

MINUTES OF MEETING
BAY LAUREL CENTER
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Bay Laurel Center Community Development District was held on Tuesday, April 18, 2023 at 10:00 a.m. at Circle Square Commons Cultural Center, 8395 S.W. 80th Street, Ocala, Florida.

Present and constituting a quorum were:

Kenneth D. Colen (<i>via phone</i>)	Chairman
Paul Brunner	Vice Chairman
William D. McLeod, Jr.	Assistant Secretary
Jo Layman	Assistant Secretary
John Gysen	Assistant Secretary

Also present were:

George Flint	District Manager
Gerald Colen	District Counsel
Rachel Wagoner	District Counsel
Bryan Schmalz	BLCCDD
Crystal House	BLCCDD

FIRST ORDER OF BUSINESS

Roll Call

Mr. Flint called the meeting to order at 10:00 a.m. and called the roll. All Supervisors were present in person with the exception of Mr. Kenneth Colen who was present via phone.

SECOND ORDER OF BUSINESS

Public Comment Period

Mr. Flint: We just have Board Members and staff.

THIRD ORDER OF BUSINESS

Notice of Meeting

Mr. Flint: The notice of meeting was advertised in the Ocala Star Banner on September 27, 2022. All of the meetings were listed.

FOURTH ORDER OF BUSINESS

**Ratification of Series 2022B Requisition
#18 - #19**

Mr. Flint: Requisition #18 is for Boerger LLC. in the amount of \$58,000. It was signed by the District Engineer and certified as appropriate. I signed it on behalf of the CDD.

Requisition #19 is for Wharton-Smith, Inc. (Wharton-Smith) in the amount \$6,995,024.82. It was signed by the District Engineer and I on behalf of the CDD. The pay application is attached for reference. If there are any questions on any of the backup, Mr. Bryan Schmalz is here and he can address those questions. If not, I would ask for a motion to ratify these requisitions.

On MOTION by Mr. Brunner seconded by Mr. Gysen with all in favor Requisitions #18 and #19 for Series 2022B, were ratified.

FIFTH ORDER OF BUSINESS

Consideration of Addendum #4 to the NWRP Agreement for Construction Services with GMP #5 with Wharton-Smith, Inc.

Mr. Flint: At this time, I'll turn it over to Bryan. We emailed the full Guaranteed Max Price (GMP) to the Board. I printed out one hard copy, but we did not reproduce it in your agenda package as it was voluminous. Bryan will summarize it for you.

Mr. Schmalz: Mr. Bryan Schmalz, Utility Director for Bay Laurel Center. In your agenda package, is a summary of the items that are included within GMP #5.

- If we go down the list, there is a bid package from Citrus Well Drilling for three wells that are located onsite.
- It includes surveying and scum pumps. Most of the equipment was captured on the prior GMP. This one was not, so its included in the amount of \$53,480.
- It also includes design services associated with miscellaneous metals, catwalks and stairways at the site at a cost of \$22,700.
- There is also slide gates, which are basically valves within the plant that controls the flow of water between concrete structures. There are over 30 in the facility at a cost of \$388,630.
- It also includes what is referenced as South Plant Hauling – Phase 1, at a cost of \$476,451, to move approximately 41,000 yards of dirt to the South Wastewater Treatment Facility (SWTF) for staging for future decommissioning of that facility. We have to fill in all of the holes that are there, once we remove the structures.
- There was be a RIB regrade and design modifications to the RIB site at the North Water Reclamation Facility (NWRP) at a cost of \$156,012.

- Then there is additional storm piping for the operations and biosolids building, to connect the roof drainage system for those two facilities into the storm drain system, instead of having it discharge on the ground adjacent to the building.
- There was additional access road stabilization of \$173,730, for additional lime rock to stabilize the road between the roundabout at 92nd Court Road to the pasture that turns north going to the facility. It was assumed that there was more lime rock material there, but upon investigation, it was found to be insufficient, so we had to add some additional lime rock and mix to stabilize that area.
- There are electrical changes of \$1,671,528, which is in addition to previous electrical that was included in the GMP. It finalizes all of the electrical modifications as the final construction plans have been completed. Through this process, we have been still designing the facility as we are building it, so we are not behind the eight-ball. This finalizes all of the changes have been completed.
- The same with the concrete changes for boring, which is \$98,440.36.
- We have master plant contractor and miscellaneous metals at a cost of \$11,488,572, for all of the work that Wharton-Smith is going to be doing on the site, setting all of the equipment and piping. There is a very detailed list as George mentioned earlier, if you would like to go over that.
- There will be ancillary concrete at a cost of \$2,011,831, for all of the equipment pads, sidewalks, concrete and foundations for the electrical, chemical, operations and biosolids buildings.
- Then we will have instrumentation and controls at a cost of \$2,579,740, for all of the telemetry between the programmable logic controllers, analyzer systems, computers, systems and network throughout the facility that allows all of the equipment to operate as one.
- Next is the odor control design, as we are required to have a signed and sealed odor control design to reduce odors at the head work structure. That cost an additional \$6,500.
- You have the item described as Raven Coatings at a cost of \$30,848, to line the inside of the wet well at Lift Station No. 6, which pumps to the north. That is actually at the South Wastewater Treatment Facility, where we are doing some rehab work. The

