



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 6667, **Version:** 1

Subject:

Cost-Sharing Agreements 39141 and 39282 with St. Johns River Water Management District (SJRWMD) for the Brevard County West Arlington-Basin 1304B Project (D4), Brevard County Angel Avenue - Basin 1066 (D2) and Brevard County East Main Street Mims Nutrient Removal Project (D1).

Fiscal Impact:

FY 23-24 & FY 24-25 \$959,512 Anticipated Revenue from SJRWMD

D4--\$119,512 (West Arlington), Agreement No. 39141

D2--\$440,000 (Angel Avenue), Agreement No. 39282

D1--\$400,000 (East Main Street Mims)

Dept/Office:

Natural Resources Management Department (NRM)

Requested Action:

It is requested that the Board of County Commissioners authorize: 1) Execution of SJRWMD cost-sharing agreements 39141 and 39282 2) Execution of the to-be-received East Main Street Mims Nutrient Removal Project grant agreement, substantially in the form of the other executed MN034 cost-sharing agreements, upon review and approval by the County Attorney's Office, Risk Management, and Purchasing Services; 2) Permission to execute grant amendments and modifications upon review and approval by the County Attorney's Office, Risk Management, and Purchasing Services; 3) Permission to execute all competitively procured construction and Construction Manager at Risk (CMAR) contracts, amendments, and change orders; and 4) Associated Budget Change Requests.

Summary Explanation and Background:

The three projects associated with these cost-sharing agreements will reduce nutrient loading to the Indian River Lagoon or the Banana River Lagoon. The Department of Environmental Protection (DEP) granted SJRWMD \$6,997,962 for 15 specific Indian River Lagoon Stormwater Improvement projects through DEP Agreement MN034. Of the eight unincorporated Brevard County projects, only Task 14 (West Arlington), 39141, and Task 11 (Angel Avenue), 39282 listed in Attachment 3 of each SJRWMD/County cost-share agreement are proposed for Board execution as part of this agenda item. The East Main Street Mims Nutrient Removal Project is a substitute for Task 12 Brevard County Lionel Road-Basins 115 and 116. This substitution was needed as the nutrients in the Lionel Road area were deemed already low, thus treatment is not required. The substitute agreement for the East Main Street Mims Nutrient Removal Project is currently being drafted by SJRWMD. The County's other five MN034 Tasks (projects) have already been executed under previous Board action.

Cost-share agreement 39141 contributes funding to the West Arlington project. This project provides for the

installation of a denitrification bioreactor in the retention pond at the end of the cul-de-sac that will reduce nutrient discharges to the Banana River Lagoon. The estimated reduction in nitrogen (N) is 39.0 lbs/year. SJRWMD cost-share funding amount is not to exceed 87.38% of the total construction cost (\$136,766) or \$119,512, whichever is less. This project is almost bid-ready.

Cost-Share Agreement 39282 contributes funding to the Angel Avenue project. This project provides for the installation of a wet pond and denitrification bioreactor system, on Brevard County property already acquired for this project, to treat residential runoff in the Angel City/Pelican Creek watershed before discharge to the Banana River. The estimated reduction in nitrogen (N) is 766.2 lbs/year. SJRWMD cost-share funding amount is not to exceed 68.75% of the total construction cost (\$640,000) or \$440,000, whichever is less. Angel Avenue project design is incomplete, and the grant requires contracting for construction to be completed by December 2024. The County has CMAR firms under contract that NRM can employ. Utilizing CMAR firms will allow the County to meet the grant contracting deadline requirement.

The design for the East Main Street Mims project has not been started. It is anticipated that the project will include a wet pond and denitrification bioreactor system and that SJRWMD cost-share funding amount will not exceed \$400,000. Total construction cost is anticipated to be \$600,000. As this is a substitute project, the grant agreement for this project is still being prepared by the state. It is expected that the agreement will be substantially in the form of the other seven agreements received to date. Therefore, to expedite the project and allow staff to meet project deadlines, staff respectfully requests permission for the Chair to execute the agreement after review by the County Attorney's Office, Risk Management, and Purchasing Services. CMAR firms may be utilized to meet the grant contracting deadline requirement.

West Arlington and Angel Avenue are included in the FY 23-24 Capital Improvement Project Budget. East Main Street Mims will be in the proposed FY 24-25 Capital Improvement Project Budget. The grant funds offered will provide savings in Stormwater Assessments and Save Our Indian River Lagoon costs.

Clerk to the Board Instructions:

Provide two executed copies of the agreements to NRM.