

**MINUTES OF MEETING
SUNSHINE WATER CONTROL DISTRICT**

A Public Hearing and Joint Meeting of the Sunshine Water Control District's Board of Supervisors and its Selection and Negotiation Committee (SNC) was held on **Wednesday, January 13, 2010 at 4:00 p.m.**, in the **Commission Chambers, Coral Springs City Hall, 9551 West Sample Road, Coral Springs, Florida 33065.**

Present at the meeting were:

David Hulett	President
Emily Heafy	Vice President
Joe Morera	Secretary

Also present were:

Craig Wrathell	District Manager
Doug Paton	Client Services Manager
Jesse Jackson	WHHA
Cory Selchan	Field Superintendent
Bill Capko	District Counsel
Rhon Ernest-Jones	District Engineer
Tom Donahue	District Engineer
Tim Fish	REJ/IBI
John McKune	McKune & Associates
Michel Wood	Pavarini South East Construction Company
Steve Willams	Pavarini South East Construction Company
Gary Glenewinkel	Pavarini South East Construction Company
Jim Farrell	Pavarini South East Construction Company
Tom Brocha	Pavarini South East Construction Company
Paul Loughran	Pavarini South East Construction Company
Jonathan Sharon	The Weitz Company
John Szymuca	The Weitz Company
Jim Walls	The Weitz Company
Larry Thompson	The Weitz Company
Dean Allison	The Weitz Company
Joel Roehl	The Whiting-Turner Contracting Company
Chris Dampman	The Whiting-Turner Contracting Company
Craig Heiser	The Whiting-Turner Contracting Company
Frank Zaremba	The Whiting-Turner Contracting Company

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Hulett called the meeting to order at 4:00 p.m. Mr. Wrathell stated all Board Members and members of the SNC were present at Roll Call.

SECOND ORDER OF BUSINESS

Construction Manager at Risk (Pump Station 1 & 2 Replacement)

Mr. Wrathell stated the District invited the top three (3) firms for an interview by the SNC and each firm will present, in alphabetical order. He requested opposing firms to remain outside of the room during other firms' presentations.

Discussion was held on the process of ranking the firms. Mr. Ernest-Jones recommended ranking each firm after each presentation and tallying up the numbers.

- **Notification of Shortlist**
- **Interview Shortlisted Firms**
 - **Pavarini South East Construction Co., Inc. (4:00 p.m.)**

Mr. Gary Glenewinkel presented on behalf of Pavarini South East Construction Co., Inc., and introduced various employees of the company. He discussed completed projects including the pier extension at Port Everglades, the pump stations for the aquarium at the Atlantis in the Bahamas and Port Arthur's main pumps. Mr. Steve Williams, Vice President of Operations, discussed the value of the preconstruction design phase. Mr. Jim Farrell discussed the preconstruction criteria that would need to be followed, including comprehensive functionality and constructability reviews of the building design and identifying any long need items critical to the construction schedule. At the same time, engineer studies would be completed throughout the design process and subcontractors would be used for certain steps. The detailed bid packages would be prepared for each trade. Mr. Paul Loughran, Vice President of Safety, discussed the company's safety concerns regarding the work site and the surrounding community. Mr. Williams presented a proposed construction schedule addressing all of the critical issues and permit timelines. He noted preconstruction would last about six (6) months and pump stations would be operational in October, 2011. Services would not be interrupted or inhibited during construction. He discussed the process of communication within the company and the specific phases of construction for each pump station. He presented options to address the erosion issues

at Pump Station 2, including the possibility of an inline pump station located upstream from Station 2. Mr. Glenewinkel summarized the principles and experience of Pavarini.