original structure never had a lining on the inside of it, so we will line it with the raven coating.

- Coatings in general is \$602,423 for all of the painting, piping and interior coating of the headward structure, which is extremely corrosive in that area. It is a specialized material. It is a complete coating package that also includes painting the metal buildings and everything onsite.
- There are also pre-engineered metal buildings at a cost \$1,006,200. The operations building and biosolids building are a combination of CMU and metal building design. This covers the metal building portion.
- Then we have doors and hardware at a cost of \$248,743 and windows at a cost of \$71,477.
- There will be a 6,000-gallon hydro pneumatic tank at a cost of \$98,324, to help control low flow conditions at the re-use pump station.
- Three rollup doors at the site were included at a cost of \$49,467; one at the operations building and the other two at the headwork structure. The door must be rolled up so that waste management or whomever we utilize can empty the dumpsters for all of the material. It is a very corrosive environment, so they will be stainless steel material.
- There will be a roofing system at the chemical building at a cost of \$71,450, which will have a metal truss system.
- There are nine A/C units within that facility, so there will be an HVAC Trane system at a cost of \$486,213.
- There will be plumbing for the buildings at a cost of \$195,229 and studs/drywall/drop ceilings at a cost of \$487,801.80.
- Mill work is included for all of the countertops and cabinets throughout the facilities, primarily the operations building at a cost of \$55,405.
- To prevent rust in a wet environment, there will be plastic lockers in the Men's and Women's bathrooms at a cost of \$9,910.
- In order to move equipment around and re-build the screw presses at the biosolids building, there will be an overhead 5-ton rail mounted crane system at a cost of \$84,535.

- There will be fencing at the NWRf site and the master pump station near the roundabout at 92nd Court Road and 80th Street at a cost of \$173,530.28.
- There will also be flooring at the facilities at a cost of \$41,618.90 and a fire suppression system at the operations building at a cost of \$81,810.
- To give us the ability to view what occurs throughout the facility, there will be a security system at a cost of \$256,121.86 with over 28 cameras and a 128-terabyte network system server.
- There will be monitoring wells at a cost of \$33,685, at the rapid infiltration basins where we dispose of reclaimed water to ensure that we are not having an adverse impact on the groundwater in the area.
- We have also added a 10% contingency of \$2,405,226.83 and a landscaping allowance as required by Marion County, in order to have trees, shrubbery and an irrigation system along the northern portions of the property.
- In addition, there will be a furnishings allowance of \$60,000 for miscellaneous desks and laboratory equipment that we will need for the facility.
- Including the bonds and Wharton-Smith's profit, brings the total GMP cost to \$29,580,781.17.

This will be the last GMP for the NWRf. It includes the actual treatment plant site, transmission mains, master pump station as well as the improvements that are needed at Lift Station No. 6 in order to direct the flow to the north. With all of the GMP's, including this one, the total cost of the project is \$119,825,890.74. We originally projected around \$124,000,000. In that \$119,825,890.74, there is currently \$6.7 million of contingency set aside, but by not using the contingency, we would be at \$113,000,000. However, this amount does not include the purchase of the land, which was a little over \$2 million, as well as the decommissioning of the South Wastewater Treatment Facility, which is currently estimated at \$1 million to \$1.5 million. GMP #6 will be provided at a future time, for decommissioning the South Wastewater Treatment Facility, as we are still working through the design. That is the reason why we don't have that ready yet. I would be happy to answer any questions for the Board.

Mr. Brunner: Bryan, I just have one small question. Back in the beginning of that third item, raven, I noticed that there were two bids; one from Danus Utilities and one from

Exceletech. One is over three times the amount of the other. Did Danus Utilities miss something or was Exceletech just overly excessive?

