

AGREEMENT FORM

PART 1 GENERAL

1.01 THIS AGREEMENT, made this 27th day of July, 2020, by and between Utilities Inc. of Florida, hereinafter called the Owner, and Danus Utilities, Inc., doing business as a Corporation and hereinafter called the Contractor.

1.02 The Owner and Contractor agree as follows:

A. Contract Documents

The Contract Documents include the Agreement, Contractor's Bid, Notice to Proceed, any technical specifications, Change Orders, Work Change Directives and Field Orders issued on or after the Effective Date of this Agreement. These form the Contract and all are as fully a part of the Contract as if attached to this Agreement or repeated herein.

B. Scope of Work

The Contractor shall perform all work required by the Contract Documents for the construction of the LUSI Barrington WWTF Improvements

C. Contract Time

The Contractor shall begin work within 10 days after the issuance of a written Notice to Proceed and shall substantially complete the work within 156 calendar days from the date of the Notice to Proceed. The work shall be finally complete, ready for Final Payment within 30 calendar days from the actual date of substantial completion.

NAME OF PROJECT: LUSI Barrington WWTF Improvements

D. Liquidated Damages

OWNER and CONTRACTOR recognize that time is of the essence of this Agreement and that OWNER will suffer financial loss if the Work is not substantially complete within the time specified in Paragraph C above, plus any extensions thereof allowed in accordance with the General Conditions. They also recognize the delays, expense and difficulties involved in proving in a legal arbitration proceeding the actual loss suffered by OWNER if the Work is not substantially complete on time. Accordingly, instead of requiring any such proof, OWNER and CONTRACTOR agree that as liquidated damages for delay (but not as a penalty) CONTRACTOR shall pay OWNER \$500.00 for each calendar day that expires after the time specified in Paragraph C for substantial completion until the work is substantially complete. It is agreed that if this Work is not Finally completed in accordance with the Contract Documents, the CONTRACTOR shall pay the OWNER as liquidated damages for delay, and not as penalty, one-fourth ($\frac{1}{4}$) of the rate set forth above.

E. Contract Price

Unit Price Contract

The Owner will pay the Contractor in current funds for the performance of the work, subject to additions and deductions by Change Order and subject to actual constructed quantities; the Total Contract Price of Three hundred twenty-seven thousand seven hundred thirty-five dollars and zero cents (\$327,735.00).

Payments will be made to the Contractor on the basis of the Schedule of Unit Prices included as a part of his Bid, which shall be as fully a part of the Contract as if attached or repeated herein.

F. Payments

The Owner will make payments subject to actual constructed quantities.

G. Retainage

The value of each application for payment shall be equal to the total value of the Work performed to date, less an amount retained, and less payments previously made. Retainage for this project is 10%, to be held by Owner as collateral security to ensure completion of Work. The Owner is not obligated to reduce retainage at any time during the Contract but may choose to do so at its discretion once the Work is at least 75% complete.

NAME OF PROJECT: LUSI Barrington WWTF Improvements

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

CONTRACTOR:

Danus Utilities, Inc.
Name of Firm

[Signature]
By (Signature)

Daniel J Pardus - President
Printed Name and Title

ATTEST:
[Signature]
By (Signature)

Robert Brown - Manager
Printed Name and Title

OWNER:

Utilities Inc. of Florida
Name of Owner's Representative

[Signature]
By (Signature)

Bryan K. Gongre, Regional Mgr.
Printed Name and Title

ATTEST:
[Signature]
By (Signature)

Maqueline Sillitoe, Admin
Printed Name and Title

(SEAL)

(SEAL)

END OF SECTION

NAME OF PROJECT: LUSI Barrington WWTF Improvements

NOTICE TO PROCEED FORM

TO: Danus Utilities Inc.
2320 Beardall Avenue
Sanford, FL 32771

DATE: September 14, 2020

PROJECT: LUSI Barrington WWTF Improvements

You are hereby notified to commence WORK in accordance with the Agreement dated 7/24/2020. This Notice authorizes the CONTRACTOR to commence construction, and, in accordance with the Agreement, all work shall be substantially complete within 156 calendar days of the date of this Notice to Proceed. Therefore, the date of substantial completion is February 17, 2021. The date of Final completion is March 19, 2021.

