideration to Approve CH 2-11 budgeted under the item General SCADA Repair and Upkeep. **(\$40,000.00)**

## **BOARD OF DIRECTORS:**

- BOD – 01.** Consideration to Affirm the Re-Appointment of Terry Lee Garcia as FKAA Representative to the Career Service Council (Sponsor: J. Robert Dean)
- BOD – 02.** Consideration to Adopt a Resolution providing for non-interference in procurement and hiring practices; providing for Board of Directors to set policies and procedures in areas where changes are deemed to be needed; and providing an effective date. (Sponsored by: Rose M. Dell)
- BOD – 03.** Consideration to Authorize Staff to initiate Rulemaking for Revision to FKAA Rule 48-101.010(5)(c) and to appoint a Hearing Officer. (Sponsored by: Rose M. Dell)
- BOD – 04** Follow-Up Report/Write-off Report

**Note:** The Board of Directors does allow time for comments from the public, who have completed sign-in cards, on any Agenda Item or any specific areas of concern. Individuals will be allotted 3 minutes to make presentation, representatives from established groups will be allotted 5 minutes to make presentation.

**MINUTES OF REGULAR MEETING  
OF THE  
BOARD OF DIRECTORS  
FLORIDA KEYS AQUEDUCT AUTHORITY**

**HELD ON**

**DECEMBER 23, 2010**

**HARVEY GOVERNMENT CENTER  
1200 TRUMAN AVENUE  
KEY WEST, FLORIDA 33040**

**10:00 A.M.**

The following MEMBERS were present:

David C. Ritz. . . . . Chairman  
Rose M. Dell. . . . . Vice Chairman  
Antoinette M. Appell. . . . . Secretary/Treasurer  
J. Robert Dean. . . . . Member  
Elena Z. George. . . . . Member

James C. Reynolds. . . . . Executive Director  
Kerry Shelby. . . . . Deputy Executive Director  
Kirk C. Zuelch. . . . . General Counsel  
Timothy Esquinaldo. . . . . Internal Auditor

A LIST OF ATTENDANCE IS RETAINED WITH THE PERMANENT RECORD OF THIS MEETING.

## **PUBLIC HEARING**

Chairman Ritz opened the Public Hearing at 10:12 a.m.

### **PUBLIC HEARING ON THE ASSESSMENT RESOLUTION TO PRESERVE THE RIGHT AND OPTION TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENT FOR THE AREA KNOWN AS THE BIG COPPITT WASTEWATER SERVICE DISTRICT, CUDJOE REGIONAL WASTEWATER SERVICE DISTRICT AND THE MONROE COUNTY SUB-DISTRICT OF THE LAYTON WASTEWATER SERVICE DISTRICT**

Mr. Zuelch explained that this Assessment Resolution is a preliminary requirement which allows for the FKAA to preserve the right and option to use the Uniform Method of collecting Non-ad Valorem Assessments for the Big Coppitt Wastewater Service District, Cudjoe Regional Wastewater Service District and the Monroe County Sub-District of the Layton Wastewater Service District. He also explained that the purpose of the public hearing was to place the public and the Monroe County Tax Assessor on notice that the FKAA could collect assessments in 2010 for the Big Coppitt Wastewater Service District, Cudjoe Regional Wastewater Service District and the Monroe County Sub-District of the Layton Wastewater Service District. The FKAA is not requesting an assessment be imposed at this time.

With there being no comments or questions from the public, the Public Hearing was closed at 10:14.

## **REGULAR MEETING**

The Regular Meeting was called to order by Chairman Ritz at 10:14 a.m.

Mrs. Elvira Sawyer presented the invocation and led the Pledge of Allegiance.

### **EMPLOYEE RECOGNITION AND RESOLUTION**

#### **EO-01. APPROVAL TO ADOPT RESOLUTION #11-01 AND A PLAQUE PLACED AT THE KEY WEST GARAGE IN MEMORY OF KARL E. MALSHEIMER, FLEET MAINTENANCE FOREMAN OF THE LOWER KEYS GARAGE, FOR TWENTY-TWO YEARS OF OUTSTANDING, DEDICATED AND LOYAL SERVICE TO THE FLORIDA KEYS AQUEDUCT AUTHORITY AND EMPLOYEES (SPONSOR: J. ROBERT DEAN)**

On motion of Mr. Dean and seconded by Mrs. Appell, the Board adopted Resolution #11-01 and a plaque placed at the Key West Garage in Memory of Karl E. Malsheimer for twenty-two years of outstanding, dedicated and loyal service to the Florida Keys Aqueduct Authority and employees.

**RESOLUTION #11-01**

A RESOLUTION RECOGNIZING KARL E. MALSHEIMER FOR TWENTY-TWO YEARS OF OUTSTANDING, DEDICATED AND LOYAL SERVICE TO THE FLORIDA KEYS AQUEDUCT AUTHORITY AND EMPLOYEES.

**EMPLOYEE AWARDS**

**EMPLOYEE OF THE 3<sup>RD</sup> QUARTER**

**Lynese Mariscal** – Accounting Coordinator, Administration Department, Key West

**EMPLOYEE SERVICE AWARDS**

**Cindy Kondziela:** Accounting Manager, Administration Department, Key West – 20 Years Service

**Tim Jones:** Field Representative, Customer Service, Key West – 20 Years Service

**Elvira Sawyer:** Executive Office Coordinator, Key West – 30 Years Service

**RETIREMENT RECOGNITION**

**Theresa Gedmin:** Purchasing/Inventory Control Manager, Administration Department, Key West – 35 Years Service

**AWARDS**

**2010 SOUTHEAST CONSTRUCTION BEST OF AWARD**

The Florida Keys Aqueduct Authority was selected as a winner of the 2010 Southeast Construction Best of Award. The winner is selected by a group of prominent professionals on the basis of architectural and engineering design, execution of construction, innovation, contribution to the local community and construction industry, ability to overcome challenges and overall excellence.

**APPROVAL OF MINUTES**

On motion of Mrs. George, seconded by Mrs. Appell, the Board approved the Minutes of the Regular Board Meeting held on November 22, 2010 as presented.

**CONSENT AGENDA WASTEWATER/WATER**

On motion of Mr. Dean and seconded by Mrs. George, the Board unanimously approved the following items by Consent:

1. (c) EO – 01 Approval of Payment to Interisk Corporation, Insurance Consultants for Risk Management Services rendered through November 30, 2010. (**\$600.00**)
2. (c) DOA – 01 Summary of Contractual Commitments through November 30, 2010.
3. (c) DOE – 01 Status Report on Wastewater Projects.
4. (c) DOE – 02 Approval to abandon a portion of an alleyway at the North end of Caraballo Lane, Key West, Monroe County, Florida.
5. (c) TSD – 01 Approval of purchase of Microsoft Office 2010 Software to upgrade 169 user's laptops. (**\$39,985.60**)

#### **ADDITIONAL INFORMATION TO THE AGENDA**

##### **Regular Agenda:**

- EO – 02** A discussion of the Village of Islamorada's Request for Qualifications (RFQ) for the design, construction, operation and finance of a new wastewater system and if the FKAA should consider responding to the RFQ.

#### **APPROVAL OF AGENDA**

The Board discussed the request by Ms. Dell to add the following two (2) proposed Items to the Agenda:

- BOD – 02** Consideration to adopt a Resolution providing for non-interference in procurement and hiring practices; providing for Board of Directors to set policies and procedures in areas where changes are deemed to be needed; and providing an effective date. (Sponsored by: Rose M. Dell)
- BOD – 03** Consideration to authorize Staff to initiate Rulemaking for Revision to FKAA Rule 48-101.010(5)(c) and to appoint a Hearing Officer. (Sponsored by: Rose M. Dell)

During discussions, some Board Members were agreeable to add the Items for discussion purposes only; however, consensus was not reached to add the Items to the Agenda.

Chairman Ritz, without objection, directed that the proposed Items be set on the Agenda for the January 27, 2011 Regular Board Meeting. The Agenda was then accepted without objection.

## **REGULAR AGENDA ITEMS**

### **EXECUTIVE DEPARTMENT**

#### **EO-02. EXECUTIVE DIRECTOR'S REPORT**

The Board accepted the Executive Director's Report as presented including additional updated information as shown below:

**1. Water Quality Testing Service**

Mr. Reynolds discussed the possibility of advertising the water quality testing service, which the FKAA currently provides on a case by case basis, to test customer's water when the water quality is in question. Staff will monitor the number of requests to determine if a fee should be charged for this service.

**2. Cruise Ship Water Sales**

Mr. Reynolds discussed the possibility of the FKAA proposing an Agreement with Caribe Nautical for the sale of water to cruise ships and asked for direction from the Board.

By consensus, the Board authorized Staff to enter into an Agreement between the FKAA and Caribe Nautical for the sale of water to cruise ships at the rate of Fifteen Dollars (\$15.00) per thousand gallons.

**3. Employee Holiday**

Mr. Reynolds reported that the "Executive Director Holiday" will be April 22, 2011.

**4. Islamorada Request for Qualifications**

By consensus, the Board directed staff to prepare and submit an RFQ to Design-Build-Operate-Finance the wastewater system for Islamorada, Village of Islands.

**5. Discussion with Venture Out**

Mr. Reynolds reported that the members of Venture Out have requested that FKAA draft a proposal for the purchase of all Venture Out wastewater facilities and equipment, with the exception of the land. Venture Out has also requested the proposal to include billing for wastewater services and the replacement of their water system.

Staff will present a draft proposal to the Board in January or February before submitting to Venture Out.

**6. Career Service Council**

Mr. Reynolds reported that the term for the FKAA Representative for the Career Service Council, Terry Garcia, will expire in February. Staff will present an Agenda Item at the January Board Meeting for consideration of appointment to the Career Service Council.

**7. Jim Reynolds – Annual Leave**

Mr. Reynolds reported that he will be on Annual Leave beginning December 27, 2010 and will return on January 4, 2011.

**EO-03. ADOPTION OF THE 2011 FKAA STRATEGIC PLAN**

On recommendation of Mr. Reynolds and motion of Mrs. George, seconded by Ms. Dell, the Board adopted the 2011 Strategic Plan as presented.

**EO-04. APPROVAL OF THE ADMINISTRATION SERVICES AGREEMENT  
BETWEEN BLUE CROSS AND BLUE SHIELD OF FLORIDA, INC. AND THE  
FLORIDA KEYS AQUEDUCT AUTHORITY FOR THE  
10/01/2010 – 9/30/2011 PLAN YEAR**

On recommendation of Mrs. Rodriguez and motion of Ms. Dell, seconded by Mrs. Appell, the Board approved the Administrative Services Agreement between Blue Cross and Blue Shield of Florida, Inc. and the FKAA for a term of one year, 10/01/2010 – 9/30/2011.

**EO-05. APPROVAL TO RENEW A CONTRACT WITH THE FURMAN GROUP FOR  
PROFESSIONAL GOVERNMENT RELATIONS CONSULTING SERVICES  
(\$72,000.00)**

Mr. Dean suggested that Staff search for a competent firm next year that will charge less money.

On recommendation of Mr. Reynolds and motion of Mr. Dean, seconded by Mrs. George, the Board authorized Staff to retain The Furman Group to provide Governmental Relations Consulting Services in Washington, DC and authorized the Executive Director to execute a contract in the amount of \$72,000.00.

**OFFICE OF COUNSEL**

**OOC-01. APPROVAL OF RESOLUTION #11-02 A RESOLUTION OF THE BOARD OF  
DIRECTORS OF THE FLORIDA KEYS AQUEDUCT AUTHORITY ELECTING TO  
PRESERVE THE RIGHT AND OPTION TO USE THE UNIFORM METHOD OF  
COLLECTING NON-AD VALOREM ASSESSMENTS LEVIED IN MONROE  
COUNTY, FLORIDA, INCLUDING THE AREA KNOWN AS THE BIG COPPITT  
WASTEWATER SERVICE DISTRICT, CUDJOE REGIONAL WASTEWATER  
SERVICE DISTRICT AND THE MONROE COUNTY SUB-DISTRICT OF THE**

**LAYTON WASTEWATER SERVICE DISTRICT; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

On recommendation of Mr. Zuelch and motion of Mr. Dean, seconded by Mrs. Appell, the Board approved Resolution #11-02 a Resolution of the Board of Directors of the Florida Keys Aqueduct Authority Electing to Preserve the Right and Option to use the Uniform Method of Collecting Non-Ad Valorem Assessments Levied in Monroe County, Florida, including the area known as the Big Coppitt Wastewater Service District, Cudjoe Regional Wastewater Service District and the Monroe County Sub-District of the Layton Wastewater Service District; providing for the mailing of this Resolution; and providing for an effective date.

**RESOLUTION #11-02**

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FLORIDA KEYS AQUEDUCT AUTHORITY ELECTING TO PRESERVE THE RIGHT AND OPTION TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS LEVIED IN MONROE COUNTY, FLORIDA, INCLUDING THE AREA KNOWN AS THE BIG COPPITT WASTEWATER SERVICE DISTRICT, CUDJOE REGIONAL WASTEWATER SERVICE DISTRICT AND THE MONROE COUNTY SUB-DISTRICT OF THE LAYTON WASTEWATER SERVICE DISTRICT; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

**DEPARTMENT OF ADMINISTRATION**

**DOA-01. SUMMARY OF FINANCIAL INFORMATION – NOVEMBER 30, 2010**

Mr. Shelby reported that revenue is behind budget. Expenses are less than budget; but higher than last year due to the increase in depreciation. The amount available for projects totals \$12,000,000.00.

**DEPARTMENT OF ENGINEERING**

**DOE-01. APPROVAL TO AWARD PROJECT BID #FKAA-IFB-0005-11, THE PIPING MODIFICATIONS FOR STOCK ISLAND REVERSE OSMOSIS WATER TREATMENT PLANT AND MARATHON REVERSE OSMOSIS WATER TREATMENT PLANT CONTRACT TO HARN R/O SYSTEMS, INC. (\$159,000.00)**

On recommendation of Mr. Walker and motion of Mr. Dean, seconded by Mrs. Appell, the Board approved the award the Piping Modifications for Stock Island Reverse Osmosis Water Treatment Plant and the Marathon Reverse Osmosis Water Treatment Plant to Harn R/O Systems, Inc. at a bid price of \$159,000.00.

**BOARD OF DIRECTORS**

**BOD-01. BOARD FOLLOW-UP REPORT/WRITE-OFF REPORT**

The Follow-Up Report/Write-Off Report was presented to the Board.

**ADJOURNMENT**

With there being no further business, the meeting was adjourned at 11:32 a.m.

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FLORIDA KEYS AQUEDUCT AUTHORITY

By: \_\_\_\_\_  
David C. Ritz, Chairman

(Corporate Seal)

Attest:

\_\_\_\_\_  
Antoinette M. Appell, Secretary/Treasurer

ATTENDANCE

BOARD MEMBERS

David C. Ritz  
Rose M. Dell  
Antoinette M. Appell  
J. Robert Dean  
Elena Z. George

FKAA STAFF

James Reynolds  
Kerry Shelby  
Kirk Zuelch  
Timothy Esquinaldo  
Roy Coley  
Tom Walker  
Rick Kellough

Karen Rodriguez  
Colleen Tagle  
Elvira Sawyer  
Janet Coley  
Jon Strauss  
Terri Gedmin  
Cindy Kondziela

Tim Jones  
Lynese Mariscal  
Denise Hull  
Bobby Frederick

# BOARD OF DIRECTORS, FLORIDA KEYS AQUEDUCT AUTHORITY

## AGENDA ITEM SUMMARY

AGENDA ITEM # OOO-01 TAB #1 CONSENT: X REGULAR: \_\_\_\_\_

Meeting Date: January 27, 2011 Department: Executive

**AGENDA TITLE:** Consideration to Approve Payment to Allen, Norton & Blue, P.A. for November & December 2010. (\$69.00)



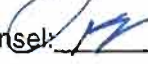
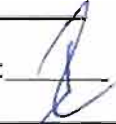
**ITEM BACKGROUND:** Allen, Norton & Blue handle all legal matters relative to personnel and Union Contract issues. The invoice has been reviewed by Staff for accuracy. Billing for the month of November and December, 2010 is as follows:

Miscellaneous Employee Matters \$ 69.00

**PREVIOUS RELEVANT ACTION BY FCAA BOARD OF DIRECTORS:**

**STAFF RECOMMENDATION (MOTION):** Approval of payment to Allen, Norton and Blue, P.A., F.K.A.A. Labor Attorney, for services rendered in November and December, 2010 in the amount of \$69.00.

**SUPPLEMENTAL INFORMATION:** Payments for FY 2010/11 total \$ 69.00

<b>DOCUMENTATION:</b>	Included: X	To-Follow:	Not Required:
<b>COST FCAA:</b>	\$ <u>69.00</u>	<b>BUDGETED:</b>	Yes X No
<b>COST/OTHERS:</b>	\$ _____		
<b>COST TOTAL:</b>	\$ <u>69.00</u>		
<b>DEPARTMENT DIRECTOR APPROVAL:</b> <u></u>			
<b>Reviewed by:</b> Internal Auditor: <u></u> General Counsel: <u></u> Executive Director: <u></u>			

**BOARD ACTION:**

Approved: \_\_\_\_\_ Tabled: \_\_\_\_\_ Disapproved: \_\_\_\_\_ Recommendation Revised: \_\_\_\_\_

Comments: \_\_\_\_\_

Date: \_\_\_\_\_ Recording Clerk: \_\_\_\_\_

**ALLEN, NORTON & BLUE, P.A.**

121 Majorca Avenue  
Coral Gables, FL 33134-4599  
(305) 445-7801 Fax (305) 442-1578  
Tax I.D. #59-1287650

January 6, 2011

Florida Keys Aqueduct Authority  
Attn: Karen M. Rodriguez  
Director of Human Resources  
P.O. Box 1239  
Key West, FL 33041-1239

Bill Number 83293  
Billed through 12/31/2010

**General Matters**

**0307 00000 WLH**

Balance forward as of bill dated	11/15/2010	\$161.00
Payments received since last bill	11/17/2010	\$161.00 CR
		-----
Net balance forward		\$0.00

**FOR PROFESSIONAL SERVICES RENDERED**

11/17/10	WLH	Phone conference with GC re: employee matter	0.30 hrs	69.00
<b>TOTAL HOURS:</b>		<b>0.30</b>	<b>TOTAL FEES:</b>	<b>\$69.00</b>
Shareholder, Wayne L. Helsby		0.30	230.00	\$69.00

**EXPENSES**

**MATTER BILLING SUMMARY**

TOTAL FEES	\$69.00
<b>TOTAL CHARGES FOR THIS BILL</b>	<b>\$69.00</b>
PLUS BALANCE FORWARD	\$0.00
<b>TOTAL BALANCE NOW DUE</b>	<b>\$69.00</b>

PREPAID \$0.00

**AGED ACCOUNTS RECEIVABLE**

<u>0 - 30 Days</u>	<u>30 - 60 Days</u>	<u>60 - 90 Days</u>	<u>90 - 120 Days</u>	<u>120 + Days</u>
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

# BOARD OF DIRECTORS, FLORIDA KEYS AQUEDUCT AUTHORITY

## AGENDA ITEM SUMMARY

AGENDA ITEM # DOA-01

TAB: 2

CONSENT:

REGULAR:

Meeting Date: January 27, 2011

Department: Administration

AGENDA TITLE: Summary of contractual commitments through December 31<sup>st</sup> 2010

ITEM BACKGROUND: As requested by the Board of Directors, task order approvals by the Executive Director in the previous month are included in this report and highlighted in yellow. There were none this month.