Mr. Schmalz: We did look through their bid packages and they both covered everything. I believe that Exceletech was bidding additional on substrate repairs, which was the concrete structure as corrosive gasses damage that. Their cost was heavy in that area, much more than Danus Utilities. Danus Utilities does have some previous experience working with us and have actually done work adjacent to that structure. I think they knew the structure better and were more comfortable with their numbers.

Mr. Brunner: That was the only one that jumped out at me when I saw that. So, thank you.

Mr. Schmalz: You are right, it is three times the cost.

Mr. Brunner: A little over three.

Mr. Flint: Alright. Are there any other questions for Bryan?

Mr. Brunner: No.

Mr. Flint: If not, we need a motion to approve Addendum #4 to the North Water Reclamation Facility Agreement for Construction Services with GMP #5 with Wharton-Smith.

<p>On MOTION by Mr. Brunner seconded by Ms. Layman with all in favor Addendum #4 to the North Water Reclamation Facility Agreement for Construction Services with GMP #5 with Wharton-Smith, Inc. was approved.</p>

SIXTH ORDER OF BUSINESS

Other Business

Mr. Flint: Do we have any other business? Bryan, you wanted to advise the Board of an item that we want to make sure that we get on the record.

Mr. Schmalz: Yes sir. At the NWRP, we had to dig out the rapid infiltration basins, which we call RIBs for short. That provided us with 185,000 yards of material that we did not need for the job. So, with that excess availability, OTOW graciously allowed the District to store materials on one of their cattle pastures adjacent to the site, to allow ease of access for interested parties to purchase the dirt at that location. The agreement was that we would be off of the field in about three to four months and restore the site to the condition it was, prior to us being there. That would involve putting the grass back and allowing it to be an actual pasture. So, we had an interested party, Ciraco Underground, express interest in purchasing the material at \$4 per yard.

We estimated about 100,000 yards available to transport to a nearby development, Trilogy, but after Ciriaco removed 32,778 cubic yards of material, Trilogy decided that they no longer needed any additional material. So, we worked with Wharton-Smith to reach out to other site development companies, such as Earth Movers, Hardy Tractor, D2 Paving Sitework and Southern Development Construction, but we couldn't find anyone that actually needed the material. So, we reached out to On Top of the World's (OTOW) land development team to see if they needed the material as they have a lot of projects going on. They do have a project nearby to the site. Their concern was that they needed to break even on the cost to transport, since they already have material on the southern side of the property. OTOW has a sand mine that they are permitted to utilize dirt and move as needed to adjust the typography and elevation of these new projects. So, after further discussion with OTOW, they are proposing to purchase the material at \$1 per yard and restore the field to its original condition. The District has no need for the material, but if we elect to keep it, we will have to move the material back to our property at a cost and store it for a prolonged period of time. However, we have no need for it as we are not in the dirt business. We are in the water business, so we worked with OTOW and they selected to go ahead and proceed with removing that material.

Mr. Kenneth Colen: Very good.

Mr. Flint: Wharton-Smith is handling the sale of the dirt and then that money is going into our contingency. So, the CDD is not directly selling and receiving revenue. Its flowing through the General Contractor to the Contingency Fund, but I just wanted Bryan to advise the Board on the record, because of the affiliated party that is buying it. If someone was to look at it on face and they see that we sold it to one person for \$4 and another for \$1, I wanted to make sure that the reasons for that was on the record. The fact is that it would cost us at least \$1 to move it. So, it's in our best interest to sell it for \$1 to OTOW, because there are no other buyers at this point. I don't know that there is any action from the Board other than I just wanted to make sure that it was on the record, unless District Counsel thinks that we need to do anything.

Mr. Gerald Colen: It was explained.

Mr. Flint: That was the main thing. Is there anything else, Bryan or Crystal or from staff?

Mr. Schmalz: That is all I have.

Mr. Brunner: Thank you, Bryan.

SEVENTH ORDER OF BUSINESS

Supervisor's Requests

Mr. Flint: Are there any Supervisor's Requests for anything that was not on the agenda that the Board wanted to discuss? Hearing none, Mr. Chairman, do you have anything before we adjourn?

Mr. Kenneth Colen: No. Thank you very much. It's been a pleasure to attend remotely. Thank you for the opportunity.

Mr. Brunner: Thank you, Ken.

Mr. Flint: We need a motion to adjourn.

EIGHTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Brunner seconded by Mr. Gysen with all in favor the meeting was adjourned.



Secretary/Assistant Secretary



Chairman/Vice Chairman