ISSUED BY: Utilities Inc. of Florida
(Name of OWNER)

Bryan K. Gongre
By (Signature)

Bryan K. Gongre, Regional Manager
(Printed Name and Title)

ACCEPTANCE OF NOTICE

Receipt and acceptance of the above NOTICE TO PROCEED is hereby acknowledged by _____
Danus Utilities, Inc. this 27th day of July, 2020.

Daniel J. Pardus
By

Daniel J Pardus
Printed Name and Title

END OF SECTION

TRENCH SAFETY ACT

Florida Statutes Section 553.60 et seq.

Trench Safety Act" Compliance

1. Bidder acknowledges that the Florida Trench Safety Act, Section 553.60 et. seq., which became effective October 1,1990, shall be in effect during the period of construction of the project. The Bidder by signing and submitting the bid is, in writing, assuring that it will perform any trench excavation in accordance with the applicable trench safety standards.
2. Bidder acknowledges that the cost of compliance is included in the applicable items of the Proposal and in the Grand Total Bid Price.
3. The Bidder is, and Garney and Engineer are not, responsible to review or assess County's safety precautions, programs or costs, or the means, methods, techniques or technique adequacy, reasonableness of cost, sequences or procedures of any safety precaution, program or cost, including but not limited to, compliance with any and all requirements of Florida Statute Section 553.60 et. seq. cited as the ""Trench Safety Act"". Bidder is, and the Garney and Engineer are not, responsible to determine if any safety or safety related standards apply to the project, including, but not limited to, the ""Trench Safety Act"

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.

(Signed) [Signature] Title Vice President

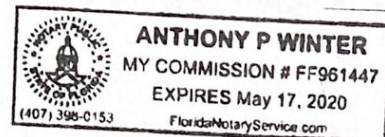
Subscribed and sworn to before me this 4 day of May, 2020.

By: Ryan STRONG He/she (who is personally known to me)/(who has produced _____ as identification and (did)/(did not) take an oath.

My commission expires: May 17, 2020

STATE OF: Florida

COUNTY OF: LAKE



Kimley»Horn

August 2, 2019

Mr. Bryan Gongre, Regional Manager
Utilities Inc., of Florida
200 Weathersfield Ave.
Altamonte Springs, FL 32714

Re: Barrington WWTF Modifications
LUSI Service Area

Dear Bryan:

Kimley-Horn and Associates, Inc. ("Kimley-Horn" or "Consultant") is pleased to submit this letter agreement (the "Agreement") to Utilities Inc., of Florida ("Client") for providing engineering services related to designing a lift station to pump the flows directly into the Barrington WWTF.

Project Understanding

The Barrington wastewater facility is a Mack package plant that was originally designed to receive the flows from the Barrington subdivision through a 4-inch force main. The force main was intended to run to a manually cleaned barscreen and splitter box to be located on top of the flow equalization tank (FEQ). When the facility was constructed, the influent conditions were modified to allow gravity flow into the side of the FEQ with a screen placed inside the tank. The utility is proposing to install a lift station on the wastewater facility site to pump to the facility as originally conceived. This work includes the design of a new package style lift station and force main connecting directly to the existing screening box on top of the structure, a new generator, and the associated piping and electrical work.

Scope of Services

Design – These improvements will be design based on the existing drawings provided by the utility and any necessary site visits to determine relative dimensioning. Plans will be developed on 11x17 sheets to describe the site improvements and specific infrastructure required to complete this project. This includes site layout and piping, lift station plan and details, generator and fuel tank plans, and associated electrical plans. Specifications will be developed on the plan set due to the size of the project. A separate bid form will be developed to solicit construction bids as needed.

