

## AGREEMENT FORM

### PART 1 GENERAL

1.01 **THIS AGREEMENT**, made this 10th day of August, 2020, by and between Utilities Inc. of Florida, hereinafter called the Owner, and Central Florida Tapping & Construction Services, 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 EE Williamson Utility Relocations

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 180 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: EE Williamson Utility Relocations

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 Four hundred twenty-three thousand three hundred fifty-one dollars and zero cents (\$423,351.00).

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: EE Williamson Utility Relocations

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

CONTRACTOR:

Central Florida Tapping & Construction Services, Inc.  
Name of Firm

Richard E. Bullington

By (Signature)

(SEAL)

Richard E. Bullington  
Printed Name and Title

ATTEST:

Vinson Gammage  
By (Signature)

Vinson Gammage Ops Manager  
Printed Name and Title

OWNER:

Utilities Inc. of Florida  
Name of Owner's Representative

Bryan K. Gongre

By (Signature)

(SEAL)

Bryan K. Gongre, Regional Manager  
Printed Name and Title

ATTEST:

Susan M. D. Pasquale  
By (Signature)

Susan M. D. Pasquale  
Printed Name and Title

**END OF SECTION**

NAME OF PROJECT: EE Williamson Utility Relocations



# 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 Wethersfield Avenue  
Altamonte Springs, FL 32714  
Patrick Flynn, Vice President

Email: [Patrick.flynn@uiwater.com](mailto:Patrick.flynn@uiwater.com)

**PERMIT NUMBER:**

0392251-001-DWC/CG

**ISSUE DATE:**

September 29, 2020

**EXPIRATION DATE:**

September 28, 2025

**COUNTY:**

Seminole

**PROJECT NAME:**

EE Williamson Road Force  
Main

**CONNECTED TO:**

Wekiva Hunt Club WWTF

**FACILITY ID:**

FL0036251

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 September 25, 2020. This project includes the construction of various short segments of 10-inch and 4-inch force mains.

*This is to advise you that the Department does not object to your use of such a 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

cc: James Morris, PE, CPH, [jmorrisc@cphcorp.com](mailto:jmorrisc@cphcorp.com)  
Charles LeGros, DEP, [Charles.LeGros@dep.state.fl.us](mailto:Charles.LeGros@dep.state.fl.us)  
Osama Mahmoud, DEP, [osama.mahmoud@dep.state.fl.us](mailto:osama.mahmoud@dep.state.fl.us)  
Reggie Phillips, DEP, [reggie.phillips@floridadep.gov](mailto: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](mailto:DEP_CD@dep.state.fl.us), with a copy to [osama.mahmoud@dep.state.fl.us](mailto: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](mailto:DEP_CD@dep.state.fl.us), with a copy to [osama.mahmoud@dep.state.fl.us](mailto: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]

**FLORIDA DEPARTMENT OF  
Environmental Protection**

**Ron DeSantis**  
Governor

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

**Jeanette Nuñez**  
Lt. Governor

**Noah Valenstein**  
Secretary

**NOTICE OF ACCEPTANCE TO USE A GENERAL PERMIT**

For:  
Construction of Water Main Extensions for PWSs

09/11/2020

**Permittee:**

Patrick Flynn Vice President Sanlando Utilities 200 Weathersfield Ave, Altamonte Springs FL 32714 Sent by E-mail: patrick.flynn@uiwater.com

**Permit Number:** 0080881-071  
**Issue Date:** 09/11/2020  
**Expiration Date:** 09/10/2025  
**County:** SEMINOLE  
**Project Name:** EE Williamson Rd Trail / Longw  
**Water Supplier Name:** SANLANDO (3 WTPS)  
**Water Supplier ID:** 3591121

Dear James Morris:

On 09/11/2020, the Department received your Notice of Intent to Use the General Permit for Construction of Water Main Extensions for PWSs, under the provisions of Rules 62-4.530 and 62-555.405, Florida Administrative Code (F.A.C.). The Department does not object to the use of a General Permit for the activity described. Your general permit number is listed above; please refer to this number in all correspondence or inquiries regarding this permit. The activity covered under this general permit must conform to the description contained in your notice and any supplemental information. Any deviation will subject the Permittee to enforcement action and possible penalties.