Mr. Paton questioned the safety process. Mr. Loughran stated all employees, including subcontractors, are required to attend a safety session before being allowed on the job site. He stated Pavarini is responsible for all environmental concerns. Mr. McKune questioned the process of switching from the old station to the new station. Mr. Farrell referred to the provided pictures and explained the new station will be tested and the existing pump station has to be removed. Mr. Morera questioned the use of E-Verify for employees. Mr. Brocha stated Human Resources does E-Verify and each subcontractor must complete the same process. Mr. McKune questioned the scheduling process. Mr. Williams stated that Pavarini completes the master schedule and works with the subcontractor to maintain the schedule. Mr. McKune questioned the bid process. Mr. Farrell explained that each trade will be bid out and the process can be as formal or informal as the Board prefers. He noted most of the work will be bid out to subcontractors, as this job requires specialty work. Mr. McKune questioned the change order process. Mr. Farrell clarified that change orders would only be completed when a task was necessary and did not fall in the scope of another trade. The fees would be negotiated to a fair price before the change starts. Mr. McKune questioned the plan of unforeseen weather, as construction would begin in the middle of hurricane season. Mr. Williams explained the bidding would begin in August; August to December would be finalizing the purchasing and deliveries and construction would begin in December. Ms. Heafy questioned the process of building a storage tank facility. Mr. Ernest-Jones stated the tank would store diesel fuel for the emergency generator.

Mr. Ernest-Jones advised that the SNC will score on the basis of the evaluation criteria.

○ **The Weitz Company (5:00 p.m.)**

Mr. Jim Wells, Vice President, presented on behalf of The Weitz Company and introduced various staff members. Mr. John Szymuca summarized the logistics of each pump station, involving the use of signage for the roads and a fence for the construction site. Mr. Jonathan Sharon presented a 3-D layout of the existing stations and addressed concerns regarding the existing powerlines, wetlands and access roads. He summarized the construction and the transition process. They recommended upgrading to electrical pumps to reduce noise, which would require an upgrade from Florida Power & Light (FPL). Mr. Wells addressed the

issue of erosion and various options to reduce drawing down on the wetland and erosion. Mr. Sharon stated the service of Pump Station 2 would not be interrupted during construction and outlined the construction process. Mr. Wells discussed previous relevant projects. Mr. Wells discussed the company's development of GMP and their Construction Manager's role, including estimating the cost of the project to be around \$2.1 to \$2.6 million, depending on the controls used. Early in the process, the budget would be provided. Regular meetings would be held and the budget is continually updated. The subcontractors are obtained through an open book bid, according to the appropriate scopes and a recommendation would be made to the Board, based on the bids received. Mr. Wells noted the safety standard for The Weitz Company is less than 0.5, which is two (2) times better than the industry standard. Mr. Sharon provided the Board with a construction schedule. Discussion was held as to the company's safety standards, experience and change orders.

Mr. Paton questioned the alternative location for Pump Station 2. Mr. Wells stated it should be around 100-150 feet from the current position. Mr. Selchan questioned the locality of the workers. Mr. Wells noted most of the employees and suppliers are local; only one (1) employee is not, but he would be available for the job. Mr. Wells discussed creating a subcontractor bidding list and then consult with the Board and Staff. Discussion was held regarding the narrow canals and possibility of hard piping at the discharge. Mr. Ernest-Jones questioned the compression of a previous construction schedule from two (2) seasons to one (1) season and the firm's relationship during a previous job. Mr. Wells stated the firm had a design-build relationship with the state parks. Mr. Wells summarized that a construction manager (CM) is an ideal situation for this project and needs three (3) key components: an owner, designer and a CM, to help make decisions. Mr. Morera questioned if the company uses E-Verify for workers. Mr. Wells stated all workers are confirmed. Mr. Wells provided a handout listing the anticipated long need items. He confirmed the bid process is open and the subcontractors are local, as the company is well established and the project is specialized. Mr. Hulett questioned the time necessary to get a good handle on the cost of the buildings. Mr. Wells stated the current estimate can be broken down and a final number obtained within a week. Mr. Ernest-Jones questioned if Mr. Sharon would be present during preconstruction and construction. Mr. Wells confirmed he would be involved in both phases, Mr. Szymuca would be involved 100% and Mr. Sharon can be involved 100%, if requested, but that is not included in the current budget. Mr.

