



Broward County

Legislation Details (With Text)

File #: 20-2023 **Version:** 1

Status: Agenda Ready

In control: PORT EVERGLADES DEPARTMENT

On agenda: 12/8/2020 **Final action:** 12/8/2020

Title: MOTION TO APPROVE Project Partnership Agreement between the Department of the Army and Broward County, Florida for construction of the Port Everglades, Florida Navigation Improvements Project at a projected cost for construction of \$429,300,000, with a projected County cash contribution of \$179,750,000 and in-kind credit of \$2,200,000; and authorize the Mayor and Clerk to execute same.

Sponsors:

Indexes: Established Commission Goals

Code sections:

Attachments: 1. Exhibit 1 - Agreement Summary, 2. Exhibit 2 - Project Partnership Agreement

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Broward County Commission Regular Meeting

Director's Name: Jonathan Daniels

Department: Port Everglades

Division: Director's Office

Information

Requested Action

MOTION TO APPROVE Project Partnership Agreement between the Department of the Army and Broward County, Florida for construction of the Port Everglades, Florida Navigation Improvements Project at a projected cost for construction of \$429,300,000, with a projected County cash contribution of \$179,750,000 and in-kind credit of \$2,200,000; and authorize the Mayor and Clerk to execute same.

Why Action is Necessary

Broward County Board of County Commissioners' approval is required for the execution of the Project Partnership Agreement.

What Action Accomplishes

Allows the construction phase of the Port Everglades deepening and widening project to commence.

Is this Action Goal Related

Yes

Previous Action Taken

None

Summary Explanation/Background

THE PORT EVERGLADES DEPARTMENT RECOMMENDS APPROVAL.

This item supports the Broward County Board of County Commissioners' ("Board") Value of "Ensuring economic opportunities for Broward's diverse population and businesses" and the Goal to "Increase the economic strength and impact of revenue generating County enterprises balancing economic, environmental, and community needs."

With the issuance of a "New Starts" designation for the Port Everglades Navigation Improvements Project (Port Everglades, Florida Project) in the Fiscal Year 2020 U.S. Army Corps of Engineers Work Plan, a Project Partnership Agreement ("PPA") between the Department of the Army and Broward County must be executed prior to December 31, 2020. The PPA details the requirements and responsibilities of the Department of the Army, represented by the U.S. Army Corps of Engineers Jacksonville District ("USACE"), and the non-Federal Sponsor (County) for construction of the navigation improvements project, including projected cost shares for both the USACE and County.

The PPA includes a projected cost of construction of \$429,300,000, of which \$380,500,000 is for the National Economic Development ("NED") Plan, and \$48,800,000 is for the Locally Preferred Plan ("LPP"). The LPP is for 48 feet of depth, and the NED plan is for 47 feet of depth. Since the County requested that the USACE proceed with the LPP, the additional LPP costs are borne solely by the County. The projected amount of County funds required during construction is \$141,700,000, which includes the County's \$95,100,000 share of the NED Plan costs plus \$48,800,000 for the LPP, less a projected \$2,200,000 in-kind contribution credit from the USACE for integral project work accomplished by the County during the preconstruction engineering and design ("PED") phase. At the completion of the project, the County is responsible for an additional 10% payment to the USACE, projected to be \$38,050,000 based on the current NED Plan cost. The PPA allows the County to amortize this payment over 30 years. These projected costs are estimates only, and are subject to adjustment by the USACE after completion of a final accounting after construction is completed.

As with the PED phase, the Port Everglades Department (Port) intends to contribute in-kind work during the construction phase. After execution of the PPA, Port staff will begin the in-kind work identification process with the USACE. This will lead to an integral determination report that will be prepared and approved by the USACE which will clearly define what type of work and dollar value will be credited as in-kind work toward the construction phase for the Port. As was done during the PED phase, this in-kind work will be accomplished using the existing multi-phased agreement between Broward County and David Miller and Associates, approved by the Board on December 11, 2012 (Item No. 24), and extended by the Board for an additional five years to December 11, 2024, on October 22, 2019 (Item No. 5).

The following is the current estimated project schedule:

- Supplemental Environmental Compliance Complete - December 2021

- USCG Reconfiguration (Construction duration is subject to change based on acquisition strategy to be determined in Jan/Feb 2021)
 - o Construction contract award - April 2022
 - o Construction complete - April 2025

- Deepening and Widening
 - o Coral Relocation and Monitoring - November 2022 through June 2023
 - o Construction contract award - August 2023 (rock breaking/dredging/ widening begins)
 - o Construction complete - June 2029

The PPA has been reviewed and approved as to form by the Office of the County Attorney.

Source of Additional Information

David Anderton II, AICP, PPM, Assistant Director of Port Everglades, (954) 468-0144

Fiscal Impact

Fiscal Impact/Cost Summary

The County's \$179,750,000 share of the project cost has been previously budgeted in the Port Everglades Department Capital Fund and will be partially offset by State grants totaling \$91,250,000.