PREVIOUS RELEVANT ACTION BY FCAA BOARD OF DIRECTORS:

STAFF RECOMMENDATION (MOTION): Informational only

SUPPLEMENTAL INFORMATION: Attached

**DOCUMENTATION:**

Included:

To-Follow:

Not Required:

COST FCAA: \$ \_\_\_\_\_

COST/OTHERS: \$ \_\_\_\_\_

COST TOTAL: \$ \_\_\_\_\_

BUDGETED: Yes

No

DEPARTMENT DIRECTOR APPROVAL: \_\_\_\_\_

Reviewed by: Internal Auditor: [Signature] General Counsel: [Signature] Executive Director: [Signature]

**BOARD ACTION:**

Approved:

Tabled:

Disapproved:

Recommendation Revised:

Comments: \_\_\_\_\_

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

Recording Clerk: \_\_\_\_\_

FLORIDA KEYS AQUEDUCT AUTHORITY SUMMARY OF CONTRACTUAL COMMITMENTS

Friday, December 31, 2010

VENDOR NAME	CONTRACT TASK ORDER #	PROJECT	APPROVED	APPROVED CONTRACT AMOUNT	AMENDMENTS / CHANGE ORDERS	TOTAL BIDS TO DATE	PENDING COMMITMENT	TOTAL COMMITMENTS INCLUDING WASTEWATER AND RECLAIMED WATER CONTRACTS
<b>WATER CONSTRUCTION CONTRACTS</b>								
ACEERL INC	1105-10	SOCA CHICA BRIDGE TRANSMISSION PIPELINE	BOARD	1,125,762.00			1,125,762.00	
TOPP&O	330-04-A	NO COPPIT WATER MAIN REPLACEMENTS	BOARD	375,763.00	1,021,224.00	1,397,224.16	116,761.76	
TOPP&O	330-04	NO COPPIT RECLAIMED	BOARD		1,021,224.04	1,282,224.16	965.00	
BAL ENGINEERING	210-00	TRUMBULL HOUSED WATER MAIN IMPROVEMENTS	BOARD	210,940.00	41,700.00	71,974.43	182,561.57	
METRO (EQUIPMENT)	242-07	WATER MAIN DISTRIBUTION SYSTEM UPGRADES	BOARD	2,262,667.50	1,171.00	1,618,818.15	1,366,916.65	
<b>TOTAL WATER CONSTRUCTION CONTRACTS</b>								<b>1,826,227.98</b>
<b>WATER PROJECT DESIGN CONTRACTS</b>								
CH2M HILL	3-08	WELLFIELD PROTECTION SERVICES AT THE J. A. DEAN WTP	BOARD	111,285.00	0.00	143,202.44	5,262.56	
CH2M HILL	6-08	ENGINEERING SERVICES FOR THE DESIGN AND BID PHASE SERVICES FOR THE J. ROBERT DEAN WATER TREATMENT PLANT ELECTRICAL UPGRADES	BOARD	49,248.00		76,496.00	8,051.44	
CH2M HILL	5-08	ENGINEERING SERVICES FOR THE PRELIMINARY SITE INSPECTION OF THE WATERSHED NO PLANT IMPROVEMENTS	ERC DR	11,520.00	24,360.00	16,702.00	23,293.44	
CH2M HILL	4-08	TECHNICAL AND ENGINEERING SERVICES FOR PROGRAMMING OF THE WREATHOR BOARD BOOSTER PUMP STATION	BOARD	46,281.00	9,889.42	49,871.14	6,112.28	
CH2M HILL	1-10	GENERAL PROGRAMMING AND TECHNICAL SERVICE ASSISTANCE	BOARD	22,380.00	30,000.00	75,208.04	24,791.96	
CH2M HILL	6-10	ENGINEERING SERVICES FOR THE DESIGN AND BID PHASE SERVICES FOR THE FWA HEADQUARTERS CRITICAL ELECTRICAL UPGRADES	BOARD	44,116.00		27,304.00	21,578.88	
CH2M HILL	1-09	TRANSMISSION MAIN PROTOCOL	ERC DR	224,234.00	24,376.00	22,702.00	8,447.79	
CH2M HILL	1-08	SOFT MODIFICATIONS AT THE FL CITY WTP	ERC DR	15,470.00		15,704.18	211.82	
MATHEWS 2003-01	6-08	DUCK KEY RECLAIMED WATER SYSTEM	BOARD	196,010.00	217,209.00	129,984.81	8,293.18	
ARCADIS ENGINEERING	1-08	FWA UTILITY DEEP INJECTION WELL SYSTEM PROJ. AT JRO WTP	BOARD	125,440.00	296,222.00	84,255.21	41,294.81	
PERI 2 ENGINEERING	2210-04	ISLAND POINT WATER SYSTEM IMPROVEMENTS	ERC DR	6,930.00		6,359.00	1,669.00	
PERI 2 ENGINEERING	2247-04	NEUMARKHAM (R) REPLACEMENT OF TRUB SH AT SOCA CHICA WRE	ERC DR	20,700.00		0.00	20,700.00	
PERI 2 ENGINEERING	6-8	MARATHON DISTRIBUTION UPGRADE OVERSEAS HIGHWAY	BOARD	75,340.00		74,200.00	1,239.00	
<b>TOTAL WATER PROJECT &amp; DESIGN CONTRACTS</b>								<b>177,198.84</b>
<b>TOTAL WATER CAPITAL IMPROVEMENT COMMITMENTS</b>								<b>2,003,426.82</b>
<b>WASTEWATER CONSTRUCTION CONTRACTS</b>								
TOPP&O	600-00-01	NO COPPIT WASTEWATER COLLECTION SYSTEM	BOARD	9,717,801.00	708,791.00	9,875,711.11	11,841.51	
METRO EQUIPMENT	6001-00	DUCK KEY UTILITIES PROGRAM	BOARD	4,887,328.00			4,887,328.00	1,443,288.48
INCORE	6015-00	DUCK KEY WASTEWATER TREATMENT PLANT	BOARD	1,259,000.00	(2,489,897.00)	1,728,345.41	1,046,897.00	814,897.24
<b>TOTAL WASTEWATER CONSTRUCTION PROJECTS</b>								<b>2,304,213.23</b>

FLORIDA KEYS AQUEDUCT AUTHORITY SUMMARY OF CONTRACTUAL COMMITMENTS

Friday, December 31, 2010

VENDOR NAME	CONTRACT TASK ORDER #	PROJECT	APPROVED	AMOUNT CONTRACT AMOUNT	AMENDMENTS / CHANGE ORDERS	TOTAL PAID TO DATE	REMAINING COMMITMENT	FRAN COMMITMENTS INCLUDING WASTEWATER AND DECLARED WASTE
<b>WASTEWATER PROJECT DESIGN CONTRACTS</b>								
CHEN & ASSOCIATES	4019-06	60' RINE, LITTLE TORCH, RAIRICH, BOYD CREEK & LOWER SUGARLOAF PRELIMINARY ASHED		\$41,384.00	-	\$41,342.17	\$0,041.83	
D'ONFILL	4033-09	FINAL DESIGN, PERMITTING & BID PHASE SERVICES OF THE PHASE 1 LOWER KEYS REGIONAL WASTEWATER TRANSMISSION SYSTEM	BOARD	375,750.00		\$0,000.00	\$375,750.00	
CHAMBLI	4041-10	ENG. SVC. FOR ENVIRONMENTAL FIELD ASSESSMENT & INSPECTION OF EXISTING 18" BOARD ABANDONED WATER MAIN FOR PHASE 1 OF THE LOWER KEYS REGIONAL WWTP		\$0,398.00		-	\$0,398.00	
WADE TRM	4015-08	DUCK KEY CAN, DUCK KEY COND. KEY	BOARD	204,143.00	1,170.00	204,143.00	2,770.00	
WADE TRM	4036-09	DUCK KEY WWTP UPGRADE AND EXPANSION CONSTRUCTION PHASE 1	BOARD	400,000.00		200,100.78	219,899.22	60,000.00
TRW CONSULTING ENGINEERS	4026-08	DUCK KEY WWTP FINAL DESIGN	BOARD	1,388,304.00		1,168,803.40	199,700.60	50,010.00
MATHEWS CONSULTING	4001-08-A	DUCK KEY UTILITY IMPROVEMENTS	BOARD	328,889.00	24,880.00	353,188.80	426.20	120.00
MATHEWS CONSULTING	4001-08-B	DUCK KEY UTILITY IMPROVEMENTS ACCEL. DESIGN AND BID PHASE AND PH 1 & 2		34,807.88		33,700.75	1,107.13	148.00
MATHEWS CONSULTING	4001-08-C	DUCK KEY UTILITY IMPROVEMENTS ACCEL. DESIGN AND BID PHASE AND B. CONSTRUCTION ADMINISTRATION INSPECTION AND PH 1, 2, AND 3	BOARD	144,100.00		11,869.79	332,230.21	69,720.00
MATHEWS CONSULTING	4018-08	UPPER SUGARLOAF, CLUQUE KEY AND SHAWNEE LAND KEY SUGARLOAF COLLECT	BOARD	\$244,100.00		\$238,427.68	5,672.32	
MATHEWS CONSULTING	4024-08	LOWER KEYS COLLECTION SYSTEM	BOARD	1,218,214.00		\$79,822.87	\$1,138,391.13	
<b>TOTAL WASTEWATER PROJECT DESIGN CONTRACTS</b>							<b>1,209,910.01</b>	
<b>TOTAL WASTEWATER CAPITAL IMPROVEMENT COMMITMENTS</b>							<b>5,214,667.01</b>	
<b>GENERAL COMMITMENTS</b>								
D'ONFILL	1-10	GENERAL ENGINEERING SERVICES	BOARD	\$43,000.00	15,796.78	11,284.79	\$46,511.01	
CHAMBLI	3-08	GENERAL IT CONSULTING SERVICES	BOARD	\$28,000.00	24,800.00	\$4,718.84	\$91.16	
MCDONALDSON	NA	AUDITING	BOARD	\$8,175.00		\$7,891.00	\$284.00	
HEAD & PLANT	4014-08	KEY WEST WATER UTILITY RE-CONSTRUCTION	BOARD	\$0,000.00		\$0,000.00	\$14,770.70	
HEAD AND PLANT	4017-08	NA WASTEWATER UTILITY SERVICES	BOARD	\$0,000.00		\$2,027.50	\$0,000.00	
<b>TOTAL GENERAL COMMITMENTS</b>							<b>107,181.80</b>	
<b>TOTAL COMMITMENTS</b>							<b>11,177,667.02</b>	<b>4,418,000.00</b>
CURRENT MONTH ADDITIONS OR CHANGES BY EXECUTIVE DIRECTOR								

# BOARD OF DIRECTORS, FLORIDA KEYS AQUEDUCT AUTHORITY

## AGENDA ITEM SUMMARY

AGENDA ITEM # DOE-01

*TAB #3*

CONSENT: X      REGULAR:

Meeting Date: January 25, 2011

Department: Engineering

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**AGENDA TITLE:** Status Report on Wastewater Projects

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**ITEM BACKGROUND:** The attached report lists all of the Wastewater Projects which the FKAA is working on. The Report includes the description (status of project), the Contract amount if available, the percent of completion and comments relative to the project.

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**PREVIOUS RELEVANT ACTION BY FKAA BOARD OF DIRECTORS:** The Board requested Staff include this Report as part of the monthly Agenda package.

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**STAFF RECOMMENDATION (MOTION):** N/A

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**SUPPLEMENTAL INFORMATION:**

DOCUMENTATION:	Included:	To-Follow:	Not Required:
COST FKAA:	\$ _____	BUDGETED: Yes	No
COST/OTHERS:	\$ _____		
COST TOTAL:	\$ _____		

DEPARTMENT DIRECTOR APPROVAL: *[Signature]*

Reviewed by: Director Ex. Office: — Internal Auditor: *[Signature]* General Counsel: *[Signature]* Executive Director: *[Signature]*

**BOARD ACTION:**

Approved:       Tabled:       Disapproved:       Recommendation Revised:

Comments: \_\_\_\_\_

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

Recording Clerk: \_\_\_\_\_

Monthly Wastewater Status Report  
As of January 2011

Project	Description	Contract Amount	Percent Completed	Comments
Duck Key Wastewater Collection System, Contract 2	Bidding Phase	Est. \$1.2 million	N/A	County authorized FCAA to proceed with Phase 3. Project in the bidding phase
Duck Key Wastewater Collection System, Contract 1	Award Phase	Est. \$4.8 million	N/A	County authorized FCAA to proceed with Phases 1 and 2. Project bid and awarded to Metro Equipment.
Duck Key (Hawks Cay) Wastewater Treatment Facility	Construction Phase	\$5,766,000	50%	Concrete tank construction and underground electrical construction continued. EFI buildings delivered and installed
Big Coppitt Collection System Contract #1	Completed	\$4.127 million	100%	Complete
Big Coppitt Collection System Contract #2 (Geiger/Rockland Keys)	Completed	\$8.22 million	100%	Complete, connections being made
Big Coppitt Collection System Contract #3 (Big Coppitt Key)	Completed	\$11 million	100%	Connections being made
Big Coppitt Collection System Contract #4 (Shark Key)	Completed	\$1,098 million	100%	Connections being made
Big Coppitt Wastewater Treatment Facility	Completed	\$10,777 million	100%	New reclaimed pump station completed. Begin start up of distribution system.
Long Key	Evaluation of Options	N/A	90%	Public vs. private options being evaluated. Outdoor Resorts desires to upgrade existing plant to meet BAT.
Cudjoe Regional Wastewater Facility Basis of Design	Predesign Effort	\$98,625	100%	Predesign effort to determine flows and loadings for sizing the regional wastewater facility
Cudjoe Regional landfill site permit change	To modify Monroe County landfill permit to allow plant siting.	\$5,853	100%	Final permit modification received August 2009.
Cudjoe Regional Collection System (Central area)	Preliminary Design	\$244,108	100%	Study to determine the most cost-effective conveyance technology is complete. Workshops held on October 23 and November 19, 2008. Neighborhood meetings held December 8 and 11th. Base maps and survey work completed. Final "decision tree" received FCAA Board and Commission approval. Final design underway.
Cudjoe Regional Collection System (non-central area)	Preliminary Design	\$941,596	100%	Aerial survey and base mapping, and ground survey work complete. Preliminary layouts for outer keys completed. PDR reports completed and distributed.

**Monthly Wastewater Status Report**  
As of January 2011

Project	Description	Contract Amount	Percent Completed	Comments
Cudjoe Regional Collection System (Central area)	Final Design	\$1,026,196	99%	Final Design approved- FCAA Board February 26, 2009. Cudjoe Key 90% design internal review meeting held Feb 9, 2010 and final meeting with consultant held March 16, 2010. Summerland and Upper Sugarloaf 90% plans distributed, internal review meeting held Sept. 22, 2010, final meeting held October 20, 2010. Permitting meeting held with DOT/Heritage Trail Feb 2, 2009, conflict conference call held June 9, 2010. 100% cost estimate in hand, final plans and specifications to follow. DEP and DOT permit applications to follow.
Cudjoe Regional Collection System (non-central area)	Final Design	\$1,070,026	Suspended	Final Design and Permitting authorization approved March 26, 2009. Lower Sugarloaf, Ramrod, and Little Torch preliminary layouts complete. Work Authorization request tendered by Consultant to complete Lower Sugarloaf in the amount of \$74,500, has been forwarded to the County for comment and approval. Project has been suspended as of August 19, 2009; to re-program Cudjoe design dollars to fund Duck Key construction.
Cudjoe Regional Transmission System	Hydraulic Model, Preliminary and Final Design and Permitting	\$993,492	50%	Permitting meeting held with DOT/Heritage Trail Feb 2, 2010, issues regarding DEP, Heritage and DOT, including the need to surplus ROW to County to be dealt with. Follow-up meeting with Heritage held May 28, 2010, and conference call June 3, 2010. 60% plans in hand. Amendment #6, pipeline investigation and environmental work, FCAA Board approved Sept. 23, 2010. Design effort halted for phase #2. Kickoff meeting held November 5, 2010, scope of work received and comments returned. Bids to follow.
Cudjoe Regional Wastewater Treatment Facility	Preliminary Design and Permitting	\$449,387	100%	Kickoff November 5, 2008. Preliminary Design Report complete. Survey and geotechnical work completed. Permit issued September 21, 2009, disputed items resolved. Alternative plant configuration, designed for long-term phasing, developed September 22, 2009. Second independent construction cost opinion has been received.
Cudjoe Regional On-site System Program	Planning Phase	3,648,960	5%	EPA awarded FCAA a grant to implement a "Decentralized Wastewater Treatment Demonstration Project. (July 2010). FCAA/EPA/FDOH/Monroe County held kickoff meeting September 23, 2010. Management plan outline, final deliverable, due 90 days after kickoff meeting.
Cudjoe Regional WW Treatment Facility	Final Design	\$1,386,354	98%	90% design plans received and returned early April for further QAC work. 90% QAC plans received and distributed May 2010 for a first internal review meeting on June 4, 2010. 2nd and 3rd internal review meetings held July 16th and 30th respectively. 90% design final summit meeting held with consultants August 24th and 25th 2010. Final specification comment conference call held September 30, 2010. Final plans received awaiting final review. RFI #1 rec. from DEP on off-site utilities.