**Proposed Project Description and its Purpose:** The purpose of this project is to relocate/install approximately 740 LF of 6" water main into the sidewalk. STA 44+85 to STA 46+44 approximately 175 LF on plans STA 51+60 to STA 54+95 approximately 375 LF on plans STA 62+65 to STA 64+43 approximately 190 LF on plans

**Project Location:** The project will be between Markham Woods Rd and N Ronald Reagan Blvd.

**Permit Remarks:** This 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, per Rule 62-4.030, F.A.C.

Any activities performed under this general permit are subject to the general conditions required in Rule 62-4.540, F.A.C. and the general conditions applicable to this general permit in Rule 62-555.405, F.A.C.; copies of which are provided as attachments to this document. You should become familiar with the General Conditions and any sampling and/or reporting requirements for which you may be responsible. This General Permit does not relieve you, the permittee, from the responsibility for obtaining any other permits required by the Department or any federal, state or local agency.

Upon completion of construction of the project and before placing into operation for any purpose other than testing for leakage, disinfection or testing equipment operations, you are required to obtain a clearance from the Department per the attached requirements.

**Copies of satisfactory bacteriological analysis taken within sixty (60) days of completion of construction shall be submitted to the Department. Samples shall be taken from locations within the distribution system or water main extension to be cleared, in accordance with Rules 62-555.315(6), 62-555.330, and 62-555.340, F.A.C. and American Water Works Association (AWWA) Standard C 651-92, as follows:**

**Description of Sampling Points:** At the two ends of each proposed water main

Each location shall be sampled on two consecutive days, with sample points, chlorine residual readings, and presence or absence of total coliform clearly indicated on the report. A sketch or description of all bacteriological sampling locations must also be provided.

## **CLEARANCE REQUIREMENTS**

To review clearance requirements and submit clearance documentation, please visit the ESSA electronic portal at: [https://prodenv.dep.state.fl.us/DepEssa/coreenginestart?name=dwrp\\_pwc&Create=new](https://prodenv.dep.state.fl.us/DepEssa/coreenginestart?name=dwrp_pwc&Create=new).

If you have any questions or comments regarding coverage under the General Permit, please contact Mohamed Abouelkheir by e-mail at [Mohamed.Abouelkheir@floridadep.gov](mailto:Mohamed.Abouelkheir@floridadep.gov).

## **NOTICE OF RIGHTS**

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

### Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

1. The name and address of each agency affected and each agency's file or identification number, if known;
2. The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes

during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;

3. A statement of when and how the petitioner received notice of the agency decision;
4. A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
5. A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
6. A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
7. A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at [Agency\\_Clerk@dep.state.fl.us](mailto:Agency_Clerk@dep.state.fl.us). Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

#### Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of receipt of the written notice, whichever occurs first. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

#### Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at [Agency\\_Clerk@dep.state.fl.us](mailto:Agency_Clerk@dep.state.fl.us), before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

#### Mediation

Mediation is not available in this proceeding.

#### FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

#### Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110

and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

### **EXECUTION AND CLERKING**

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

### **Enclosures:**

All supporting documentation provided by the applicant can be found here:

<https://prodenv.dep.state.fl.us/DepNexus/public/electronic-documents/0080881-071/permit>

**This link will not be available immediately. These documents will be available no later than 3 days from the date of issuance of this permit.**

### **Attachments:**

1. General Conditions for All General Permits, Rule 62-4.540, F.A.C., effective date 8/31/1988
2. Requirements for this General Permit, Construction of Water Main Extensions for Public Water Systems, Rule 62-555.405, F.A.C., effective date 8/28/2003
3. Certification of Construction Completion and Clearance for Public Water System Components, Rule 62-555.345, F.A.C., effective date 8/28/2003
4. Certification of Construction Completion and Request for Clearance to Place Permitted PWS Components into Operation, Form 62-555.900(9), F.A.C., effective date 8/28/2003
5. Drinking Water Microbial Sample Collection & Laboratory Reporting format, Form 62-550.730 Reporting Format effective 01/1995, Revised 02/2010

### **CERTIFICATE OF SERVICE**

Enterprise Self-Service Authorization System (ESSA) hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

James Morris  
Patrick Flynn  
Mohamed Abouelkheir

### **FILING AND ACKNOWLEDGMENT**

FILED, on this date, pursuant to Section 120.52, F. S.

ESSA

Clerk

09/11/2020

Date