Ernest-Jones questioned if the sheet piles had to be driven in. He confirmed the sheets would be driven and the vibrations would be monitored to ensure they stay within the permitted limit. Mr. Wells stated the equipment's operating efficiency can be modeled.

o **The Whiting-Turner Contracting Company (6:00 p.m.)**

Mr. Ernest-Jones introduced the Board and SNC to representatives with The Whiting-Turner Contracting Company. Mr. Craig Heiser summarized the company's history and referred to past company projects, including a canal with the City of West Palm Beach and the Renaissance Project. Various representatives discussed their experience on previous jobs. They discussed the use of 3-D modeling and the benefit it provides to the project. A representative discussed the estimating and scheduling process. Mr. Heiser noted there are weekly meetings regarding the construction schedule and the company will utilize a quality control program to keep the job in compliance. There are weekly safety meetings and violations are carried out via fines or programs. All subcontractors are provided an orientation packet in which they must acknowledge in writing that they read the information. He noted the AMR rate for 2009 was 0.74. Mr. Heiser presented the proposal for each pump station. He discussed various design issues related to the presence of powerlines and the need to disassemble Pump Station 2 all the way to the slab. A preconstruction and construction schedule was presented and he stated the construction could be completed during the dry season between 2010 and 2011. Upon receipt of all the construction documents, they will be bid out to a group of pre-qualified contractors, through an open book process. One (1) week after the receipt of bids, a completed GMP and a guaranteed completion date will be provided. They presented previous projects relevant to the proposed project.

Discussion was held as to the design considerations for the pump stations. Mr. Selchan questioned the presence of the outside safety firm. It was confirmed they would be on-site twice a month. The decision to hire out of company was to ensure that all aspects of safety were covered. Mr. Selchan questioned if the workers, subcontractors and suppliers were local and Mr. Heiser confirmed affirmatively. Mr. Roehl discussed the preliminary cost estimate at around \$5 million; assumptions were made regarding the details and allowances were made for landscaping, irrigation and security fencing. Mr. Ernest-Jones questioned the length of time to obtain an updated cost estimate, should the firm be chosen. Mr. Heiser stated it can be provided within a week. Mr. Ernest-Jones questioned if they believed the Construction Manager-at-Risk

was the best approach and Mr. Heiser responded affirmatively. Mr. Morera questioned if the company uses E-Verify. Mr. Heiser stated that is left to the subcontractors for enforcement, but that Whiting-Turner has all legal workers. He confirmed all subcontractors are bonded. Mr. McKune questioned if there were any plans for a filtration system to protect the pumps. Mr. Heiser responded a barrier would be installed and possible settling boxes. The new pumps would be covered until testing began.

- **Consideration of Selection and Negotiation Committee (SNC) Ranking**

Mr. Ernest-Jones compiled the totals of the SNC members. Doug Paton scored: Pavarini 65, Weitz 61, Whiting-Turner 57; Cory Selchan scored: Pavarini 68, Weitz 67, Whiting-Turning 66; John McKune scored: Pavarini 72, Weitz 76, Whiting-Turning 70; Rhon Ernest-Jones scored: Pavarini 70, Weitz 78, Whiting-Turner 69. The total scores were: Pavarini 275, Weitz 282, Whiting-Turner 262. Mr. Ernest-Jones stated the number one ranked firm is The Weitz Company.

- **Award of Contract to Top Ranked Firm**

Ms. Heafy commended the SNC for their review and recommended going with their recommendation. Mr. Morera commended the SNC on their efforts; however, he indicated he is not in complete agreement with the ranking, as he felt The Weitz Company's presentation was not as solid as the others. Mr. Hulett stated he agreed with the ranking of the SNC and commended The Weitz Company on their presentation and knowledge of the details of the project.

On MOTION by Ms. Heafy and seconded by Mr. Morera, with all in favor, the SNC final ranking was accepted and Staff was authorized to negotiate an agreement with The Weitz Company.