# BOARD OF DIRECTORS, FLORIDA KEYS AQUEDUCT AUTHORITY

## AGENDA ITEM SUMMARY

AGENDA ITEM # DOG-02 TAB #4 CONSENT: X REGULAR:

Meeting Date: January 27, 2011

Department: Engineering

AGENDA TITLE: No objection to the abandonment of the southeast 220 feet of the existing 25 foot utility easement along the south side of Tract IM, Book 509, Page 1047 of Pine Key Acres.

ITEM BACKGROUND: Request to remove easement over residential property for improved site plan to accommodate owner's site plans.

PREVIOUS RELEVANT ACTION BY FCAA BOARD OF DIRECTORS: None

STAFF RECOMMENDATION (MOTION): To have no objection to the abandonment of the southeast 220 feet of the existing 25 foot utility easement along the south side of Tract IM, Book 509, Page 1047 of Pine Key Acres.

SUPPLEMENTAL INFORMATION: See Attached Request.

DOCUMENTATION:	Included:	To-Follow:	Not Required:
COST FCAA:	\$ _____	BUDGETED: Yes	No
COST/OTHERS:	\$ _____		
COST TOTAL:	\$ _____		
DEPARTMENT DIRECTOR APPROVAL: <u>[Signature]</u>			
Reviewed by:	Internal Auditor: <u>[Signature]</u>	General Counsel: <u>[Signature]</u>	Executive Director: <u>[Signature]</u>

### BOARD ACTION:

Approved:  Tabled:  Disapproved:  Recommendation Revised:

Comments: \_\_\_\_\_

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

Recording Clerk: \_\_\_\_\_

Board Item

January 27, 2011

No Objection to the abandonment of a portion of the existing utility easement which is 25' by 220' along the south side of Tract IM shown on the plat recorded in Book 509 Page 1047 of Pine Key Acres of the Public records of Monroe County. The FKAA agrees to abandon the Southeast portion of the existing easement, 25' by 100' leaving the southwest portion (25' by 120') of the easement available for FKAA future wastewater project.

Applicant: Rick Williams  
30051 Driftwood Lane  
Big Pine Key, Florida 33043

JAN, 13 2011

UTILITY COMPANY

REF: PINE ACRES TRACT IM

BOARD MEMEBERS/ ENGINEERING DEPT/MARNIE WALTERSON

AS OWNER OF TRACT IM OF PINE KEY ACRES I WOULD LIKE TO SUBMIT A PROPOSAL TO VACATE A PARTIAL PORTION OF AN EASEMENT THAT RUNS ALONG THE EAST SIDE OF MY PROPERTY AND THE SOUTH SIDE OF MY PROPERTY.

THE EASEMENT IS A 25 FT UTILITY EASEMENT THAT RUNS 200 FT ON THE BACK (EAST SIDE ) AND 220 ON THE SOUTH SIDE ON THE PLAT RECORD BOOK 509 PG 1047 OF PINE KEY ACRES ,,PUBLIC RECORDS OF MONROE COUNTY. AND THE PLAT BOOK 1 PAGE 89 PALM VILLAS ESTATES.

THE ADJACENT PROPERTIES ARE OWNED BY THE STATE OF FLORIDA LAND TRUST AND ARE IN AN ENVIRONMETALLY PROTECTED AREA.

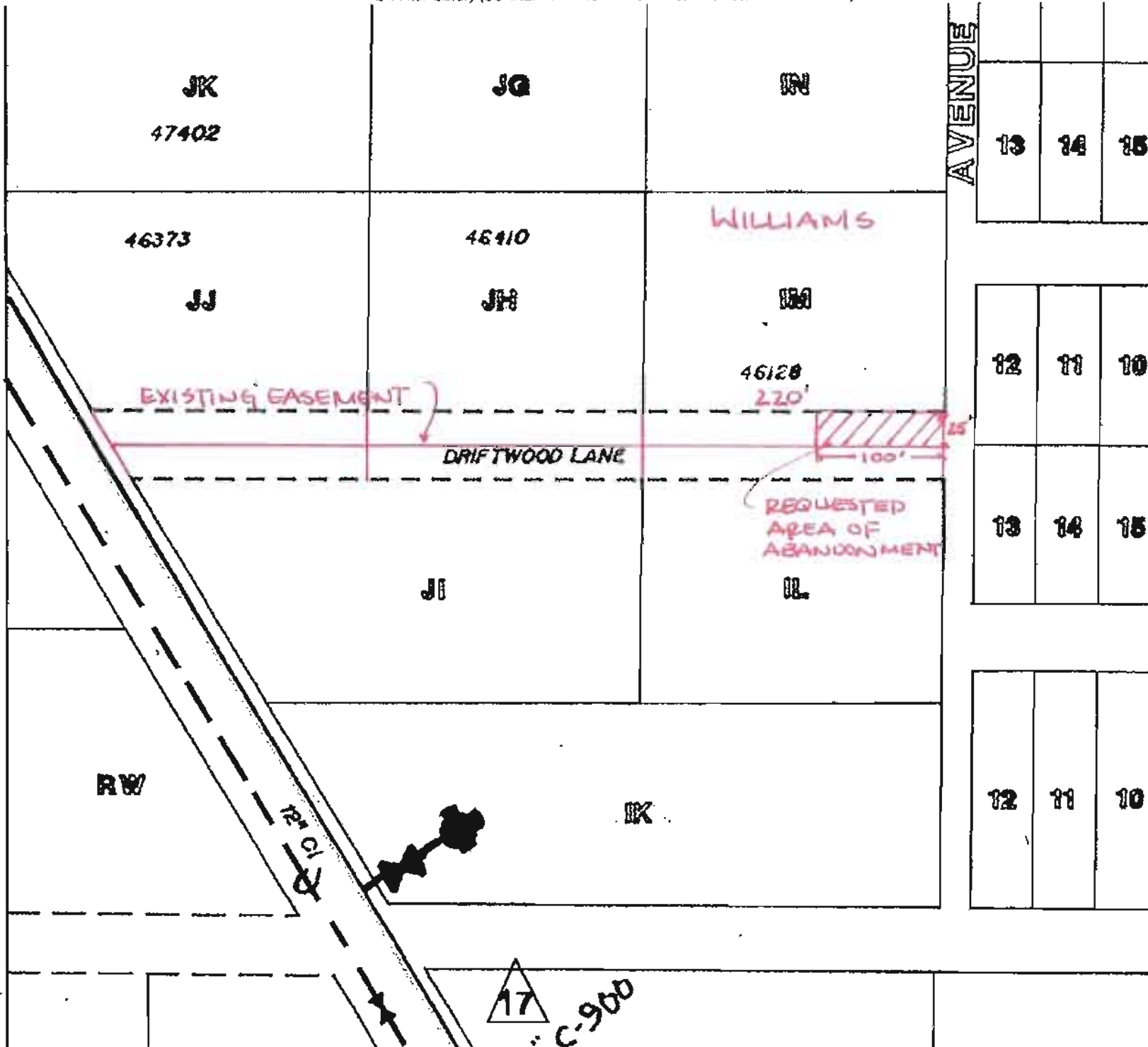
I REQUEST A 100 FOOT ABANDONMENT OF THE EASEMENT FROM THE SOUTHEAST CORNER TO RUN SOUTH WEST AND NORTHEAST FROM THE CORNER AT THE BACK OF MY LOT. THERE ARE NO HOUSES BEHIND OR ON EITHER SIDE OF ME. YOU WILL HAVE 125 FT OF THE EASEMENT RUNNING FROM MY DRIVE WAY BACK DOWN TO THE SOUTHEAST CORNER OF MY PROPERTY FOR THE SEWER PROJECT. I REALIZE THAT MY DRIVE WAY IS ON THE EASEMENT AND IF THE SEWER PROJECT GOES THROUGH YOU WILL NEED ABOUT 5 FT OF THIS EASEMENT TO RUN YOUR PIPES TOO. I WOULD THEN RUN MY SEWER PIPES STRAIGHT OUT FROM THE HOUSE .

IF ANY MORE DOCUMENTATION IS NEEDED PLEASE CONTACT ME

THANK YOU

RICK WILLIAMS





**MEMORANDUM**

**To:** Board of Directors

**From:** James C. Reynolds, PE, Executive Director

**Date:** January 19, 2011

**Subject:** Executive Directors Report – Board of Directors Meeting  
January 27, 2011

Below is an outline of issues that I'll be discussing in my Executive Director's report:

**1. Monroe County BOCC Meeting**

The BOCC will be discussing the Cudjoe Regional Wastewater System at 10:00 am, January 19<sup>th</sup> considering different options on how to proceed or not proceed with the project given the lack of funding available.

**2. Islamorada RFQ**

A discussion on the status of the FKAA's proposed response to the Advertised Request for Qualifications issued by the Village of Islamorada for a Design/Build/Operate/Finance firm for the overall Village wastewater system.

**3. Water Quality Testing**

An update on FKAA staff providing site specific water quality testing at customer's homes or places of business to reassure them of the quality of FKAA water.

**4. Water Shortage Update**

Water demand is up and supply is down. Staff has been operating the Floridan Aquifer Desalination Facility to ensure we stay within our permitted limit of 17 mgd during the dry season.

# BOARD OF DIRECTORS, FLORIDA KEYS AQUEDUCT AUTHORITY

## AGENDA ITEM SUMMARY

AGENDA ITEM # OOC- 01

CONSENT:

REGULAR: **XXX**

Meeting Date: January 27, 2011

Department: OFFICE OF COUNSEL

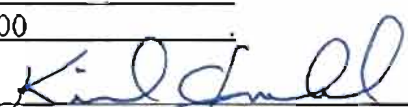


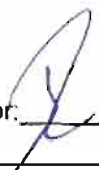
**AGENDA TITLE:** Consideration to Approve Contract to Retain Robert N. Sechen to provide Governmental Relations Consulting Services for the FKAA February 1, 2011 to January 31, 2012, at an annual rate of \$36,000.00.

**ITEM BACKGROUND:** The FKAA contracts with Allison DeFoor to provide Governmental Relations Consulting Services (\$36,000.00) associated with the Executive Branch and State and local agencies. The Board currently has a contract with Mr. Sechen to provide similar services with the Legislative Branch. Mr. Sechen's current contract expires on January 31, 2011. Mr. Sechen provides the FKAA with Governmental Relations Consulting Services to monitor all bills and hearings in the Legislature regarding water resources, wastewater and wastewater reuse.

**PREVIOUS RELEVANT ACTION BY FKAA BOARD OF DIRECTORS:** 1/21/10: The Board retained Robert N. Sechen for a fourth year to provide Governmental Relations Consulting Services at an annual retainer of \$36,000.00.

**STAFF RECOMMENDATION (MOTION):** Staff recommends approval of Retainer Agreement with Robert N. Sechen to provide Governmental Relations Consulting Services for the FKAA in Tallahassee, Florida, February 1, 2011 to January 31, 2012, at an annual retainer of \$36,000.00.

**SUPPLEMENTAL INFORMATION:** Attached hereto is the proposed Governmental Relations Retainer Agreement.

<b>DOCUMENTATION:</b>	Included: <input checked="" type="checkbox"/> XX	To-Follow:	Not Required: <input type="checkbox"/>
<b>COST FKAA:</b>	\$ <u>36,000.00</u>	<b>BUDGETED:</b>	Yes <input type="checkbox"/> No
<b>COST/OTHERS:</b>	\$ _____		
<b>COST TOTAL:</b>	\$ <u>36,000.00</u>		
<b>DEPARTMENT DIRECTOR APPROVAL:</b>			
<b>Reviewed by:</b>	Director Ex. Office: _____	Internal Auditor: 	General Counsel: 
			Executive Director: 

**BOARD ACTION:**

Approved:

Tabled:

Disapproved:

Recommendation Revised:

Comments: \_\_\_\_\_

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

Recording Clerk: \_\_\_\_\_

## **GOVERNMENTAL RELATIONS RETAINER AGREEMENT**

This Governmental Relations Retainer Agreement is entered into between the Florida Keys Aqueduct Authority (the "Authority") and Robert N. Sechen, Esq. ("Consultant") as of February 1, 2011.

**WHEREAS**, the Authority desires to be more effective in communicating with the Legislative Branch of government in Florida ("Governmental Relations"); and

**WHEREAS**, the Authority believes it is very important to obtain assistance with Governmental Relations expertise to work with Authority officials to enhance relationships with the local legislative delegation, the Governor's office, and other local and state government entities and agencies.

**NOW, THEREFORE**, in consideration of the terms and conditions contained herein, the parties agree as follows:

### **SECTION 1. GOVERNMENTAL RELATIONS PROFESSIONAL SERVICES**

(A) Consultant will provide Governmental Relations professional services to the Authority and represent the Authority on matters before the Legislative Branch of government in Florida. All such services will include consultation with the Authority through its Executive Director, General Counsel, and, as required from time to time, by presentation directly to the Board of Directors.

(B) All Governmental Relations work shall be carried out in accordance with general policies and goals set by the Authority which include working with governmental representatives and consultants who represent the Monroe County Board of Commissioners, each of the municipalities within the Florida Keys or any other State or local governmental entity affected by or affecting the Authority, including but not limited to the administration and staff of the Department of Environmental Protection, Department of Community Affairs, and the Executive Office of the Governor.

(C) Such professional services and assistance are to be provided upon a negotiated fee basis as provided herein and shall generally include;

(1) Sharing Consultants' experience and prior exposure in Governmental Relations by filling the leadership role in communicating with other governmental entities and agencies and advancing the goals and objectives of the Authority;

(2) Monitoring legislative initiatives which may affect the Authority or its goals and policies;

(3) Lobbying and advocating before Legislative Agencies or Branches of government in Florida;

(4) Providing advice and research relating to issues important to the Authority's governmental relations and suggesting strategies for implementation of policy direction provided to the Firm by the Authority;

(5) Assisting the Authority in developing a Legislative Branch strategy and implementation plan for each Legislative Session; and

(6) Serving as a facilitator to focus Authority officials and staff on necessary policy decisions, listening to policy direction and working with the Authority to fashion an effective strategy in dealing with the Legislative Branch of Florida government.

(7) Consultant shall provide the Authority with a written quarterly report.

## **SECTION 2. COMPENSATION FOR GOVERNMENTAL RELATIONS PROFESSIONAL SERVICES**

(A) Consultant will be compensated for the professional services described herein based upon a negotiated fee of Thirty Six Thousand and No/100 Dollars (\$36,000.00) per year payable monthly in installments of Three Thousand and No/100 Dollars (\$3,000.00) on or before the 15<sup>th</sup> of each month.

(B) Governmental Relations professional services will be provided by Robert N. Sechen.

(C) In addition to any negotiated fees for services to be provided hereunder, Consultant shall be entitled to receive reimbursement for actual costs incurred, such as long distance telephone charges, travel expenses and overnight delivery charges. Any travel expenses will be reimbursed in accordance with the Florida Keys Aqueduct Authority Travel and Business Expense Reimbursement Policy. Consultant shall submit an invoice for such expenses actually incurred in providing Governmental Relations professional services periodically, but not more often than monthly.

## **3. TERM; TERMINATION**

(A) This Agreement shall commence on February 1, 2011, and terminate on January 31, 2012.

(B) This Agreement shall be terminated with or without cause by the Authority, through its Executive Director, or by Consultant at any time upon thirty (30) days written notice. In the event of termination, Consultant shall be compensated for all representation requested prior to the Notice of Termination provided, however, the Authority may terminate this Agreement for breach by Consultant with such notice as may be reasonable under the circumstances at any time.

In the event of termination, with or without cause, Consultant shall be compensated pro-rata for the provision of services provided hereunder through the date of termination.

(C) This Agreement may be executed in multiple counterparts.

(D) This Agreement shall be governed by and construed in accordance with the laws of the State of Florida.

**IN WITNESS WHEREOF**, the Florida Keys Aqueduct Authority and Consultant have caused this Governmental Relations and Professional Services Agreement to be executed on this 27<sup>th</sup> day of January, 2011.

**FLORIDA KEYS AQUEDUCT AUTHORITY**

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

**ROBERT N. SECHEN**

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

(SEAL)

Attest:

\_\_\_\_\_  
Elvira Sawyer, Clerk of Record

# BOARD OF DIRECTORS, FLORIDA KEYS AQUEDUCT AUTHORITY

## AGENDA ITEM SUMMARY

AGENDA ITEM # 00C-02

CONSENT: REGULAR: XXX

MEETING DATE: January 27, 2011

DEPARTMENT: OFFICE OF COUNSEL


**AGENDA TITLE:** Consideration to Approve a Letter of Understanding between the FKAA and Caribe Nautical Services, Inc. providing for water services to cruise ships docked at the Mole Pier at a rate of Fifteen Dollars (\$15.00) per thousand gallons.

**ITEM BACKGROUND:** The FKAA has a contractual arrangement with the Navy to operate all water services on the Navy base. The City of Key West has requested that potable water be supplied to cruise ships docking at the Mole Pier, where the City currently has a license from the Navy to dock ships and supply them with water service at the rate of \$15.00 per thousand gallons.

**PREVIOUS RELEVANT ACTION BY FKAA BOARD OF DIRECTORS: 5/24/2007:** Board approved a Contract between the FKAA and the Department of the Navy wherein the FKAA agrees to provide water utility services for NAS Key West.