No surveying or geotechnical work is included in this scope of services but can be added, if requested.

Permitting – Permitting for this project will include coordination of permits from the FDEP permit and Lake County. The FDEP permit is anticipated to be a minor modification but may be able to be submitted as a general permit. Site plan approval will be applied for through Lake County with building permitting being completed by the selected contractor. Permit fees



May 4, 2020

Mr. Stephen Romano, P.E.
Kimley-Horn Engineering
189 S. Orange Avenue, Suite 100
Orlando, Florida 32801

Re: Approved – Barrington Estates WWTP-Lift Station Improvements
Proj. #2020030013/ AR #4040 (AK #3884288)

Dear Mr. Romano:

I am happy to inform you that on May 4, 2020, the development application that proposes a lift station at the Barrington Estates wastewater treatment plant (WWTP) in south Lake County has been **Approved** with informational comments below. **Be advised that Approval for this site plan will expire 18 months from the date of issuance, per Lake County Land Development Regulations (LDR) Section 14.09.03(A).**

After obtaining all necessary permits, please commence construction in accordance with the approved site plan within the permitted time frame and continue in good faith towards the completion of the construction. If you have any questions regarding the permitting application or process, please contact the Office of Building Services at (352) 343-9653.

INFORMATIONAL COMMENTS

The Offices or Departments of the County involved with the review process have provided informational comments to inform you of Code requirements and/or processes that will be required as you move forward with the development process. The informational comments are listed below.

Office of Planning and Zoning

The proposed lift station use is consistent with PUD Ordinance #2005-91, Section 1.C.2, and supportive of the existing eastern Barrington Estates subdivision situated within the Urban Low FLUC.

Office of Building Services – Building and Fire Safety

The Florida Fire Prevention Code NFPA 1: 11.10 has specific mandates regarding Two-way radio communication enhancement system to provide greater flexibility and safety for emergency responders during in-building operations, these systems shall comply with NFPA 72.

OFFICE OF PLANNING & ZONING

P.O. BOX 7800 • 315 W. MAIN ST., SUITE 510, TAVARES, FL 32778 • P 352.343.9641 • F 352.343.9767

Board of County Commissioners • www.lakecountyfl.gov

TIMOTHY I. SULLIVAN
District 1

SEAN M. PARKS, AICP, QEP
District 2

WENDY R. BREEDEN
District 3

LESLIE CAMPIONE
District 4

JOSH BLAKE
District 5

Public Safety – Addressing

1. The Office of Public Safety Support has no objections to the request. Addressing requirements will be advised during future requests for development/construction. Address assignments are contingent upon legal and primary access to the property via public right of way and/or approved easements.
2. Approvals and address assignments are based on compliance with the Lake County Uniform Street Addressing Ordinance (Article V., Section 18).

Should you have any questions, please do not hesitate to contact our office.

Sincerely,



Steve K. Greene, AICP
Chief Planner

cc: Utilities Inc., 200 Weathersfield Ave., Altamonte Springs, FL. 32714 (pcflyn@uiwater.com)
Tim McClendon, AICP, Director, Office of Planning and Zoning
File



FLORIDA DEPARTMENT OF Environmental Protection

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

NOTIFICATION OF ACCEPTANCE OF USE OF A GENERAL PERMIT

PERMITTEE: Utilities Inc. of Florida 200 Weathersfield Avenue Altamonte Springs, FL 32714 Patrick Flynn, Vice President Email: Patrick.flynn@uiwater.com	PERMIT NUMBER: ISSUE DATE: EXPIRATION DATE: COUNTY: PROJECT NAME: CONNECTED TO: FACILITY ID:	0386956-001-DWC/CG April 22, 2020 April 21, 2025 Lake Barrington Estates Barrington Estates WWTF FLA416207
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Dear Mr. Flynn:

This letter acknowledges receipt of your Notification/Application for Constructing a Domestic Wastewater Collection/Transmission System for the subject project. Our office received the Notice on April 20, 2020. This project includes the construction of a lift station on existing gravity system and 4-inch force main to the treatment plant.