On MOTION by Ms. Heafy and seconded by Mr. Morera, with all in favor, the Selection and Negotiation Committee (SNC) was dissolved.

THIRD ORDER OF BUSINESS

Public Hearing to Consider Resolution 2010-6, Confirming the District’s Intent to Utilize the Uniform Method of Collection of Non-Ad Valorem Assessments, Pursuant to Chapter 197, Florida Statutes

• **Proof of Publication**

Mr. Wrathell presented Resolution 2010-6 for the Board’s consideration and stated the Public Hearing was advertised. He explained this hearing is necessary, as a debt assessment is anticipated to be added on to the existing operations assessments.

*****Mr. Hulett opened the Public Hearing.*****

There were no comments.

*****Mr. Hulett closed the Public Hearing.*****

On MOTION by Ms. Heafy and seconded by Mr. Morera, with all in favor, Resolution 2010-6, Confirming the District’s Intent to Utilize the Uniform Method of Collection of Non-Ad Valorem Assessments, Pursuant to Chapter 197, Florida Statutes was adopted.

Mr. Wrathell noted that District Counsel confirmed that a mailed notice, for the purposes of the 197 public hearing, was not required, at this time, because there is a mailed notice requirement under Chapter 298, which will be conducted when the updated drainage plan is considered at a future public hearing.

FOURTH ORDER OF BUSINESS

Discussion: Interlocal Agreement between Broward County and Sunshine Water Control District to Conduct a Feasibility Analysis and Design Study Related to the Development of Alternative Water Supplies

*****This item, previously the Fifth Order of Business, was discussed out of order.*****

Mr. Ernest-Jones stated he met with South Florida Water Management District (SFWMD) concerning the types of unacceptable limitations that may be placed on the East-West Interconnect. SFWMD responded that, provided the District adheres overall to the discharge into the C-14 canal, they will not restrict how Mr. Selchan will open/close the gate. He stated, he

discussed with Mr. Rich Michaud and Mr. Don Eckler the benefits of having the potential to move water from a west to an east direction. Mr. Michaud confirmed the city had about a 2/3 agreement. Mr. Ernest-Jones noted the interconnect benefits the city and the District, but the city to a greater degree. The \$40,000 would be paid via a split; 1/3 from the District and 2/3 from the city. A county grant will cover \$20,000 of the total \$60,000 to complete the study. Mr. Ernest-Jones noted the \$60,000 is for the design and study aspect. Mr. Hulett questioned the cost of the construction and the cost sharing with the city. Mr. Ernest-Jones stated the construction will cost about \$200,000 and will be split 1/3 SWCD and 2/3 the city. Ms. Heafy questioned the acquisition of land. Mr. Ernest-Jones stated there is an easement, but acquiring some corners and other easements would make construction easier. Discussion was held as to how to acquire the land and who would be responsible for the purchase. Mr. Selchan expressed his concerns regarding the project. Mr. Ernest-Jones confirmed that the proposed study does not guarantee that the project will be executed. He noted issues in relation to making sure the project benefits the appropriate areas, such as the City's well fields, making sure SFWMD will allow the flow of water, even though the Everglades' water is higher and recharge is received underground; and the easement issues. He noted the alternative way of handling the easement issues includes utilizing Royal Palm. Mr. Morera questioned how much money has already been spent on this project. Mr. Ernest-Jones estimated about \$2,000, plus the \$2,500 survey. Mr. Morera questioned how to prove the benefit to the residents. Mr. Wrathell stated that the degree of benefit to the District can be justified through the finding in the study and the agreement with the city. Mr. Michaud stated this study is a feasibility study and the city has currently committed for two-thirds (2/3) of the cost. Mr. Hulett supported the implementation of the study and the use of the Interlocal Agreement. Mr. Morera questioned if the 2/3 number would carry over if the land acquisition becomes part of the deal. Mr. Michaud stated the City Commission has to make the final decision, but it can be added into the agreement. Mr. Ernest-Jones noted the significance of the \$20,000 from the grant and the need to meet the time frame required for the grant. Discussion was held regarding the amounts reflected in the agreement.