**STAFF RECOMMENDATION (MOTION):** The Board of Directors Approve a Letter of Understanding between the FKAA and Caribe Nautical Services, Inc. providing for water services to cruise ships docked at the Mole Pier at a rate of Fifteen Dollars (\$15.00) per thousand gallons, which is the same rate currently being charged by the City of Key West.

**SUPPLEMENTAL INFORMATION:** Letter of Understanding attached.

<b>DOCUMENTATION:</b>	Included: <b>XX</b>	To-Follow: <input type="checkbox"/>	Not Required: <input type="checkbox"/>
<b>COST FKAA:</b>	\$ _____	<b>BUDGETED:</b>	Yes <input type="checkbox"/> No
<b>COST/OTHERS:</b>	\$ _____		
<b>COST TOTAL:</b>	\$ _____		
<b>DEPARTMENT DIRECTOR APPROVAL:</b>			
Internal Auditor:		General Counsel:	
		Executive Director:	

**BOARD ACTION:**

Approved:  Tabled:  Disapproved:  Recommendation Revised:

Comments: \_\_\_\_\_

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

Recording Clerk: \_\_\_\_\_

**LETTER OF UNDERSTANDING  
BETWEEN  
THE FLORIDA KEYS AQUEDUCT AUTHORITY  
AND  
CARIBE NAUTICAL SERVICES, INC.**

**THIS LETTER OF UNDERSTANDING** is between the Florida Keys Aqueduct Authority (AUTHORITY) and Caribe Nautical Services, Inc. (CARIBE).

The AUTHORITY has a contractual agreement with the Navy to provide potable water services on the Navy property. CARIBE is the agent for cruise ships which dock in Key West and which from time to time request to be supplied with potable water.

On December 22, 2010 a Cruise Ship Service Meeting was held to discuss the provision of potable water to cruise ships that docked at the Mole Pier pursuant to the current license from the Navy to the City of Key West. This license allows for supplying cruise ships with water service. A copy of the Minutes from that meeting is attached hereto and marked as **Exhibit A**.

Pursuant to the agreements reached at the Cruise Ship Service Meeting and at the request of the City of Key West, the AUTHORITY will provide water to CARIBE for the cruise ships docking at the Mole Pier under the following terms and conditions:

1. The City of Key West has an Event Lease with the Navy for the use of the Mole Pier.
2. CARIBE shall be the customer of the AUTHORITY and shall be billed and responsible for paying all fees and charges for the provision of water to cruise ships docked at the Mole Pier.
3. The AUTHORITY shall provide water service to CARIBE under the City of Key West lease through the Navy water line located on Mole Pier.
4. CARIBE, as a customer of the AUTHORITY, shall comply with and be subject to all of the provisions of the AUTHORITY's Rules and Regulations.
5. CARIBE shall pay the existing Weston Pier B and City cruise ship water rate at Mallory Square of Fifteen Dollars (\$15.00) per thousand gallons of water to the AUTHORITY. Rates are subject to change with reasonable notice.
6. CARIBE shall provide reasonable notice to the AUTHORITY when water services are required.
7. CARIBE is hereby advised that the disinfectant residual in the water supplied to CARIBE is comprised of chloramines. Further information on water quality is available upon request.
8. The AUTHORITY shall have the right, at all times, to refuse to provide a supply of water to CARIBE on the basis of a use detrimental to the system, inadequate supply of water, Navy mission requirements, lack of payment of required fees or charges, failure to

comply with AUTHORITY Rules and Regulations or for any other reason as determined by the Executive Director of the AUTHORITY.

The parties have caused this Letter of Understanding to be executed on their behalf by the undersigned representative.

**FKAA Board Approved:** \_\_\_\_\_

**FLORIDA KEYS  
AQUEDUCT AUTHORITY**

**CARIBE NAUTICAL SERVICES, INC.**

BY: \_\_\_\_\_  
James C. Reynolds, Executive Director

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

EXHIBIT A

**Cruise Ship Water Service Meeting**

**22 December 2010**

**Minutes**

**Location:** FKAA, Kennedy Drive

**Time:** 1100 - 1205

**Attendees:**

Jim Reynolds, Executive Director FKAA  
Roy Coley, Director of Operations FKAA  
Kerry Shelby, Deputy Executive Director FKAA  
Kirk Zuelch, Legal Counsel FKAA

Jim Fitton, City of Key West Port Director

Ron Demes, Executive Director/Business Manager, Naval Air Station Key West  
BMCM Richard James, Port Operations, Naval Air Station Key West

LCDR Pat Meagher, Naval Facilities Engineering Command SE, PWD NASKW  
Roland Flowers, Naval Facilities Engineering Command SE, PWD NASKW

Greta Philips-Ford, Caribe Nautical

**Agenda:**

**1. Introductions**

- Everyone introduced themselves. City Manager and NASKW port Operations Officer had planned to attend but were out of town for the meeting due to the shift in meeting date.
- Purpose of the meeting was discussed- To execute the most efficient way to meet the defined requirement and ensure effective operations.

**2. Cruise ship license provisions for water service**

- Current License from the Navy to the City allows for supplying the ships with water service.
- To date, only emergency requests have been granted.

**3. Current situation with ships requiring/requesting water**

- Only emergency requests are granted.
- Process is extremely inefficient, involves too many steps and takes too many people to execute.
- NASKW Public Works Department (PWD) flushes lines and is present to support FCAA issuance of water to the ships
- FCAA issues water through Navy line, bills Caribe Nautical and deducts water issued from Navy usage (realized at Navy influent meter)
- A standing demand for water exists for visiting cruise ships.
- Nine ships have already requested water for January 2011

#### 4. City desires for cruise ship support

- City desires to meet all cruise ship water requests for Mole Pier.

#### 5. Regulatory requirements

- Navy does not desire to be in the water utility business and has to meet regulatory requirements for doing such.

#### 6. Options for service

- **Navy:** Navy PWD supplies water to the ships and bill City or Caribe Nautical. Least desired solutions for reasons stated on paragraph 5 and lack of manpower to support the increased demand.
- **FCAA: (Approved Option)**
  - FCAA provide water service to the ships and bill husbanding agent (Caribe Nautical) appropriately.
  - Husbanding agent will coordinate with FCAA for meeting ship service requirements and keep NASKW Port Operations apprised of services required and rendered.
  - NASKW Port Operations will be given opportunity to read meters before and after water service for internal Navy Q/A.
  - NASKW PWD will not be involved in supplying water to ships but will continue to maintain the Navy owned infrastructure.
  - FCAA issues water through Navy line and deducts water issued to ship from Navy usage (realized at Navy influent meter) (Navy meter serves as deduct meter)
- **Combination or other**
  - Navy (NASKW PWD) flushes lines prior to supplying water to ships and remains on hand to oversee operation including securing the system.
  - FCAA actually responsible for supplying the water, billing husbanding agent.

#### 7. Actions required to implement the preferred alternative

- **Written Standard Operating Procedure**

--Use provisions of paragraph 6 "Preferred Option" as the basis of the SOP and modify as experience dictates and agreed upon by City, Navy and FKAA.

- **MOA/Contract Mods**

--Clarify this agreement within the existing cruise ship lease as appropriate at the next renewal cycle.

- **Other**

--FKAA to review the water billing rate and establish a new rate if it exceeds the current "City" rate to ships of \$15 per 1000 gallons.

--City to ensure consistent rate at all three cruise ship berths.

--FKAA personnel shall obtain Transportation Worker Identification Credential (TWIC) cards for accessing the pier during ship visits.

**8. Time line**

- FKAA to get approval as soon as 23 December 2010 for implementing proposed SOP.

Planned implementation date of SOP is 1 January 2011

# Cruise Ship Water Service Meeting

22 December 2010

## Attendees/Points of Contact

Name	Agency	Phone Number	Email Address
Jim Reynolds	FKAA	305.295.2203	jreynolds@fkaa.com
Roy Coley	FKAA	305.797.8207	rcoley@fkaa.com
Kerry Shelby	FKAA	305.797.6933	kshelby@fkaa.com
Kirk Zuelch	FKAA	305.295.2204	kzuelch@fkaa.com
Jim Fitton	City	305.809.3795	jfitton@keywestcity.com
Ron Demes	NASKW	305.293.2488	ron.demes@navy.mil
Richard James	NASKW	305.797.4445	richard.c.james@navy.mil
Pat Meagher	NAVFACSE	305.293.2304	patrick.meagher@navy.mil
Roland Flowers	NAVFACSE	305.293.2873	roland.flowers@navy.mil
Greta Philips-Ford	Caribe Nautical	305.797.0284	kwestships@aol.com

Other Contacts who were not able to attend as planned:

Jim Scholl	City	305.809.3885	jscholl@kwestcity.com
John Fairweather	NASKW	305.797.1214	john.fairweather@navy.mil

# BOARD OF DIRECTORS, FLORIDA KEYS AQUEDUCT AUTHORITY

## AGENDA ITEM SUMMARY

AGENDA ITEM # DOA-01

CONSENT:  REGULAR:

Meeting Date: January 27, 2011

Department: Administration

**Summary of financial information-October 2010 through December 2010**

**ITEM BACKGROUND:**



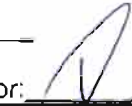
**Financial highlights**

Percentage of fiscal year elapsed	25.00%
Percentage of budgeted revenue earned	22.20%
Percentage of operating budget expended	19.40%
Budget amendments year to date	1
Budget line item transfers year to date	2
Operating revenue increase (decrease) year over year	2.50%
Operating expense (less depreciation) increase (decrease) }	0.60%

**PREVIOUS RELEVANT ACTION BY FCAA BOARD OF DIRECTORS:**

**STAFF RECOMMENDATION (MOTION):** Informational only

**SUPPLEMENTAL INFORMATION:** Attached

<b>DOCUMENTATION:</b>	Included: <input checked="" type="checkbox"/>	To-Follow: <input type="checkbox"/>	Not Required: <input type="checkbox"/>
<b>COST FCAA:</b> \$ _____	<b>BUDGETED:</b>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>COST/OTHERS:</b> \$ _____			
<b>COST TOTAL:</b> \$ _____			
<b>DEPARTMENT DIRECTOR APPROVAL:</b> _____			
<b>Reviewed by:</b> Internal Auditor: 	General Counsel: 	Executive Director: 	

**BOARD ACTION:**

Approved:  Tabled:  Disapproved:  Recommendation Revised:

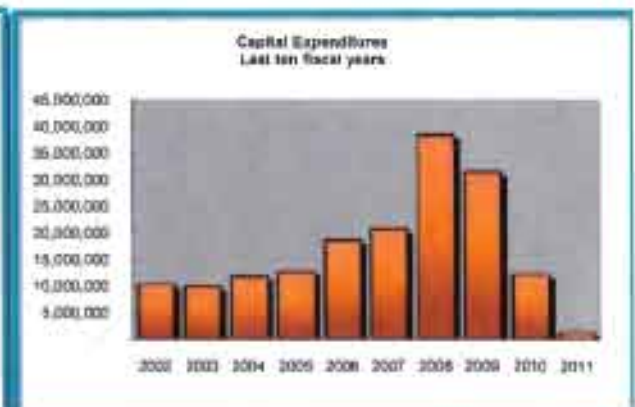
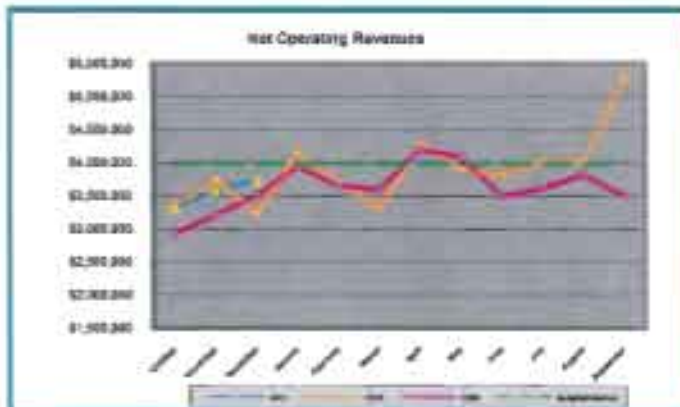
Comments: \_\_\_\_\_

Date: \_\_\_\_\_ Recording Clerk: \_\_\_\_\_

**FINANCIAL ANALYSIS**  
December 31, 2010

<b>Balance sheet summary</b>			
	<b>Current month-end</b>	Increase (decrease) from last month	Increase (decrease) from last year-end
Cash, cash equivalents and investments	\$ 41,925,572	3.1%	-20.4%
Capital assets, net of depreciation	277,829,516	0.0%	-0.8%
Other assets	31,457,171	1.0%	-2.3%
<b>Total assets</b>	<b>351,212,259</b>	<b>0.4%</b>	<b>-0.8%</b>
Long-term debt (including current portion)	161,614,841	0.0%	-0.3%
Other liabilities	16,731,696	10.6%	-11.2%
<b>Total liabilities</b>	<b>178,346,537</b>	<b>0.7%</b>	<b>-1.2%</b>
<b>Net assets</b>	<b>\$ 172,865,722</b>	<b>0.2%</b>	<b>-0.4%</b>

<b>Revenue and expense summary</b>				
	<b>Month-to-date</b>	Increase (decrease) from same month last year	<b>Year-to-date</b>	Increase (decrease) from year-to-date last year
Net operating revenues	\$ 3,715,329	14.9%	\$ 10,563,445	2.5%
Interest income	39,558	-5.3%	86,996	-32.8%
Other income	169,540	200.1%	187,934	263.2%
<b>Total income</b>	<b>3,924,437</b>	<b>8.6%</b>	<b>10,838,375</b>	<b>1.6%</b>
Operating expenses (less depreciation)	2,417,364	-33.5%	7,137,018	0.6%
Depreciation	1,165,830	2.9%	3,494,178	22.3%
Interest expense	465,311	24.5%	1,342,310	19.2%
Other expenses	3,936	-18%	11,809	-51.3%
<b>Total expenses</b>	<b>4,052,441</b>	<b>-19.2%</b>	<b>11,985,315</b>	<b>8.6%</b>
<b>Excess of revenues over expenses</b>	<b>(128,004)</b>		<b>(1,146,940)</b>	
System development fees and other contributions	227,826	104.4%	439,294	-5.9%
<b>Change in net assets</b>	<b>\$ 99,822</b>		<b>\$ (707,646)</b>	



<b>Financial indicators</b>			
	<b>Current month-end</b>	Last month-end	Last year-end
Unrestricted net assets	\$ 33,067,043	\$ 28,530,410	\$ 26,774,370
Current cash and investments to current liabilities	1.2	1.3	1.8
# months operating expenses in cash and investments	4.3	3.4	5.0
Working capital (current assets less current liabilities) to total assets	0.1	0.1	0.1
Net assets to total assets	0.8	0.5	0.5
Average rate of return on investment (year to date)	0.75%	0.77%	1.44%
% of total annual budgeted revenue earned (year to date)	22.2%	14.4%	92.9%
% of total annual budget expended (year to date)	19.4%	12.9%	87.8%
Total capital expenditures (year to date)	\$ 1,318,904	\$ 301,068	\$ 31,538,115
Total capital improvement commitments	\$ 4,438,563	\$ 3,383,874	\$ 4,603,612

**BALANCE SHEET**  
December 31, 2010

**ASSETS****Current assets**

## Unrestricted current assets

Cash and cash equivalents	\$ 10,340,158
Investments	11,000,000
Interest receivable	12,958
Accounts receivable - customers	3,288,130
Accounts receivable - Navy	243,688
Accounts receivable - other	1,696,961
Current portion of assessments receivable	139,907
Material and supplies	1,659,049
Prepaid expenses and other current assets	601,007
<b>Total unrestricted current assets</b>	<b><u>28,981,858</u></b>

**Restricted current assets**

Cash and cash equivalents	10,568,829
Investments	3,935,240
Grant funds and other receivables	-
Construction advances	106,956
<b>Total restricted current assets</b>	<b><u>14,611,025</u></b>

**Total current assets** **43,592,683**

**Noncurrent assets****Restricted noncurrent assets**

Cash and cash equivalents	5,974,389
Investments	-
<b>Total restricted noncurrent assets</b>	<b><u>5,974,389</u></b>

**Capital assets**

Capital assets in service	429,639,142
Construction in progress	10,058,442
Less accumulated depreciation	<u>(161,868,068)</u>

**Capital assets, net of accumulated depreciation** **277,829,516**

Derivative instrument constant maturity interest rate	5,322,497
Deferred outflow of resources	11,729,018
Bond issue costs, net	2,889,431
Assessments receivable, net of current portion	<u>3,874,525</u>
<b>Total noncurrent assets</b>	<b><u>307,619,376</u></b>

**Total assets** **\$ 351,212,259**

**LIABILITIES AND EQUITY****Current liabilities****Current liabilities payable from unrestricted assets**

Accounts payable	\$ 281,913
Accounts payable capital	-
Other liabilities	1,558,013
Accrued other post-employment benefits	164,216
Accrued wages and benefits	1,076,734
Compensated absences	<u>2,040,961</u>
<b>Total current liabilities payable from unrestricted assets</b>	<b><u>5,121,837</u></b>

**Current liabilities payable from restricted assets**

Deferred deposits	-
Customer deposits	5,974,389
Interest payable	1,326,198
Deferred receipts	851,393
Current portion of credit due to US government	601,436
Current portion of bonds payable	<u>2,856,443</u>
<b>Total current liabilities payable from restricted assets</b>	<b><u>11,609,859</u></b>

**Total current liabilities** **16,731,696**

**Long-term liabilities**

Credit due to US government	15,877,218
Less current portion	(601,436)
Bonds payable, net of discount	137,466,484
Less current portion	(2,856,443)
Derivative instrument synthetic fixed interest rate	<u>11,729,018</u>
<b>Total long-term liabilities</b>	<b><u>161,614,841</u></b>
<b>Total liabilities</b>	<b><u>178,346,537</u></b>

**Net assets**

Invested in capital assets, net of related debt	127,375,245
<b>Restricted:</b>	
Debt service	4,672,447
Capital projects	7,760,967
Other purposes	-
Unrestricted	<u>33,057,043</u>
<b>Total net assets</b>	<b><u>172,865,722</u></b>