This is to advise you that the Department does not object to your use of such General Permit.

Please note the attached requirements apply to your use of this General Permit for constructing the proposed domestic wastewater collection/transmission system.

You are further advised that the construction activity must conform to the description contained in your Notification/Application for Constructing a Domestic Wastewater Collection/Transmission System and that any deviation will subject the permittee to enforcement action and possible penalties.

Sincerely,

A handwritten signature in black ink that reads "OHM".

Osama Mahmoud
Engineer
Permitting and Waste Cleanup Program

OHM/ohm

cc: Tucker Hunter, PE, Kimley Horn, tucker.hunter@kimley-horn.com
Charles LeGros, DEP, Charles.LeGros@dep.state.fl.us
Osama Mahmoud, DEP, Osama.mahmoud@dep.state.fl.us
Reggie Phillips, DEP, reggie.phillips@floridadep.gov

REQUIREMENTS FOR USE OF THE GENERAL PERMIT FOR DOMESTIC WASTEWATER COLLECTION/TRANSMISSION SYSTEMS:

1. This general permit is subject to the general permit conditions of Rule 62-4.540, F.A.C., as applicable. This rule is available at the Department's Internet site at:
<http://www.dep.state.fl.us/legal/Rules/shared/62-4/62-4.pdf> [62-4.540]
2. This general permit does not relieve the permittee of the responsibility for obtaining a dredge and fill permit where it is required. [62-604.600(6)(b)1]
3. This general permit cannot be revised, except to transfer the permit. [62-604.600(6)(b)2]
4. This general permit will expire five years from the date of issuance. If the project has been started and not completed by that time, a new permit must be obtained before the expiration date in order to continue work on the project. [62-4.030]
5. Upon completion of construction of the collection/transmission system project, and before placing the facilities into operation for any purpose other than testing for leaks or testing equipment operation, the permittee shall submit to the Department's Central District Office Form 62-604.300(8)(b), Request for Approval to Place a Domestic Wastewater Collection/Transmission System into Operation. This form is available at the Department's Internet site at: <http://www.dep.state.fl.us/water/wastewater/dom/dw-forms.htm>. [62-604.700(2)]

Please submit the entire clearance document package in electronic format to DEP_CD@dep.state.fl.us, with a copy to Osama.mahmoud@dep.state.fl.us . If the file is very large, you may post it to the Wastewater Electronic Applications folder on the following ftp site at:

<ftp://ftp.dep.state.fl.us/pub/wastewater/>

After posting the document, send an e-mail to DEP_CD@dep.state.fl.us, with a copy to Osama.mahmoud@dep.state.fl.us , alerting us that it has been posted. Any submitted drawings (should be sized 11" x 17") and the engineer of record's signed seal and dates on the required document must be legible for acceptance.

For further clarification contact:
(Osama Mahmoud), (407) 897-4125
3319 Maguire Blvd, Suite 232
Orlando, Florida 32803-3767

6. The new or modified collection/transmission facilities shall not be placed into service until the Department clears the project for use. [62-604.700(3)]
7. Abnormal events shall be reported to the Department's Central District Office in accordance with Rule 62-604.550, F.A.C. For unauthorized spills of wastewater in excess of 1000 gallons per incident, or where information indicates that public health or the environment may be endangered, oral reports shall be provided to the STATE WATCH OFFICE TOLL FREE NUMBER (800)320-0519 as soon as practical, but no later than 24 hours from the time the permittee or other designee becomes aware of the circumstances. Unauthorized releases or spills less than 1000 gallons per incident are to be reported orally to the Department's Central District Office within 24 hours from the time the permittee, or other designee becomes aware of the circumstances. [62-604.550]