On MOTION by Ms. Heafy and seconded by Mr. Morera, with all in favor, the Interlocal Agreement between Broward County and Sunshine Water Control District, with Page 19 amended to read an amount not to exceed \$13,333.33, was accepted, as amended.

FIFTH ORDER OF BUSINESS

Discussion: Letter of No Objection for Broken Woods Land Use Application

******This item, previously the Seventh Order of Business, was discussed out of order.******

Mr. Wrathell stated Mr. Brian DiGirolomo requested that the letter incorporate certain canals of the District that are adjacent to the property, but outside the borders of the property. Mr Wrathell read the letter, as it was approved by Mr. Hulett and District Counsel. Discussion was held as to the current condition of the canals. Mr. Hulett discussed his tour of the canal.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2010-7, Designating Craig Wrathell as the District's Registered Agent and his Business Address of 6131 Lyons Road, Suite 100, Coconut Creek, Florida 33073 as the Registered Office

******This item, previously the Fourth Order of Business, was discussed out of order.******

Mr. Wrathell presented Resolution 2010-7 for approval by the Board.

On MOTION by Ms. Heafy and seconded by Mr. Morera, with all in favor, Resolution 2010-7, Designating Craig Wrathell as the Registered Agent and his Business Address of 6131 Lyons Road, Suite 100, Coconut Creek, Florida 33073 as the Registered Office was adopted.

SEVENTH ORDER OF BUSINESS

Consideration/Discussion of Permits/Applications

******This item, previously the Sixth Order of Business, was discussed out of order. ******

- Consideration of Request for Letter of No Objection from Gray Robinson Attorneys at Law, Representing the Property Owners**

Mr. Ernest-Jones recommended that the Board issue a Letter of No Objection for the property at 11711 W. Sample Road.

On MOTION by Ms. Heafy and seconded by Mr. Morera, with all in favor, a Letter of No Objection for the property at 11711 W. Sample Road, regarding the Release of Reservation will be issued.

- **PERMIT/APPLICATION LOG**

There being no further business, the next order of business followed.

EIGHTH ORDER OF BUSINESS

Approval of December 9, 2009 Regular Meeting Minutes

Mr. Wrathell presented the December 9, 2009 Regular Meeting Minutes for the Board's approval.

Line 101: Change "CDD" to "SWCD"

Line 399: Insert "City Commission and" before "Code"

Line 401: Delete "Code Enforcement" and insert "The City Commission"

On MOTION by Mr. Morera and seconded by Ms. Heafy with all in favor of approving the December 9, 2009 Regular Meeting Minutes, as amended.

NINTH ORDER OF BUSINESS

Citizens' Requests

There were no Citizens' Requests and the next item followed.

TENTH ORDER OF BUSINESS

Supervisors' Requests

Mr. Hulett discussed his field inspection of Canal A. He provided a handout to the Board illustrating his findings and problems found in the District's right-of-way on 16 properties. Discussion was held as to how to handle the clearing of the right-of-ways. Mr. Selchan recommended the city be put on notice if a resident violates a right-of-way. Mr. Ernest-Jones recommended sending a letter to the Coral Springs City Manager to make them aware of the

SWCD's attempt to clear the right-of-way, including the findings from the brief walk-through. Mr. Wrathell recommended sending a letter to canal property owners, advising that their residence is adjacent to a SWCD easement.

ELEVENTH ORDER OF BUSINESS

Staff Reports

a. Attorney

Mr. Capko discussed the provisions of the collateral of qualified public depositories (QPD) under Chapter 280. He stated the Florida Administrative Code has a number of sections as to how the Chief Financial Officer of the state is supposed to secure the public deposits, provide the type of collateral and the levels of collateralization. The level of collateral is based on the institution's rating. In the event that a QPD fails, and the collateral and federal insurance is not sufficient to return the money, there is the ability to assess another QPD to make up the shortfall. He stated the framework is secure and the State can provide each institution's rating and collateral level.