**Total liabilities and equity** **\$ 351,212,259**

**STATEMENTS OF REVENUES, EXPENSES AND CHANGES IN NET ASSETS**  
For the three months ended December 31, 2010

	Month-to-date			Year-to-date		
	This year	Last year	Increase (decrease)	This year	Last year	Increase (decrease)
<b>Operating revenues</b>						
Metered revenue:						
Residential	\$ 2,102,426	\$ 1,894,457	\$ 207,969	\$ 5,415,169	\$ 6,075,132	\$ (659,963)
Commercial	1,205,219	1,102,492	102,727	3,919,707	3,403,007	516,700
U. S. Navy	120,454	57,213	63,241	260,447	189,950	70,497
Other governmental	4,033	1,973	2,060	16,021	8,858	7,163
Senior citizens	25,405	20,328	5,077	83,653	65,853	17,800
<b>Total metered revenue</b>	<b>3,457,537</b>	<b>3,076,463</b>	<b>381,074</b>	<b>9,694,997</b>	<b>9,742,800</b>	<b>(47,803)</b>
Other operating revenue	300,691	223,012	77,679	972,162	688,781	283,381
<b>Total operating revenues</b>	<b>3,758,228</b>	<b>3,299,475</b>	<b>458,753</b>	<b>10,667,159</b>	<b>10,431,581</b>	<b>235,578</b>
Less: abatements	(42,899)	(65,221)	22,322	(103,714)	(124,888)	21,174
<b>Net operating revenues</b>	<b>3,715,329</b>	<b>3,234,254</b>	<b>481,075</b>	<b>10,563,445</b>	<b>10,306,693</b>	<b>256,752</b>
<b>Operating expenses</b>						
Source of supply	45,702	46,588	(485,847)	122,847	135,451	(12,604)
Water treatment	237,437	216,869	20,568	686,016	591,714	94,302
Transmission	419,678	691,877	(272,199)	1,070,234	1,334,207	(263,973)
Distribution	416,857	658,558	(241,701)	1,523,990	1,626,542	(102,552)
Customer accounts	335,388	347,983	(12,595)	880,887	886,242	(5,355)
General and administration	835,717	818,460	17,257	2,507,629	2,202,273	305,356
Wastewater treatment	50,662	39,352	11,310	133,888	109,022	24,866
Wastewater collection	75,923	84,410	(8,487)	211,527	208,902	2,625
Depreciation	1,165,830	1,133,261	32,569	3,494,178	2,856,573	637,605
<b>Total operating expenses</b>	<b>3,583,194</b>	<b>4,037,358</b>	<b>(939,125)</b>	<b>10,631,196</b>	<b>9,950,926</b>	<b>680,270</b>
<b>Utility operating income</b>	<b>132,135</b>	<b>(803,104)</b>	<b>1,420,200</b>	<b>(67,751)</b>	<b>355,767</b>	<b>(423,518)</b>
<b>Non-operating revenues (expenses)</b>						
Interest income	39,568	41,765	(2,197)	86,996	129,459	(42,463)
Other income	169,540	2,610	166,930	183,672	47,935	135,737
Grants from federal and state agencies	-	-	-	-	-	-
Gain (loss) on disposal of assets and inventory	-	(787)	787	4,262	(5,038)	9,300
Interest expense	(465,311)	(373,836)	(91,475)	(1,342,310)	(1,126,533)	(215,777)
Other financing fees	-	-	-	-	(88,422)	88,422
Amortization	(3,936)	(4,010)	74	(11,809)	(10,449)	(1,360)
<b>Total non-operating revenues (expenses)</b>	<b>(260,139)</b>	<b>(334,258)</b>	<b>74,119</b>	<b>(1,079,189)</b>	<b>(1,053,048)</b>	<b>(26,141)</b>
<b>Net income before contributions</b>	<b>(128,004)</b>	<b>(1,137,362)</b>	<b>1,494,319</b>	<b>(1,146,940)</b>	<b>(697,281)</b>	<b>(449,659)</b>
Capital contributions	227,826	111,461	116,365	439,294	466,677	(27,383)
<b>Change in net assets</b>	<b>99,822</b>	<b>\$ (1,025,901)</b>	<b>\$ 1,610,684</b>	<b>(707,646)</b>	<b>\$ (230,604)</b>	<b>\$ (477,042)</b>
Net assets, beginning of period	172,765,900			173,573,368		
<b>Net assets, end of period</b>	<b>\$ 172,865,722</b>			<b>\$ 172,865,722</b>		

**SCHEDULE OF OPERATING EXPENSES**  
For the three months ended December 31, 2010

	Month-to-date			Year-to-date		
	This year	Last year	Increase (decrease)	This year	Last year	Increase (decrease)
Salaries	\$ 1,125,593	\$ 1,424,340	\$ (298,747)	\$ 3,500,886	\$ 3,494,012	\$ 6,874
Salaries (capitalized)	-	-	-	-	-	-
Overtime	105,332	47,865	57,467	105,332	109,587	(4,255)
Overtime (capitalized)	-	-	-	-	-	-
Retirement	141,303	142,271	(968)	420,844	400,697	20,147
Payroll taxes	90,795	105,044	(14,248)	266,411	262,860	3,552
Employee health insurance	54,480	176	54,304	353,679	152,935	200,744
Other benefits	5,061	5,009	53	9,824	8,392	1,432
Purchased power	242,469	299,146	(56,676)	593,348	673,307	(79,959)
Fuel for power production	9,088	9,512	(424)	20,370	19,471	899
Chemicals	107,270	98,169	9,101	295,026	276,895	18,131
Materials and supplies	79,183	269,483	(190,300)	247,931	395,502	(147,571)
Materials and supplies-construction	(6,399)	79,070	(85,469)	148,426	99,250	49,176
Contractual services-engineering	7,517	10,166	(2,650)	14,082	16,946	(2,864)
Contractual services-accounting	-	31,561	(31,561)	21,891	38,376	(16,485)
Contractual services-legal	-	10,809	(10,809)	161	25,698	(25,537)
Contractual services-other	124,148	71,286	52,862	210,964	207,776	3,188
Contractual services-outsource	45,864	43,825	2,040	45,864	56,864	(10,999)
Sludge removal	5,178	4,652	526	10,863	14,567	(3,704)
Rental of real property	2,945	1,292	1,654	5,493	3,874	1,619
Rental of equipment	3,183	4,696	(1,512)	11,985	12,478	(493)
Transportation	28,294	36,742	(8,448)	96,742	111,255	(14,513)
Insurance-vehicle	6,378	-	6,378	19,135	15,922	3,213
Vehicle repairs (net of insurance reimbursements)	634	(6,391)	7,025	634	(5,049)	5,682
Insurance-general liabilities	6,452	-	6,452	19,355	16,645	2,709
General liability claims (net of insurance reimbursements)	405	-	405	405	2,560	(2,155)
Insurance-workers' compensation	14,146	18,468	(4,322)	42,437	55,403	(12,966)
Workers compensation (net of insurance reimbursements)	-	-	-	-	-	-
Insurance-other	75,778	73,185	2,593	228,200	222,732	5,468
Other claims and damages	-	-	-	-	-	-
Advertising	2,687	755	1,932	3,624	1,111	2,513
Bad debt expense	5,850	2,837	3,013	17,550	8,510	9,040
Office supplies	8,521	7,656	865	15,465	18,148	(2,683)
Bank charges	14,952	12,681	2,271	52,486	40,482	12,004
Cashiers over/short	-	-	-	(87)	-	(87)
Maintenance of general plant	68,828	58,137	10,691	194,298	192,383	1,915
Other utilities and technical services	32,443	22,872	9,571	107,781	50,759	57,022
Postage	1,615	(14,433)	16,048	3,546	7,226	(3,680)
Travel	12,101	4,991	7,110	17,610	17,042	568
Training	3,933	3,926	7	8,951	7,618	1,332
Miscellaneous	21,202	21,198	4	64,722	54,822	9,900
Community Relations	604	2,125	(1,520)	4,556	2,866	1,689
Water conservation and outreach	1,760	612	1,148	3,767	1,806	1,962
Misc. Freight	1,292	371	921	2,500	2,626	(126)
Less: administrative overhead (capitalized)	(33,521)	-	(33,521)	(50,036)	-	(50,036)
<b>Total operating expenses before depreciation</b>	<b>2,417,364</b>	<b>2,904,098</b>	<b>(486,734)</b>	<b>7,137,018</b>	<b>7,094,354</b>	<b>42,665</b>
Depreciation	1,165,830	1,133,261	32,570	3,494,178	2,856,573	605,035
<b>Total operating expenses</b>	<b>\$ 3,583,194</b>	<b>\$ 4,037,358</b>	<b>\$ (454,164)</b>	<b>\$ 10,631,196</b>	<b>\$ 9,950,926</b>	<b>\$ 647,700</b>

**BUDGETARY COMPARISON SCHEDULE**  
For the three months ended December 31, 2010

	Budgeted expenditures		Actual expenditures		% of budget expended	Budget remaining
	Original	Adjusted	Month-to-date	Year-to-date		
<b>Capital expenditures:</b>						
Additions to capital assets	\$ 1,282,300	\$ 1,282,300	\$ 9,082	\$ 37,835	3.0%	\$ 1,244,465
Salaries (capitalized)	918,760	918,760	43,253	72,155	7.9%	846,605
Overtime (capitalized)	0	0	607	1,569	na	(1,569)
<b>Operating expenses:</b>						
Salaries	15,535,540	15,535,540	1,125,593	3,500,886	22.5%	12,034,654
Overtime	311,000	311,000	105,332	105,332	33.9%	205,668
Retirement	1,762,100	1,762,100	141,303	420,844	23.9%	1,341,256
Payroll taxes	1,282,700	1,282,700	90,795	266,411	20.8%	1,016,289
Employee health insurance	2,510,000	2,510,000	54,480	353,679	14.1%	2,156,321
Other benefits	137,400	137,400	5,061	9,824	7.1%	127,576
Purchased power	3,529,700	3,529,700	242,469	593,348	16.8%	2,936,352
Fuel for power production	87,600	87,600	9,088	20,370	23.3%	67,230
Chemicals	1,353,700	1,353,700	107,270	295,026	21.8%	1,058,674
Materials and supplies	1,235,400	1,229,400	79,183	247,931	20.2%	981,469
Materials and supplies-construction	-	-	(6,399)	148,426	na	(148,426)
Contractual services-engineering	290,000	290,000	7,517	14,082	4.9%	275,918
Contractual services-accounting	125,000	125,000	-	21,891	17.5%	103,109
Contractual services-legal	50,000	50,000	-	161	0.3%	49,839
Contractual services-outsource	1,360,000	1,360,000	124,148	210,964	15.5%	1,149,036
Contractual services-other	398,600	398,600	45,864	45,864	11.5%	352,736
Sludge removal	183,700	183,700	5,178	10,863	5.9%	172,837
Rental of real property	28,200	28,200	2,945	5,493	19.5%	22,707
Rental of equipment	66,500	66,500	3,183	11,985	18.0%	54,515
Transportation	468,900	468,900	28,294	96,742	20.6%	372,158
Insurance-vehicles	118,200	118,200	6,378	19,135	16.2%	99,065
Vehicle repairs (net of insurance reimbursements)	-	-	634	634	na	(634)
Insurance-general liability	161,800	161,800	6,452	19,355	12.0%	142,445
General liability claims (net of insurance reimbursements)	-	-	405	405	na	(405)
Insurance-workers' compensation	232,700	232,700	14,146	42,437	18.2%	190,263
Workers compensation (net of insurance reimbursements)	-	-	-	-	na	-
Insurance-other	888,600	888,600	75,778	228,200	25.7%	660,400
Other claims and damages (net of insurance reimbursements)	-	-	-	-	na	-
Advertising	28,000	28,000	2,687	3,624	12.9%	24,376
Bad debt expense	84,000	84,000	5,850	17,550	20.9%	66,450
Office supplies	118,700	118,700	8,521	15,465	13.0%	103,235
Bank charges	200,000	200,000	14,952	52,486	26.2%	147,514
Cashiers over/short	-	-	-	(87)	na	87
Maintenance of general plant	1,689,500	1,685,500	68,828	194,298	11.5%	1,491,202
Other utilities and technical services	652,000	652,000	32,443	107,781	16.5%	544,219
Postage	38,900	38,900	1,615	3,546	9.1%	35,354
Travel	93,100	93,100	12,101	17,610	18.9%	75,490
Training	116,000	116,000	3,933	8,951	7.7%	107,049
Miscellaneous	196,000	196,000	21,202	64,722	33.0%	131,278
Community Relations	11,700	11,700	604	4,556	38.9%	7,144
Water conservation and outreach	64,500	64,500	1,760	3,767	5.8%	60,733
Misc. Freight	22,600	22,600	1,292	2,500	11.1%	20,100
<b>Total</b>	<b>\$ 37,633,400</b>	<b>\$ 37,623,400</b>	<b>2,503,827</b>	<b>7,298,614</b>	<b>19.4%</b>	<b>\$ 30,324,786</b>
Less: Capital expenditures			(52,942)	(111,559)		
Administrative overhead capitalized			(33,521)	(50,036)		
Add: Depreciation			1,165,830	3,494,178		
<b>Total actual operating expenses</b>			<b>\$ 3,583,194</b>	<b>\$ 10,631,196</b>		



**BUDGET AMENDMENTS AND TRANSFERS**  
For the year ended September 30, 2011

	Original budget	Amendments	Budget transfers	Adjusted budget
<b>Capital expenditures:</b>				
Utility plant in service	\$ 1,282,300		\$ 10,000	\$ 1,292,300
Salaries (capitalized)	918,760			918,760
Overtime (capitalized)	-		-	-
<b>Operating expenses:</b>				
Salaries	15,535,540		-	15,535,540
Overtime	311,000		-	311,000
Retirement	1,762,100		-	1,762,100
FICA	1,282,700		-	1,282,700
Insurance	2,510,000		-	2,510,000
Other	137,400		-	137,400
Purchased power	3,529,700		-	3,529,700
Fuel for power production	87,600		-	87,600
Chemicals	1,353,700		-	1,353,700
Materials and supplies	1,235,400		(6,000)	1,229,400
Contractual services - engineering	290,000		-	290,000
Contractual services - accounting	125,000		-	125,000
Contractual services - legal	50,000		-	50,000
Contractual services - outsourced ops	1,360,000		-	1,360,000
Contractual services - other	398,600		-	398,600
Sludge removal	183,700		-	183,700
Rent expense-building	28,200		-	28,200
Rent expense-equipment	66,500		-	66,500
Transportation expenses	468,900		-	468,900
Insurance - vehicle	118,200		-	118,200
Insurance - general liabilities	161,800		-	161,800
Insurance - workers' compensation	232,700		-	232,700
Insurance - other	888,600		-	888,600
Advertising	28,000		-	28,000
Bad debt expense	84,000		-	84,000
Office supplies	118,700		-	118,700
Bank charges	200,000		-	200,000
Maintenance of general plant	1,689,500	29,365	(4,000)	1,714,865
Telephone	652,000		-	652,000
Postage	38,900		-	38,900
Travel	93,100		-	93,100
Training	116,000		-	116,000
Miscellaneous other	196,000		-	196,000
Public relations	11,700		-	11,700
Water conservation and outreach	64,500		-	64,500
Miscellaneous-freight	22,600		-	22,600
	\$ 37,633,400	\$ 29,365	\$ -	\$ 37,662,765

**2010 BUDGET AMENDMENTS**  
**For the year ended September 30, 2011**

Amendment #	Date of Board Approval	Account	Description and justification	Amount
1	November 22, 2010	1-5010-67504-04	Increase budget amount for Rotary Drum Vacuum Filter	\$ 29,365
<b>Total amendments</b>				<u><u>\$ 29,365</u></u>







# BOARD OF DIRECTORS, FLORIDA KEYS AQUEDUCT AUTHORITY

## AGENDA ITEM SUMMARY

AGENDA ITEM # DOO- 01

CONSENT:

REGULAR:

Meeting Date: January 27, 2011

Department: Operations

**AGENDA TITLE:** Consideration of Approval to Award Bid #: IFB-FKAA-0008-11, Liquid Chlorine, 1-Year Contract with the option to renew for one additional year, for the J. Robert Dean Water Treatment Plant Facility, Florida City

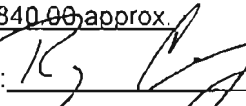



**ITEM BACKGROUND:** Bid requests were forwarded to suppliers capable of providing the Authority with Liquid Chlorine for use at the J. Robert Dean Water Treatment Plant. Staff has reviewed the bid document and qualifications of the sole bidder, Allied Universal. The following bid was opened January 13, 2011:

<u>Vendor</u>	<u>Unit Cost Per Lb.</u>	<u>Total 1-Year Contract Price</u>
Allied Universal	\$0.294	\$105,840.00

**PREVIOUS RELEVANT ACTION BY FCAA BOARD OF DIRECTORS:**

**STAFF RECOMMENDATION (MOTION):** Board of Directors award the Bid # FCAA-IFB-0008-11, to Allied Universal, for the purchase of approximately 360,000 pounds of Liquid Chlorine in one-ton cylinders, for a 1-year contract period with the option to renew for one additional year, for use at the J. Robert Dean Water Treatment Plant in Florida City, at an approximate cost of \$0.294 per pound, for an approximate total contract price of \$105,840.00, based on need.

**SUPPLEMENTAL INFORMATION:** Staff has reviewed the bid document and qualifications of the only bidder, Allied Universal, at a cost of \$0.294 per pound. The previous 2-Year contract price was \$242,928.00 with Allied Universal. (\$0.352 per pound and 720,000 lbs).

