

**AMENDMENT NO. 1  
TO AGREEMENT NO. LPS0025  
BETWEEN  
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
AND  
CITY OF OCALA**

This Amendment to Agreement No. LPS0025 (Agreement) is made by and between the Department of Environmental Protection (Department), an agency of the State of Florida, and the City of Ocala (Grantee), on the date last signed below.

WHEREAS, the Department entered into the Agreement with the Grantee for Foxwood Farms Water Quality Improvement Project (Project), effective August 13, 2021; and,

WHEREAS, the Grantee has requested an extension of the Agreement due to design delays; and,

WHEREAS, other changes to the Agreement are necessary; and,

WHEREAS, the parties have agreed to amend the Agreement as set forth herein.

NOW THEREFORE, the parties agree as follows:

1. Section 3. of the Standard Grant Agreement is hereby revised to change the Date of Expiration to December 31, 2025. The Department and the Grantee shall continue to perform their respective duties during this extension period pursuant to the same terms and conditions provided in the Agreement.
2. Section 6. of the Standard Grant Agreement is hereby revised to the following:

<b>Department's Grant Manager</b>	<b>Grantee's Grant Manager</b>
Name: Gabby Vega-Molnar	Name: Sean Lanier
Address: 3900 Commonwealth Blvd	Address: 1805 NE 30th Ave, bldg. 600
MS 3602	Ocala, FL 34470
Tallahassee, FL 32309	
Phone: 850-245-2914	Phone: (352) 351-6772
Email: gabriela.vegamolnar@floridadep.gov	Email: SLanier@ocalafl.gov

3. Attachment 3, Grant Work Plan, is hereby deleted in its entirety and replaced with Attachment 3-1, Revised Grant Work Plan, as attached to this Amendment and hereby incorporated into the Agreement. All references in the Agreement to Attachment 3 shall hereinafter refer to Attachment 3-1, Revised Grant Work Plan.
4. All other terms and conditions of the Agreement remain in effect. If and to the extent that any inconsistency may appear between the Agreement and this Amendment, the provisions of this Amendment shall control.

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The parties agree to the terms and conditions of this Amendment and have duly authorized their respective representatives to sign it on the dates indicated below.

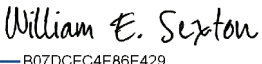
CITY OF OCALA

DocuSigned by:  
  
 By: \_\_\_\_\_  
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 Authorized Signature

James P. Hilty, Sr. President

Print Name and Title

Date: 4/28/2023

DocuSigned by:  
  
 By: \_\_\_\_\_  
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 William E. Sexton, Esq.  
 City Attorney


STATE OF FLORIDA DEPARTMENT OF  
 ENVIRONMENTAL PROTECTION

  
 By: \_\_\_\_\_  
 Digitally signed by Angela Knecht  
 Date: 2023.05.01 10:48:18 -04'00'  
 Secretary or Designee

Angela Knecht, Division Director

Print Name and Title

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

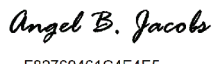
DocuSigned by:  
  
 Digitally signed by Gabby Vega-Molnar  
 Date: 2023.05.01 09:34:09 -04'00'  
 Gabby Vega-Molnar, DEP Grant Manager

DocuSigned by:  
  
 Digitally signed by Michael Barr  
 Date: 2023.05.01 10:36:59 -04'00'  
 Michael Barr, DEP QC Reviewer

List of attachments/exhibits included as part of this Amendment:

Specify Type	Letter/ Number	Description
Attachment	3-1	Revised Grant Work Plan

ATTEST:

DocuSigned by:  
  
 By: \_\_\_\_\_  
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 Angel B. Jacobs

April 19

## **ATTACHMENT 3-1 REVISED GRANT WORK PLAN**

**PROJECT TITLE:** Foxwood Farms Water Quality Improvement Project

**PROJECT LOCATION:** The Project will be located in the Foxwood Farms subdivision within the City of Ocala in Marion County; Lat/Long (29.2083, -82.2012).

**PROJECT BACKGROUND:** The City of Ocala (Grantee) recognizes the vital ecological and economic importance that the Rainbow Springs Group and the Rainbow River have in the community. These bodies of water are listed as Outstanding Florida Waters and are classified as high priorities in the Surface Water Improvement and Management Plan (SWIM). A basin management action plan (BMAP) has been adopted. These bodies of water are considered impaired under 62-303(d), Florida Administrative Code, by total nitrogen (TN) as identified in the adopted Total Maximum Daily Load (TMDL). With this in mind, the Grantee has identified the Foxwood Farms Water Quality Improvement Project (Project) to help improve the water quality of these impaired water bodies. The Project is expected to reduce TN by approximately 5,491 lbs. annually.

**PROJECT DESCRIPTION:** The grantee will design and construct a sanitary sewer conveyance system which will remove from service a package plant which serves approximately 276 mixed use residential lots and one community center.

### **TASKS:**

All documentation should be submitted electronically unless otherwise indicated.

#### **Task 1: Design and Permitting**

**Deliverables:** The Grantee will complete the design of connecting the Foxwood Farms Subdivision to the City of Ocala's central sanitary sewer system for wastewater treatment by Water Reclamation Facility #3 and obtain all necessary permits for construction of the project.

**Documentation:** The Grantee will submit a signed acceptance of the completed work by the Grantee and a summary of design activities to date, indicating the percentage of design completion of the time period covered in the payment request. For the final documentation, Grantee will also submit a copy of the final design and a list of all required permits identifying issue dates and issuing authorities.

**Performance Standard:** The Department's Grant Manager will review the documentation to verify that the deliverables are completed as described above. Upon review and written acceptance by the Department's Grant Manager, the Grantee may proceed with payment request submittal.

**Payment Request Schedule:** The Grantee may submit a payment request for cost reimbursement no more frequently than monthly.

## **Task 2: Construction**

**Deliverables:** The Grantee will construct a sanitary sewer conveyance system in accordance with the construction contract documents.

**Documentation:** The Grantee will submit a signed acceptance of the completed work to date by the Grantee and the Engineer's Certification of Payment Request.

**Performance Standard:** The Department's Grant Manager will review the documentation to verify that the deliverables are completed as described above. Upon review and written acceptance by the Department's Grant Manager, the Grantee may proceed with payment request submittal.

**Payment Request Schedule:** The Grantee may submit a payment request for cost reimbursement no more frequently than monthly.

**PROJECT TIMELINE & BUDGET DETAIL:** The tasks must be completed by, and all documentation received by, the corresponding task end date.

Task No.	Task Title	Budget Category	Budget Amount	Task Start Date	Task End Date
1	Design and Permitting	Contractual Services	\$115,400	07/01/2019	6/30/2025
2	Construction	Contractual Services	\$1,321,553	07/01/2019	6/30/2025
Total:			\$1,436,953		

Note that, per Section 8.h. of Attachment 1 in the Agreement, authorization for continuation and completion of work and any associated payments may be rescinded, with proper notice, at the discretion of the Department if the Legislature reduces or eliminates appropriations. Extending the contract end date carries the risk that funds for this project may become unavailable in the future. This should be a consideration for the Grantee with this and future requests for extension.