Mr. Wrathell provided a handout reflecting the four (4) star rating of Community Bank of Broward. He stated WCHA has to notify the state, on an annual basis, that the District's account is with a QPD.

b. Engineer

- i. Monthly Engineer's Report – 12/2/09 – 01/05/10**
- ii. Hydrologic Model Summary Report**
- iii. SFWMD Letter Regarding Updated Water Control Plan**
- iv. Amended Water Control Plan**
- v. Letter to SFWMD Regarding Water Use Permit**

Mr. Ernest-Jones stated the Hydrologic Model and the Water Control Plan are completed and SFWMD does not have any further comments on either document. He noted the District Mapping and GIS system is working and maps can be printed. He stated the District applied for a 10% increase in water usage; however, the request was withdrawn and the Water Use Permit Renewal was applied for, based on the current usage. In working with The Weitz Company, the design plans for the pump stations will try to be made available by the February meeting. Mr. Morera questioned what happens should contract negotiations with the first ranked firm not meet

the District's needs. Mr. Ernest-Jones stated the concept is to rank and then attempt to negotiate with the first ranked firm; if that does not work out, negotiate with the second ranked firm.

Mr. Donahue noted the EPA is holding three (3) public hearings throughout the state. He stated he will attend the hearing in West Palm Beach at the end of January.

Regarding the 5-Year Capital Improvement Project, Mr. Ernest-Jones stated he is working to determine what can be completed this year. Mr. Wrathell stated that once the finite budget number is determined and approved by the Board, the methodology can be revised.

iv. Revised Permit Manual Draft

Mr. Ernest-Jones presented the draft revised permit manual. Mr. Donahue stated it can be finalized, pending Staff and District Counsel review.

On MOTION by Mr. Morera and seconded by Ms. Heafy, with all in favor, the Revised Permit Manual Draft, pending Staff and District Counsel review, was approved.

Mr. Ernest-Jones discussed the CRA project to add right turn lanes at all corners of the intersection at University and Sample; however, this would impede on the District right-of-way. He requested a culvert extension within the right-of-way and it will be reviewed when the project is complete.

c. Field Supervisor

i. Truck Identification

Mr. Selchan discussed placing numbers on the District's vehicles. He stated, after talking to the City of Tamarac and City of Coral Springs, their numbers are used to track maintenance work. He stated they do not appear to be used for citizens' identification in reporting activity. He requested the consensus of the Board. Discussion was held regarding the necessity of labeling the District trucks with numbers.

Mr. Selchan stated the water level is normal.

d. Manager

i. Unaudited Financial Statements as of November 30, 2009

Mr. Wrathell presented the Unaudited Financial Statements as of November 30, 2009. He noted the \$1.8 million was accrued from the matured CDARS and the money was moved into the money market accounts, after November 30, 2009.

Mr. Wrathell stated the health insurance is complete and CSID premiums are no longer being paid.

On MOTION by Mr. Morera and seconded by Ms. Heafy, with all in favor of approving the Unaudited Financial Statements as of November 30, 2009, as presented.

ii. Revised Cash Flow Analysis

******This item was discussed after the Sixth Order of Business.******

Mr. Jackson presented the Board with a revised cash flow analysis that reprioritizes the District's funds. He stated the numbers were completed after discussion with Mr. Donahue. He recommended amending the engineering budget by \$83,057. Discussion ensued on the funds necessary for construction. Mr. Morera questioned what the proposed additional funds would pay for. Mr. Wrathell explained that the funds would be allocated to allow construction to begin by a certain date. Mr. Hulett requested an outline of the projects and their costs, under the current budget funds. Discussion was held regarding the future projections of the budget.

iii. NEXT MEETING DATE: February 17, 2010 at 6:30 P.M.

Mr. Hulett noted the next meeting is February 17, 2010.

TWELFTH ORDER OF BUSINESS

Adjournment

There being no additional business, the meeting adjourned at 9:30 p.m.



Secretary/Assistant Secretary



President/Vice President