<b>DOCUMENTATION:</b>	Included: <input checked="" type="checkbox"/>	To-Follow: <input type="checkbox"/>	Not Required: <input type="checkbox"/>
<b>COST FCAA:</b>	\$ <u>105,840.00 approx.</u>	<b>BUDGETED:</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>COST/OTHERS:</b>	\$ <u>-0-</u>		
<b>COST TOTAL:</b>	\$ <u>105,840.00 approx.</u>		
<b>DEPARTMENT DIRECTOR APPROVAL:</b>			
<b>Reviewed by: Internal Auditor:</b>		<b>General Counsel:</b>	
		<b>Executive Director:</b>	

**BOARD ACTION:**

Approved:

Tabled:

Disapproved:

Recommendation Revised:

Comments: \_\_\_\_\_

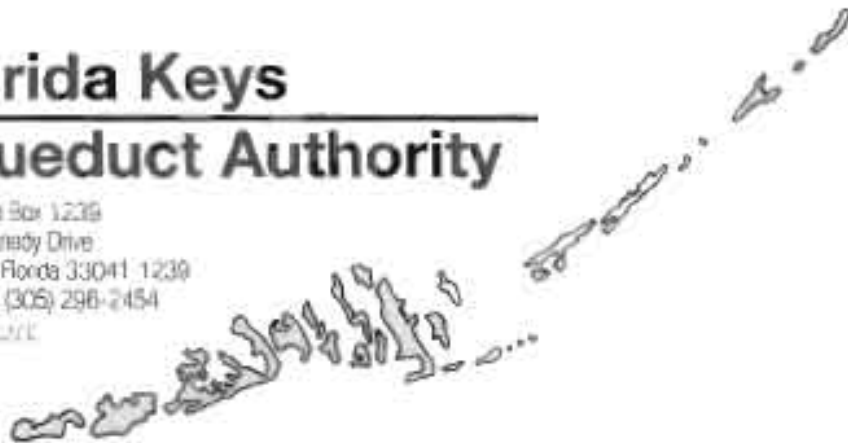
Date: \_\_\_\_\_

Recording Clerk: \_\_\_\_\_



# Florida Keys Aqueduct Authority

Post Office Box 1239  
1100 Kennedy Drive  
Key West, Florida 33041-1239  
Telephone (305) 296-2454  
www.fkaa.org



David C. Ritz  
Chairman  
Key Largo

Rose M. Dell  
Vice-Chairman  
Big Pine Key

Antoinette M. Appel  
Secretary/Treasurer  
Marathon

J. Robert Dean  
Key West

Elena Z. Herrera  
Rockland Key

James C. Reynolds  
Executive Director

## MEMORANDUM

TO: Roy Coley, Director Operations Department

FROM: David Jackson, Procurement/Inventory Control Mgr.

DATE: January 13, 2011

SUBJECT: FCAA-IFB-0008-11, Purchase of Liquid Chlorine, 1 Year Contract

Subject bid opening was conducted on January 13, 2011. This bid was advertised once in one newspaper, as well as, being published on the Authority web site, and Demand Star. One qualified bid was received which is as follows:

<u>Vendor</u>	<u>Unit Cost Per Lb.</u>	<u>One Year Estimated Total</u>
Allied Universal Corp.	\$0.294	\$105,840.00

It is recommended that we award the bid to the Allied Universal Corporation who is also our current supplier for this product. Please see the attached bid for your review.

Thank you,

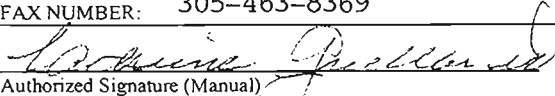
ACCEPTED: BJ UNACCEPTED: \_\_\_\_\_ Reason For Not

Accepting Bid: \_\_\_\_\_

General Counsel's Signature (If Bid Not Accepted): \_\_\_\_\_

**FLORIDA KEYS AQUEDUCT AUTHORITY  
INVITATION TO BID: COMMODITIES/SERVICES  
(BIDDERS ACKNOWLEDGMENT)**

**MAIL BIDS TO:** FLORIDA KEYS AQUEDUCT AUTHORITY  
P.O. Box 1239  
KEY WEST, FLORIDA 33041

Page 1 of 5 (305) 296-2454.	PROJECT #	FILE #	BID #-FKAA-IFB-0008-11
BIDS WILL BE OPENED: January 13, 2011 at 2:00 P.M. 1100 Kennedy Dr., Key West, FL		BID TITLE: Purchase of Liquid Chlorine – 1 Year Contract With Option to Renew for One Additional Year at the J. Robert Dean Water Treatment Plant Facility; S.W. 192 <sup>nd</sup> Ave. & 354 <sup>th</sup> St., Florida City, FL 33034	
and may not be withdrawn within <u>10</u> days after such date and time.			
Delivery Date Will Be <u>3 work</u> Days After Receipt of Purchase Order.			
NAME OF VENDOR: <u>Allied Universal Corp.</u>		MAILING DATE:	
MAILING ADDRESS: <u>3901 NW 115 Ave.</u>			
CITY-STATE-ZIP: <u>Miami, FL 33178</u>		CERTIFIED OR CASHIER'S CHECK IS ATTACHED. WHEN REQUIRED. IN THE AMOUNT OF \$	
TELEPHONE NUMBER: <u>305-888-2623</u>		FAX NUMBER: <u>305-463-8369</u>	
I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a bid for the same materials, supplies, or equipment and is in all respects fair and without collusion or fraud. I agree to abide by all conditions of this bid and certify that I am authorized to sign this bid for the bidder and that the bidder is in compliance with all requirements of the Invitation to Bid, including but not limited to, certification requirements.		 Authorized Signature (Manual) <u>Catherine Guillarmod</u> <u>Executive Administrator</u> Authorized Signature (Typed) and Title	

**GENERAL CONDITIONS**

**BIDDER: To insure acceptance of the bid follow these instructions**

SEALED BIDS: This form must be executed and returned with one copy of all bid sheets, as well as all addenda acknowledged. The face of the envelope shall contain, in addition to the above address, the date and time of the bid opening, and the bid number. Do not include more than one bid per envelope. All bids are subject to the conditions specified herein. Those that do not comply with these conditions are subject to rejection.

1. EXECUTION OF BID: All bids must contain a manual signature of an authorized representative in the space provided above to be considered formal. The company name and vendor number must also appear on each page of the bid as required.
2. NO BID: If not submitting a bid, respond by returning one copy of this form, marking it "NO BID", and explain below the reason. Repeated failure to quote without sufficient justification shall be cause for removal of a supplier's name from the bid mailing list. NOTE: A bidder, to qualify as a respondent, must submit a "NO BID", and same must be received no later than the stated bid opening date and hour:

REASON FOR "NO BID":  
\_\_\_\_\_  
\_\_\_\_\_

3. BID OPENING: Shall be public, on the date and at the time specified on the bid form. All bids received after that time shall become the property of the Authority and remain unopened. It is the bidder's responsibility to assure his bid is delivered at the proper time and place of the bid opening. Offers by facsimile, telegram or telephone are not acceptable.
4. PRICES QUOTED: Deduct trade discounts and quote firm net prices. Unless otherwise specified, all prices quoted in this bid will remain firm for a period of 60 days. Give both unit price and extended total. In case of a mistake in extensions, the unit price will take precedence. All prices F.O.B. destination (unless otherwise specified in special conditions). Prices and extensions should be typed or printed in ink.
  - a) TAXES: The FKAA does not pay federal excise and state sales taxes. Do not include these items on invoices. The applicable tax exemption number is shown on purchase orders.
  - b) DISCOUNTS: Cash discounts for prompt payment shall not be considered in determining the lowest net cost for proposal evaluation purposes.
  - c) MISTAKES: Bidders are expected to examine the specifications, delivery schedules, bid prices and extensions, and all instructions pertaining to supplies and services. Failure to do so will be at the bidder's risk. In case of mistake in the extension the unit price will govern.
  - d) CONDITION AND PACKAGING: It is understood and agreed that any item offered or shipped as a result of this bid shall be new (current production model at the time of this bid), unless otherwise specified. All containers shall be suitable for storage or shipment, and all prices shall include standard commercial packaging.

**GENERAL CONDITIONS CONTINUED**

- |   |   |
|---|---|
| <p>4. (Continued)</p> <p>e) <b>SAFETY STANDARDS:</b> Unless otherwise stipulated in the bid, all manufactured items and fabricated assemblies shall comply with applicable requirements of Occupational Safety and Health Act and any standards thereunder.</p> <p>f) <b>BIDDER'S CONDITIONS:</b> Any conditions to be made as part of the bid, should be submitted by letter with notes thereof on bid sheet for consideration.</p> <p>g) <b>PAYMENT:</b> The vendor shall be paid upon submission of properly certified invoices at the prices stipulated on the bid, after delivery and acceptance of the goods and/or services, less deductions if any, as provided.</p> <p>5. <b>EQUIVALENTS:</b> Unless otherwise specified, any manufacturer's name, trade names, brand names, information and/or catalog numbers listed in a specification are for information and not to limit competition. Bid any brand which meets or exceeds the quality of specifications listed for any item. If the bid is based on equivalent products, indicate on the bid form the manufacturer's name and number and indicate any deviation from the specifications as listed. Include fully descriptive literature on item(s). Lacking any written indication of intent to quote an alternate brand or model number, the bid will be considered as a quotation in complete compliance with the specifications listed in the form. The FKAA reserves the right to determine acceptance of item(s) as an approved equivalent.</p> <p>6. <b>NONCONFORMANCE TO CONTRACT CONDITIONS:</b> Items may be tested for compliance with specifications under the direction of the Florida Department of Agriculture and Consumer Services. Items delivered not conforming to specifications may be rejected and returned at vendor's expense. These items and items not delivered as per delivery date in bid and/or purchase order may be purchased on the open market. Any increase in cost may be charged against the bidder. Any violation of these stipulations may also result in the vendor's name being removed from the FKAA vendor list.</p> <p>7. <b>SAMPLES:</b> Samples of items, when required, must be furnished free of expense and, if not destroyed, will, upon request, be returned at the bidder's expense. Request for the return of samples must be submitted by letter with notes thereof on bid sheet. Each individual sample must be labeled with bidder's name, bid number, and item number. Failure of bidder to either deliver required samples or to clearly identify samples as indicated may be reason for rejection of the bid.</p> <p>8. <b>DELIVERY:</b> Unless actual date of delivery is specified (or if specified delivery cannot be met), show number of days required to make delivery after receipt of purchase order in space provided. Delivery time may become a basis for making an award (see Special Conditions). Delivery shall be within the normal working hours of the FKAA, Monday through Friday, excluding holidays. Upon delivery the FKAA has five working days to inspect and approve the goods and services, unless bid specifications or purchase order specify otherwise. Inspection and acceptance will be at destination unless otherwise provided. Title to/or risk of loss or damage to all items shall be the responsibility of the successful bidder until acceptance by the FKAA unless loss or damage results from negligence by the FKAA.</p> <p>9. <b>INTERPRETATIONS/DISPUTES:</b> Any questions concerning conditions and specifications should be submitted to the buyer no later than five (5) days prior to the bid opening. Any person who is adversely affected by a decision or intended decision shall be subject to the FKAA's procedures for Bid Protests (48-101.11). In case of any doubt or difference of opinion as to the items to be furnished hereunder, the decision of the FKAA shall be final and binding on both parties.</p> <p>10. <b>AWARDS:</b> The FKAA reserves the right to accept any Bid or combination of Bid alternates which, in the FKAA's judgement will best serve the FKAA's interest, reject any and all Bids, to waive any and all informalities and/or irregularities, and to negotiate contract terms with the Successful Bidder, and the right to disregard all nonconforming, non-responsive, unbalanced or conditional Bids. The FKAA reserves the right to reject any one or all Bids, or any part of any Bid, to waive any informality in any Bid, and to award the purchase in the best interest of the FKAA. Discrepancies in the multiplication of units of work and/or unit prices will be resolved in favor of the unit price.</p> | <p>Discrepancies between the indicated sum of any column of figures and the correct sum thereof will be resolved in favor of the correct sum. Within 60 calendar days after the opening of Proposals, unless otherwise stated in the Supplementary Conditions of the Documents, the FKAA will issue notice that it intends to accept one of the proposals or will award the contract to the lowest Base Bid. Acceptance of the Proposal by the FKAA will be by written Notice of Award, mailed or delivered to the office designated in the Proposal. In the event of the failure of the lowest responsible and responsive bidder to meet the requirements of the Bid, the FKAA may award the Contract to the next lowest responsible and responsive Bidder. Such award, if made by the FKAA will be made within 60 days after the opening of Proposals.</p> <p>11. <b>ADVERTISING:</b> In submitting a proposal, bidder agrees not to use the results there from as a part of any commercial advertising.</p> <p>12. <b>GOVERNMENTAL RESTRICTIONS:</b> In the event any governmental restrictions may be imposed which would necessitate alteration of the material, quality, workmanship or performance of items offered on this bid prior to their delivery, it shall be the responsibility of the vendor to notify the FKAA at once, indicating in his letter the specific regulation which required an alteration. The FKAA reserves the right to accept any such alteration, including any price adjustments, or to cancel the contract at no further expense to the FKAA.</p> <p>13. <b>ASSIGNMENT:</b> Any purchase order issued pursuant to this bid invitation and the monies which may become due are not assignable except with prior written approval of the FKAA.</p> <p>14. <b>CONFLICT OF INTEREST:</b> The award hereunder is subject to Chapter 112, Florida Statutes, wherein it states, in part: "...all bidders must disclose with their bid the name of any officer, director, or agent who is also an employee of the FKAA. All bidders must disclose the name of any employee who owns directly or indirectly an interest of 5% or more in the bidder's firm or any of its branches..."</p> <p>15. <b>LEGAL REQUIREMENTS:</b> Applicable provision of all Federal, State, county and local laws, and of all ordinances, rules, and regulations shall govern any and all claims and disputes which arise between person(s) submitting a bid response hereto on the FKAA, by and through its officers, employees and authorized representatives, or any other person, natural or otherwise; and lack of knowledge by any bidder shall not constitute a cognizable defense against the legal effect thereof.</p> <p><b>PATENTS &amp; ROYALTIES:</b> The bidder without exception, shall indemnify and save harmless, the FKAA and its employees, from liability of any nature or kind, including cost and expenses for or on account of any copyrighted, patented, or unpatented invention, process, or article manufactured or used in the performance of the contract, including its use by the FKAA the bidder uses any design, device, or materials covered by letters, patent or copyright it is mutually agreed and understood without exception that the bid prices shall include all royalties or cost arising from the use of such design, device, or materials in any way involved in the work.</p> <p>17. <b>SERVICE AND WARRANTY:</b> Unless otherwise specified, the bidder shall define any warranty service and replacements that will be provided.</p> <p>18. <b>ELIGIBLE ENTITIES:</b> Paragraph (2) (a), Section 287.133, Florida Statutes provides that "A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of (36) months from the date of being placed on the convicted vendor list."</p> <p>19. <b>LIABILITY:</b> The supplier shall hold and save the FKAA, its officers, agents, and employees harmless against claims by third parties resulting from the vendor's breach of contract or the vendor's negligence.</p> |
|---|---|

**NOTE:**  
 ANY AND ALL SPECIAL CONDITIONS AND SPECIFICATIONS ATTACHED HERETO WHICH VARY FROM THESE  
 GENERAL CONDITIONS SHALL HAVE PRECEDENCE.

**SPECIFICATIONS:**

The Florida Keys Aqueduct Authority is seeking bids for the purchase of liquid chlorine for a period of one year with the option to renew for one additional year. Product must meet AWWA standards B301-10.

The successful bidder must provide annual, onsite training to FCAA personnel that meet the OSHA Process Safety Management and EPA Risk Management Plan requirements.

Delivery shall be to the Florida Keys Aqueduct Authority, J. Robert Dean Water Treatment Plant, 35400 SW 192 Ave., Florida City 33034.

Delivery Schedule: Within seven (7) days after receipt of notice to deliver.

Delivery shall be between the hours of 9:00AM and 4:00PM, Monday through Friday.

Weight certification will be required at time of delivery. The driver must have in his possession a weight certificate from a certified weigher before a delivery will be accepted.

Delivery will be scheduled by telephone call from Florida City personnel to the shipper.

Quantity: Estimated 360,000 pounds of chlorine for the one-year contract;  
(Estimated 180 one-ton cylinders)

**Note quantities listed are estimates only based on historical data. The Authority does not guarantee any quantity and reserves the right to increase or decrease the actual quantity ordered over the period of the contract.**

The term of the contract will commence the first day of March, 2011 and run consecutively until February 28, 2012. The Authority will have the option, if agreeable with the successful bidder, to renew the contract after the initial period of a year for one additional year. Notice of the Authority's desire to extend the contract for an additional year will be made known in writing no later than (90) days prior to the date of expiration of the current contract. The contractor will have up to (7) working days in which to respond as to their acceptance. An escalation in the contract price will be entertained annually if a renewal is considered. The maximum will be increased by the CPI as of 12 months ending in September for Miami/Ft. Lauderdale.

Bids must be returned to the below address no later than the date specified in the bid documents at which time bids shall be publicly opened and read.

Florida Keys Aqueduct Authority  
Purchasing Department  
FCAA-IFB-0008-11  
1100 Kennedy Drive  
Key West, Florida 33040

Proof of insurance required upon notice of award of bid. Copies of the required insurance documents must be provided to Mary Ann Clothier which can be send via email to [mclothier@fcaa.com](mailto:mclothier@fcaa.com) (See attached insurance requirements.)

Prospective bidders are requested to direct any questions concerning this bid to Mike Tam, Division Director of Production and Transmission in writing via email to [mtam@fcaa.com](mailto:mtam@fcaa.com). Bidders seeking information, clarification, or interpretations from FCAA employees with the exception of the person identified above, are advised that such material is used at the bidder's own risk and the FCAA shall not be bound by any such representations.

**Priced per pound must include delivery. Both unit price and total delivery price will be based on FOB Destination to the delivery site listed above. No escalation will be allowed during the term of the one year contract.**

Price per pound \$       . 294.

Price per pound written out : Twenty Nine . four cents per pound

Approximately 360,000 pounds for 1-years \$ 105,840.00 Total Price for the 1-Year Period

Total Price for one-year contract, written out: One Hundred Five Thousand Eight Hundred Forty Dollars

**INSURANCE REQUIREMENTS:**

**INDEMNIFICATION AND HOLD HARMLESS**

The Contractor covenants and agrees to indemnify and hold harmless the Florida Keys Aqueduct Authority (The Authority) from any and all claims for bodily injury (including death), personal injury, and property damage (including attorney's fees) which arise out of, in connection with, or by reason of services provided by the Contractor or any of its Subcontractor(s) in any tier, occasioned by the negligence, errors, or other wrongful act or omission of the Contractor or its Subcontractors in any tier, their employees, or agents.

The successful proposer shall obtain, at his/her own expense, insurance as specified in this section and proof of such insurance must be included with the proposal. Such insurance will be required during the entire term of the contract. The successful proposer is responsible for ensuring that all such insurance obtained will extend protection to any subcontractors who may perform any part of this contract or require any such subcontractors to obtain insurance consistent with this section.

All proposals shall include as satisfactory evidence of the required insurance, either:

Certificate(s) of Insurance or a certified copy of the actual insurance policy(ies).

FKAA, at its sole discretion, has the right to request a certified copy of any or all insurance policies required by this section.

Insurance policies must be provided by a company authorized to transact business in the state of Florida and the companies must maintain a minimum rating of A-VI, as assigned by the A.M. Best Company.

The **COMMERCIAL GENERAL LIABILITY** and the **POLLUTION LIABILITY** coverages must include FKAA as an additional insured. (NOTE: the proof of insurance included with the proposal does not have to include FKAA as an additional insured. This will be a requirement for the successful proposer.)

**WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE:**

Limits:	Workers Compensation	Statutory
	Employers Liability:	
	Bodily Injury by Accident	\$ 100,000.
	Bodily Injury by Disease, policy limit	\$ 300,000.
	Bodily Injury by Disease, each employee	\$ 100,000.

**COMMERCIAL GENERAL LIABILITY INSURANCE:**

Limits:	Per Occurrence	\$1,000,000.
	Aggregate	\$1,000,000.

**POLLUTION LIABILITY INSURANCE**

Limits:	\$1,000,000.
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**VEHICLES LIABILITY INSURANCE:**

Limits:	Combined Single Limits	\$1,000,000.
	Or Per Person	\$ 500,000.
	Per Occurrence	\$1,000,000.
	Property Damage	\$ 100,000.

**HAZARDOUS CARGO TRANSPORTERS LIABILITY (MCS-90 Endorsement)**

Limits:	\$5,000,000.
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# BOARD OF DIRECTORS, FLORIDA KEYS AQUEDUCT AUTHORITY

## AGENDA ITEM SUMMARY

AGENDA ITEM # TS - 01

CONSENT:

REGULAR:

Meeting Date: January 27, 2011

Department: Technical Services




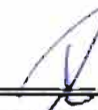
**AGENDA TITLE:** Consideration to Approve CH 2-11 budgeted under the item General SCADA Repair and Upkeep in the amount of \$40,000.00.

**ITEM BACKGROUND:** FCAA desires that CH2M HILL provide assistance with control system program maintenance services, changes to process controls as determined by FCAA, documentation review, enhancements, upgrades, optimization, network support services, historical reporting services and other Management and Information Solution (M&IS) services as requested by FCAA. This is part of the ongoing FCAA project maintain our existing SCADA system. This is 1/2 of the budgeted amount.

**PREVIOUS RELEVANT ACTION BY FCAA BOARD OF DIRECTORS:** 2004: Board approved IT Master Plan as stated in section 2.12 (Technology).

**STAFF RECOMMENDATION (MOTION):** Therefore, staff recommends the Board of Directors approve Contract CH 2-11 to CH2M Hill, for the consulting services for the General SCADA Repair and Upkeep, in the amount of \$40,000.00.

**SUPPLEMENTAL INFORMATION:** Attached supporting documents.

<b>DOCUMENTATION:</b>	Included: <input checked="" type="checkbox"/>	To-Follow: <input type="checkbox"/>	Not Required: <input type="checkbox"/>
<b>COST FCAA:</b>	\$ <u>40,000.00</u>	<b>BUDGETED:</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>COST/OTHERS:</b>	\$ _____		
<b>COST TOTAL:</b>	\$ <u>40,000.00</u>		
<b>DEPARTMENT DIRECTOR APPROVAL:</b> <u></u>			
Reviewed by: Internal Auditor: <u></u> General Counsel: <u></u> Executive Director: <u></u>			

**BOARD ACTION:**

Approved: \_\_\_\_\_ Tabled: \_\_\_\_\_ Disapproved: \_\_\_\_\_ Recommendation Revised: \_\_\_\_\_

Comments: \_\_\_\_\_

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

Recording Clerk: \_\_\_\_\_

**EXHIBIT A**  
**Contract CH 2-11**  
**FKAA Project No. \_\_\_\_\_**

**Florida Keys Aqueduct Authority**  
**General Technical and Programming Services**

**Date:** December 13, 2010  
**Contract:** CH 2-11  
**FKAA Project Number:** \_\_\_\_\_  
**For Consulting Services:** Technical Services  
**Title:** General Technical and Programming Services

**I. Project Description**

FKAA desires that CH2M HILL provide assistance with control system program maintenance services, changes to process controls as determined by FKAA, documentation review, enhancements, upgrades, optimization, network support services, historical reporting services and other Management and Information Solution (M&IS) services as requested by FKAA.

**II. Scope of Services**

The following is a description of the scope of services associated with this contract:

**1. General Support:**

Assist FKAA with miscellaneous improvements and services related to the FKAA SCADA system. FKAA will identify specific tasks required. CH2M HILL will write-up the task description and includes a level of effort estimate. FKAA will review each submitted task and approve or disapprove as needed. Tasks include control system program maintenance services, changes to process controls as determined by FKAA, enhancements, upgrades, optimization, network support services, historical reporting services and other M&IS services as requested by FKAA. Provide emergency after hours support to assist FKAA in resolving SCADA and control system issues as needed.

**2. Project Coordination, Estimating, and Quality Assurance and Quality Control.**

Provide overall project planning, management, coordination, project instructions, quality control reviews, and the day-to-day administrative tasks required for the project.

**Deliverables**

- 
- Task summary list
  - Monthly progress reports and billing summary
  - Meeting minutes for meetings with FKAA staff

It is mutually understood that authorization to perform any of the above mentioned services will be at the direction of the Director of Technical Services.

### **III. Assumptions**

In addition to the assumptions stated in Section II, Scope of Services, the following items are assumed:

- A. Meetings or workshops will be held in Key West.
- B. FKAA provides programming change forms, policy, and procedures for review of proposed programming changes.

### **IV. Obligations of FKAA**

FKAA will provide assistance to CONSULTANT in completion of the tasks identified, including, but not limited to the following.

- A. Joint management of the budget with the CH2M HILL Project Manager
- B. Provide site and network access to the control system and relevant documentation
- C. Provide availability of key FKAA staff for meetings with CH2M HILL
- D. Immediately advise CH2M HILL of any project performance issues directly related or attributable to CH2M HILL or its subconsultants.

### **V. Deliverables**

- A. Final copies of application files

### **VI. Compensation**

Compensation for the labor and all expenses, estimated at \$40,000 will be charged on a cost reimbursable basis in accordance with Article VII.A.2. A summary of the budget breakdown is provided as Attachment A1.

### **VII. Completion Dates**

Upon notification of FKAA

---

## VIII. Approval

Approved by:

FLORIDA KEYS AQUEDUCT AUTHORITY

CH2M HILL, Inc.

Board Approved Date: \_\_\_\_\_

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

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

\_\_\_\_\_  
James C. Reynolds, P.E.  
Executive Director

\_\_\_\_\_  
Matt Alvarez, P.E.  
Vice President

FKAA Project Manager

\_\_\_\_\_  
Rick Kellough  
Director of Technical Services

\_\_\_\_\_  
Andrew H. Smyth, P.E.  
Key West Office Manager

EXHIBIT "B"

Florida Keys Aqueduct Authority

Employer Category	(T&M) Hourly Raw Salary Rate Times 2.8 Multiplier	Lump Sum Rates
<u>Professionals</u> -- Engineers, Architects, Planners, Economists, Scientists, Hydrologists, Hydrogeologists, Geologists		
Regional Group Manager	60-94	192
Principal Project Manager, Principal Technologist	53-67	182
Senior Project Manager, Senior Technologist	50-63	167
Project Manager, Engineering Specialist, Scientific Specialist, Planning Specialist	43-59	154
Associate Project Manager, Project Engineer, Project Scientist, Project Planner	40-53	132
Associate Engineer, Associate Scientist, Associate Planner	34-48	118
Staff Engineer II	27-41	104
Staff Engineer I, Staff Scientist II, Staff Planner II	26-43	92
Staff Scientist I, Staff Planner I	22-31	72
<u>Technicians</u> -- Drafters, Graphic Artists, Computer, Surveyors, Cartographics, Construction Inspectors		
Technician 6	35-47	116
Technician 5	33-44	111
Technician 4	28-46	99
Technician 3	24-32	80
Technician 2	22-30	72
Technician 1	19-24	64
Technical Aide	14-24	55
Office Support		
Specification Processor	16-29	66
Clerical/Office Support	13-29	62

Note: Rates applicable October 1, 2010 through September 30, 2011.



# BOARD OF DIRECTORS, FLORIDA KEYS AQUEDUCT AUTHORITY

## AGENDA ITEM SUMMARY

AGENDA ITEM # BOD - 01

CONSENT:

REGULAR:

Meeting Date: January 27, 2011

Department: BOARD OF DIRECTORS

**AGENDA TITLE:** Consideration to Affirm Re-Appointment of Terry Lee Garcia as FCAA Representative to the Career Service Council. (Sponsor J. Robert Dean)

**ITEM BACKGROUND:** The Career Service Council is established by Special Enabling Legislation and is charged to represent the employees of five agencies in Monroe County, including the Florida Keys Aqueduct Authority. It is the responsibility of the FCAA Board of Directors to appoint a representative to serve as the FCAA's member on the Career Service Council for a 2-Year term. The member serves without compensation.

This was discussed at the December 23, 2010 FCAA Board Meeting.

**PREVIOUS RELEVANT ACTION BY FCAA BOARD OF DIRECTORS:** 1/03: FCAA Board confirmed new appointment of Terry Lee Garcia as the FCAA Representative to the Career Service Council through 2/9/05.

2/05: FCAA Board approved re-appointment of Mr. Garcia to the Career Service Council through February, 2007.

3/07: FCAA Board approved re-appointment of Mr. Garcia to the Career Service Council through February, 2009.

3/09: FCAA Board approved re-appointment of Mr. Garcia to the Career Service Council through February, 2011.

**STAFF RECOMMENDATION (MOTION):** It is requested that the Board of Directors affirm the Re-Appointment of Terry Lee Garcia as FCAA Representative to the Career Service Council through February, 2013.

**SUPPLEMENTAL INFORMATION:** See Attached

<b>DOCUMENTATION:</b>	Included: <input checked="" type="checkbox"/>	To-Follow: <input type="checkbox"/>	Not Required: <input type="checkbox"/>
<b>COST FCAA:</b> \$ _____	<b>BUDGETED:</b>		Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>COST/OTHERS:</b> \$ _____			
<b>COST TOTAL:</b> \$ _____			
<b>DEPARTMENT DIRECTOR APPROVAL:</b> _____			
Reviewed by: Internal Auditor: <u>[Signature]</u> General Counsel: <u>[Signature]</u> Executive Director: <u>[Signature]</u>			

**BOARD ACTION:**

Approved: \_\_\_\_\_ Tabled: \_\_\_\_\_ Disapproved: \_\_\_\_\_ Recommendation Revised: \_\_\_\_\_

Comments: \_\_\_\_\_

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

Recording Clerk: \_\_\_\_\_

CHAPTER 69-1321  
Laws of Florida

An act creating a career service council in Monroe County, Florida; providing for its membership, powers and duties; designating certain employees of certain county officials, boards, districts and commissions in said county as career service employees; providing for disciplinary action, procedures for handling employee grievances and procedure for employee appeals to said career service council; prohibiting certain political activities and unlawful acts; providing for the payment of costs of appeals to said career service council; providing penalties for violation of this act; repealing all laws or parts of laws, whether general, special, or local, in conflict with the provisions of this act, to the extent of such conflict; and providing when this act shall take effect.

Be it enacted by the Legislature of the State of Florida:

Section 1. There is hereby created in Monroe County, Florida a career service council, consisting of five (5) members, whom shall be appointed one each by a majority of each of the following bodies or agencies and they shall serve for a term of two (2) years each commencing with the effective date of this act:

- (1) The board of county commissioners of Monroe County, Florida.
- (2) The Monroe County Anti-Mosquito District.
- (3) The Florida Keys Aqueduct Commission.
- (4) The Utility Board of the City of Key West, Florida.
- (5) The governing board of Monroe General Hospital.

Members of said council shall be citizens and registered voters of Monroe County, Florida. No elected official of any of the appointing bodies or agencies named in this section, or any of their employees, shall be members of said council.

Section 2. The career service council shall hear all appeals arising from the provisions set forth in this act, and shall adopt rules and regulations for the hearing of such appeals before said council.

Section 3. Employees of elected officials of Monroe County, Florida, and employees of any of the bodies or agencies referred to in Section 1 of this act, having at least one (1) year of satisfactory service, shall be considered career service employees, subject to the provisions of this act, except the following:

- (1) Employees furnishing professional services.
- (2) Employees contracted with for a specific purpose.
- (3) The manager of the Utility Board of the City of Key West, Florida.

- (4) The administrator of Monroe General Hospital.
- (5) The manager of the Florida Keys Aqueduct Commission.
- (6) The director of the Monroe County Anti-Mosquito District.

Section 4. Upon this act becoming a law, all elected officials of Monroe County, Florida and all bodies or agencies having career service employees shall adopt rules and regulations for an internal grievance procedure which shall insure that all employees are afforded fair, equitable and expeditious hearings, without fear of coercion, discrimination or reprisal by their respective employers. They shall also adopt rules and regulations setting forth the rules which shall govern the conduct of their employees.

Each employer having career service employees shall submit his or its internal grievance procedure to the career service council for approval. For the purposes of this act, a grievance is defined as the dissatisfaction that occurs when an employee thinks or feels that any condition affecting him is unjust, inequitable, a hindrance to effective operation, or creates a problem.

The decision of the employer shall be final in the case of all grievances, except that cases of suspension, discharge, reduction in pay and demotion may be appealed by career service employees to the career service council, as hereinafter provided.

Section 5. The employment of any career service employee may be terminated only for cause by the official, body or agency by whom or by which he is employed.

Section 6. Any career service employee who has been suspended, discharged, given a reduction in pay or a demotion, shall have the right to appeal said action to the career service council, by filing a petition with said council within thirty (30) days following such suspension, discharge, reduction in pay or demotion. Said petition shall be heard by said council, in accordance with the rules and regulations adopted by it, and all appeals shall be handled as expeditiously as possible.

After hearing said petition, said council may order the reinstatement of said employee, with or without back pay, or otherwise amend, alter, sustain or reverse the decision of the employer. The employer and employee concerned shall be notified immediately of any action taken by said council, and the decision of the council shall be binding on all parties concerned.

Section 7. No career service employee shall be appointed to or demoted or dismissed from any position in the career service, or in any way favored or discriminated against with respect to employment in the career service because of his political or religious opinions or affiliations.

No person shall use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person, an appointment or advantage in appointment to a position in the career service, or an increase in pay or other advantage in employment in any such position, for the purpose of influencing

the vote or political action of any person, or for any consideration; provided, however, that letters of inquiry, recommendations and references by public employees or public officials shall not be considered political pressure unless any such letter contains a threat, intimidation, irrelevant, derogatory or false information, and provided further, that for the purposes of this section, the term "political pressure", in addition to any appropriate meaning which may be ascribed thereto by lawful authority, shall include the use of official authority or influence in any manner prohibited by this act.

No persons shall directly or indirectly, give, render, pay, offer, solicit or accept any money, service or other valuable consideration for or on account of any appointment, proposed appointment, promotion or proposed promotion to, or any advantage in, a position in the career service.

As an individual, each career service employee shall retain all rights and obligations of citizenship provided in the constitution and laws of the State of Florida and the constitution and laws of the United States of America; however, no career service employee shall:

(1) Hold or be a candidate for public or political office while in the career service, or take any active part in a political campaign while so employed or within any period of time during which he is expected to perform services for which he receives compensation as a career service employee.

(2) Use the authority of his position to secure support for or oppose any candidate, party or issue in a partisan election, or affect the results thereof.

No career service employee or official shall use any promise of reward or threat of loss to encourage or coerce any person to support or contribute to any political issue, candidate or party.

Section 8. Costs of appeals to the career service council, except employee's attorney fees, shall be paid for by the employer of the employee filing said appeal.

Section 9. Any career service employee who wilfully violates any provision of this act or of any of the rules or regulations adopted pursuant to the authority herein granted, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than one thousand dollars (\$1,000.00), or by imprisonment for not longer than six (6) months, or by both such fine and imprisonment.

Any person who is convicted of a misdemeanor under this act shall be, for a period of five (5) years ineligible for appointment to or employment in a position in the career service, and if he is a career service employee, shall forfeit his position.

Section 10. In the event that any agency heretofore named shall adopt a civil service system for their employees then the career service council hereby created shall serve as the board of appeals for that civil service system.

Section 11. All laws and parts of laws, whether general; special or local, in conflict with the provisions of this act, are hereby repealed to the extent of such conflict.

Section 12. This act shall take effect on October 1, 1969.

This Act became law on June 29, 1969.

# BOARD OF DIRECTORS, FLORIDA KEYS AQUEDUCT AUTHORITY

## AGENDA ITEM SUMMARY

AGENDA ITEM # BOD - 02

CONSENT: \_\_\_\_\_ REGULAR: XXX

MEETING DATE: January 27, 2011

DEPARTMENT: BOARD OF DIRECTORS


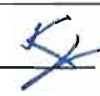

**AGENDA TITLE:** Consideration to adopt a Resolution providing for non-interference in procurement and hiring practices; providing for Board of Directors to set policies and procedures in areas where changes are deemed to be needed; and providing an effective date. (Sponsored by: Rose M. Dell)

**ITEM BACKGROUND:** The Board of County Commissioners recently held a public hearing to adopt a non-interference ordinance. Other County Commissions have adopted similar actions. This Resolution will insure that FCAA actions are conducted in a public forum and to avoid any suggestion or appearance of improprieties.

**PREVIOUS RELEVANT ACTION BY FCAA BOARD OF DIRECTORS:** N/A

**STAFF RECOMMENDATION (MOTION):** The Board of Directors adopt Resolution #11- providing for non-interference in procurement and hiring practices; providing for Board of Directors to set policies and procedures in areas where changes are deemed to be needed; and providing an effective date.

**SUPPLEMENTAL INFORMATION:**

<b>DOCUMENTATION:</b>	Included: <b>XX</b>	To-Follow:	Not Required:
COST FCAA: \$ _____		BUDGETED: Yes	No
COST/OTHERS: \$ _____			
COST TOTAL: \$ _____			
<b>DEPARTMENT DIRECTOR APPROVAL:</b> _____			
Internal Auditor: 	General Counsel: 	Executive Director: 	

**BOARD ACTION:**

Approved: \_\_\_\_\_ Tabled: \_\_\_\_\_ Disapproved: \_\_\_\_\_ Recommendation Revised: \_\_\_\_\_

Comments: \_\_\_\_\_

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

Recording Clerk: \_\_\_\_\_

# FLORIDA KEYS AQUEDUCT AUTHORITY

## RESOLUTION #11-

**A RESOLUTION OF THE FLORIDA KEYS AQUEDUCT AUTHORITY PROVIDING FOR NON-INTERFERENCE IN PROCUREMENT AND HIRING PRACTICES; PROVIDING FOR BOARD OF DIRECTORS TO SET POLICIES AND PROCEDURES IN AREAS WHERE CHANGES ARE DEEMED TO BE NEEDED; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Florida Keys Aqueduct Authority (FKAA) was created by Special Legislation, Chapter 76-441, Laws of Florida, as amended; and

**WHEREAS**, the Board of Directors has adopted many Rules and Regulations and Resolutions governing the day-to-day operations of the FKAA; and

**WHEREAS**, it is deemed in the interest of the public that additional measures be adopted to prevent an abuse of discretionary authority by individual officials and employees in matters of procurement and hiring.

**NOW, THEREFORE BE IT RESOLVED**, by the Florida Keys Aqueduct Authority Board of Directors:

That no official or employee of the FKAA shall directly or indirectly coerce or attempt to coerce, direct, or otherwise interfere in a procurement or personnel matter. If the official or employee is a member of an evaluating body, that person may participate in the process to the same degree as all other members of that body.

Nothing in this Resolution may be construed to prohibit individual members of the Board from asking questions of any employee and making personal observations regarding all aspects of FKAA operations so as to obtain independent information to assist the members in the formulation of policies to be considered by the Board. It is the express intent of this Resolution, however, that such inquiry not interfere directly with the administrative operations of the FKAA and that recommendations for change or

improvement in FKAA administrative operations be made through policies and procedures adopted by the Board.

ADOPTED THIS 27<sup>th</sup> DAY OF JANUARY, 2011

**FLORIDA KEYS AQUEDUCT AUTHORITY**

By: \_\_\_\_\_  
David C. Ritz, Chairman

(Corporate Seal)

ATTEST:

\_\_\_\_\_  
Antoinette M. Appell, Secretary/Treasurer

# BOARD OF DIRECTORS, FLORIDA KEYS AQUEDUCT AUTHORITY

## AGENDA ITEM SUMMARY

AGENDA ITEM # BOD - 03

CONSENT: \_\_\_\_\_ REGULAR: XXX

MEETING DATE: January 27, 2011

DEPARTMENT: BOARD OF DIRECTORS


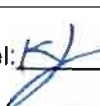
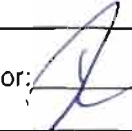
**AGENDA TITLE:** Consideration to authorize Staff to initiate Rulemaking for Revision to FKAA Rule 48-101.010(5)(c) and to appoint a Hearing Officer. (Sponsored by: Rose M. Dell)

**ITEM BACKGROUND:** Rule 48-101.010(5)(c) provides that any changes to the FKAA Rules and Regulations shall be by majority vote of the Board of Directors. The proposed change to the Rule would change the majority vote required to a four-fifths (4/5) vote by the Board of Directors to adopt changes to the FKAA Rules and Regulations.

**PREVIOUS RELEVANT ACTION BY FKAA BOARD OF DIRECTORS: 5/27/2010:** The Board Approved Resolution #10-14 to Adopt Revised FKAA Rules and Regulations; to Establish Reclaimed Water Rate and Rules, Leak Detection Fee, Meter Lid Key Fee, Fire Hydrant Flow Test Fee, Industrial Pretreatment Fees and Regulations; Rules to provide On-line Customer Account Management; Revisions to Water Main Extension Rules; Rule Revision Reformatting.

**STAFF RECOMMENDATION (MOTION):** The Board authorize the FKAA to enter into Rulemaking for Revision to FKAA Rule 48-101.010(5)(c) and appoint Kirk C. Zuelch, FKAA General Counsel, as the Hearing Officer to conduct Public Hearings on the proposed revision.

**SUPPLEMENTAL INFORMATION:** Summary Document Attached.

<b>DOCUMENTATION:</b>	Included: <b>XX</b>	To-Follow:	Not Required:
COST FKAA: \$ _____		BUDGETED: Yes	No
COST/OTHERS: \$ _____			
COST TOTAL: \$ _____			
<b>DEPARTMENT DIRECTOR APPROVAL:</b> _____			
Internal Auditor: <u></u>	General Counsel: <u></u>	Executive Director: <u></u>	

**BOARD ACTION:**

Approved: \_\_\_\_\_ Tabled: \_\_\_\_\_ Disapproved: \_\_\_\_\_ Recommendation Revised: \_\_\_\_\_

Comments: \_\_\_\_\_

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

Recording Clerk: \_\_\_\_\_

# FKAA SUMMARY DOCUMENT

## PROPOSED REVISIONS TO FKAA RULES AND REGULATIONS FOR PUBLIC HEARING TO BE HELD

*Sections which address proposed revisions are shown as follows. New Language is underlined and deleted language is shown with 'strike-through':*

### Proposed Revision Objective and Effect:

Chapter 48-101.010 RULE DEVELOPMENT AND ADOPTION. Proposed revision provides for a change in majority vote required to a four-fifths (4/5) vote by the Board of Directors to adopt changes to the FKAA Rules and Regulations.

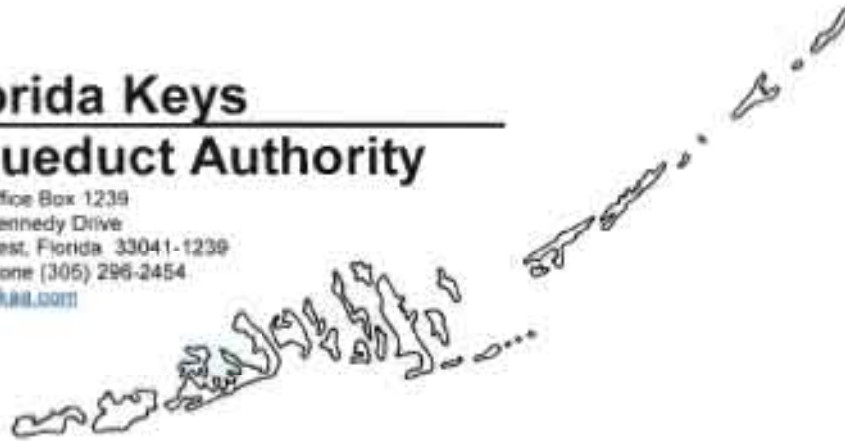
### 48-101.010(5)(c) RULE ADOPTION

(c) Rule Adoption. The Board of Directors, in a public meeting duly advertised, shall adopt the revised Rules by ~~majority~~ a four-fifths (4/5) vote. Any members of the public who wish to address the Board regarding the proposed rules will be allotted time to do so during presentation of the proposed rules to the Board.



# Florida Keys Aqueduct Authority

Post Office Box 1239  
1100 Kennedy Drive  
Key West, Florida 33041-1239  
Telephone (305) 296-2454  
[www.fkaa.com](http://www.fkaa.com)



David C. Ritz  
Chairman  
Key Largo

Elena Z. Herrera  
Vice-Chairman  
Rockland Key

Rose M. Dell  
Secretary/Treasurer  
Big Pine Key


J. Robert Dean  
Key West

Antoinette Appell  
Marathon

James C. Reynolds  
Executive Director

## MEMORANDUM

TO: FCAA Board of Directors

FROM: Elvira Sawyer, Executive Office Coordinator 

VIA: James Reynolds, Executive Director

DATE: January 27, 2011

SUBJECT: Board Follow-up Report/Write-off Report



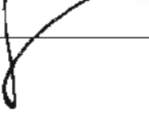
This report will serve as an information document unless the Board requests specific action or discussion on any item. At meetings, the Board will make miscellaneous requests of Staff, the following items have been identified as matters which require follow-up information by Staff and possible follow-up action by the Board. The Board's directives are as follows:

### Board Meeting of December 22, 2010

- Resolved  Needs Follow-up The Board directed Staff at the December 2010 Board Meeting to promote water quality testing to the public. *Assigned to: Jim Reynolds; Status: Presentation, Executive Director's Report at the January Board Meeting.*
- Resolved  Needs Follow-up The Board directed Staff at the December 2010 Board Meeting to negotiate an agreement with Caribe Nautical Services, Inc. *Assigned to: Jim Reynolds, Kirk Zuelch; Status: Agenda Item for Approval at the January Board Meeting.*
- Resolved  Needs Follow-up The Board directed Staff at the December 2010 Board Meeting to prepare and submit R/FQ to Design-Build-Operate the Wastewater System for Islamorada, Village of Islands. *Assigned to: Jim Reynolds, Kirk Zuelch; Status: Presentation, Executive Director's Report at the January Board Meeting.*

Monthly write off approval

Accounts final billed November 2010

Date written off	Amount	Processed by:	Approved by:
01/12/2011			
Water/Wastewater Charges	\$3,856.85	Karla Hernandez	
Misc Charges	\$1,955.87	Karla Hernandez	
Bad debt recovery	\$1,920.38		

<i>LocationID</i>	<i>CustomerNumber</i>	<i>CustomerName</i>	<i>ServiceAddress</i>	<i>Amount</i>
032612	532782	ALBERTO RODRIGUEZ	218 CAMELOT L128 DR TAVERNIER FL 33070	\$ 148.71
016338	551694	ALIAN ZURITA UNA	531 AVE D APT 3 BIG COPPITT FL 33040	\$ 13.02
016085	565493	ANTHONY SUK	708 ELIZABETH ST APT A KEY WEST FL 33040	\$ 14.63
043154	563598	APRIL ALRIC	9 HARRY DAVIS CIR KEY LARGO FL 33037	\$ 140.81
038496	569183	CHARLES BRINDLE	3205 PEARL AVE KEY WEST FL 33040	\$ 35.00
070179	513116	CINTHIA LOPEZ	1010 EMMA ST APT 6C KEY WEST FL 33040	\$ 13.62
005484	553063	DANIA RICHARDSON	1313 8TH ST KEY WEST FL 33040	\$ 180.65
013618	567777	DAYRON ALVAREZ	542 PARK DR ROCKLAND KEY FL 33040	\$ 53.16
009550	551952	DEBORAH BATTY	3007 RIVIERA DR KEY WEST FL 33040	\$ 11.14
024994	568463	DESTINY MOORE	746 LARGO L59 B6 RD KEY LARGO FL 33037	\$ 0.04
016395	557262	DIANNE CASTILLO	5403 3RD AVE STOCK ISLAND FL 33040	\$ 49.44
008532	531168	DOROTHY MCQUEEN	281 84TH ST MARATHON FL 33050	\$ 4.32
015192	533676	EDWARD JIGARJIAN	25 ARBUTUS DR KEY HAVEN FL 33040	\$ 94.16
010863	567904	EVIE RODRIGUEZ	64 SILVER SPRINGS DR L6&7 KEY LARGO FL 33037	\$ 62.28
031121	567107	FREDERIC SIBLEY II	757 LAFITTE RD LITTLE TORCH KEY FL 33042	\$ 20.56
022568	567566	GEOFFREY GONDEK	95165 O/S L2 B6 HWY APT A KEY LARGO FL 33037	\$ 64.64
070359	542091	GLORIA ATTILIO	1200 1ST ST APT K3 KEY WEST FL 33040	\$ 83.15

037006	504598	HOSPICE OF THE PALM COAST	100360 O/S L5-7,37-39 HWY #5 KEY LARGO FL 33037	\$	56.24
009668	555848	ISNALVI CONTRERAS	10660 7TH AVE GULF MARATHON FL 33050	\$	36.79
011256	569366	JACQUELINE KORB	5331 5TH AVE APT 2 STOCK ISLAND FL 33040	\$	49.14
023569	566616	JESSICA BORYSIEWICZ	11907 1ST AVE GULF #4 MARATHON FL 33050	\$	105.87
032026	519543	JOHN KENT	2201 SOMBRERO BCH RD MARATHON FL 33050	\$	1,516.88
019340	565802	JOSHUA FOX	68100 OVERSEAS HWY APT 1 LONG KEY/LAYTON FL 33040	\$	149.26
031812	532226	JUAN SERRALLES	776 MICHAEL LB DR KEY LARGO FL 33037	\$	23.41
048542	552568	KATHERINE ROBINSON	3655 SEASIDE DR UNIT 125 KEY WEST FL 33040	\$	3.35
041794	558097	KAYLA RIVAS	6630 MALONEY AVE UNIT 5 STOCK ISLAND FL 33040	\$	42.25
013915	512673	KIM SHERWOOD	21 PEQUENA LN BIG COPPITT FL 33040	\$	17.70
001048	564416	KRISTIN MARCHETTI	1110 EATON ST APT 1 KEY WEST FL 330407055	\$	2.46
045597	567350	LAUREL NETOLICKY	211 PEARL L9,10 B1 AVE TAVERNIER FL 33070	\$	72.25
048607	568915	LAWRENCE NAEDER	210 3RD ST KEY COLONY BEACH FL 33051	\$	29.93
039181	556564	MARCUS STRICKLAND	3333 DUCK AVE APT C203 KEY WEST FL 33040	\$	466.31
009400	559402	MARIA RODRIGUEZ	3000 FLAGLER AVE KEY WEST FL 33040	\$	92.45
039862	560798	MARK LUM	3910 ROOSEVELT BLVD APT W107 KEY WEST FL 33040	\$	37.38
039221	553420	MARK STEVENS	3333 DUCK AVE APT D112 KEY WEST FL 33040	\$	68.40

039524	540318	MARY SHEPHERD	3333 DUCK AVE APT L205 KEY WEST FL 33040	\$	67.49
027675	569219	MICHAEL SAYRES	103360 O/S HWY MM 103 KEY LARGO FL 33037	\$	90.16
022036	569309	MICKEY RAMOS	203 PIMLICO L13 B3 S LN KEY LARGO FL 33037	\$	266.80
015293	565262	MILAYNE MARTINEZ	10703 2ND AVE GULF MARATHON FL 33050	\$	22.37
038533	567119	NATALIE YANIZ	3218 EAGLE AVE KEY WEST FL 33040	\$	49.66
008401	528268	NOMAD OUTFITTERS LLC	59740 OVERSEAS HWY MARATHON FL 33050	\$	459.50
039645	516862	ODILIA TORNA	1571 OVERSEAS HWY L16 MARATHON FL 33050	\$	9.39
201141	566320	PATRICIA ALFONSO	325 CALUSA ST LOT 094 KEY LARGO FL 33037	\$	162.29
017154	567527	PATRICK VANHOVEN	31027 G AVE BIG PINE KEY FL 33043	\$	19.26
039655	514358	RAMON CABRAL SANDOVAL	1571 OVERSEAS HWY L42, L43 MARATHON FL 33050	\$	49.21
044014	540270	RAPHAEL BURGOS	149 OCEAN SHORES L2 DR KEY LARGO FL 33037	\$	32.60
015939	502479	RAY STANGLE	1021 27TH OCEAN ST MARATHON FL 33050	\$	103.52
201583	569084	ROBERT GRAHAM	325 CALUSA ST LOT 522 KEY LARGO FL 33037	\$	65.07
008067	569437	ROBERT HARRISON	930 EATON ST STORE C KEY WEST FL 33040	\$	17.93
015272	569470	ROBERT LALLIER	170 CASA COURT L10 B/B DR TAVERNIER FL 33070	\$	57.81
015272	569470	ROBERT LALLIER	170 CASA COURT L10 B/B DR TAVERNIER FL 33070	\$	31.80
029732	542322	RONY OCAMPO	168 PARK L12 B8 APT AVE BACK TAVERNIER FL 33070	\$	2.07

049714	520225	ROSE GONZALEZ	5233 5TH AVE A STOCK ISLAND FL 330405805	\$	9.88
050735	568626	SHAWN ELAM	1009 CATHERINE ST APT 2 KEY WEST FL 33040	\$	67.38
013266	557182	STACEY WILLIAMS	154 STERLING DR TAVERNIER FL 33070	\$	8.18
035631	522865	STANLEY E STEPHENS	219 BRIAN RD #A MARATHON FL 33050	\$	9.42
019550	534549	TEONILLO CRIBAS	314 OLEANDER L4 B4 TAVERNIER FL 33070	\$	142.53
022841	513337	THOMAS VECCHIO	142 NAUTILUS L11 BF DR ISLAMORADA FL 33036	\$	15.66
202004	568293	TRULY GREEN LANDSCAPE CONT	X HYDRANT MTR ED SWIFT/QUIKMART RD BIG COPPIT	\$	151.46
032976	559246	WACHOVIA BANK	303 A SOMBRERO BEACH RD NORTH MARATHON FL 33	\$	53.82
049534	500147	WILLIAM ELKINS	604 GREENE ST APT 200 KEY WEST FL 33040	\$	0.86
007584	540593	WILLIAM SOTO	3203 HARRIETT AVE #31 KEY WEST FL 33040	\$	1.74
013368	531761	WILLIAM WHITE	19 VENTANA LN BIG COPPITT FL 33040	\$	85.46
				\$	5,812.72