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VIA ELECTRONIC CORRESPONDENCE

December 11, 2017

CCN: 61505
File No: 8.DC.52 & 77

Chief, Environmental Enforcement Section
Environment and Natural Resources Division
U.S. Department of Justice
P.O. Box 7611
Ben Franklin Station
Washington, D.C. 20044-7611
RE: DOJ No. 90-5-1-1-4022/1
Tom.Mariani@usdoj.gov

Chief, Clean Water Enforcement Branch
Water Protection Division
Attn: Brad Ammons
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Florida Department of Environmental Protection
Southeast District – West Palm Beach
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
Attn: Compliance/Enforcement Section
Jason.Andreotta@dep.state.fl.us

RE: Consent Decree (Case: No. 1:12-cv-24400-FAM)
Reference DOJ Case No. 90-5-1-1-4022/1
Section XI, Paragraph 52 – Potential Delay
Section XVII, Paragraph 77 – Notices
Delay Notification Letter for Consent Decree Appendix D-2, Capital Improvement Projects
5.11 – Installation of 48-inch FM from Kendall Dr. to the Suction Side of PS#0536

Dear Sir/Madam:

In accordance with the provisions of Section XI, Paragraph 52 of the above referenced Consent Decree (CD), on November 27, 2017, Miami-Dade County (County) electronically notified United States Environmental Protection Agency (EPA) and Florida Department of Environmental Protection (FDEP) of a delay of CD Capital Improvement Project (CIP) 5.11 Installation of 48 inch FM from Kendall Dr. to the Suction Side of PS#0536. Delays have occurred in the execution of this project during its procurement and construction phases.

In accordance with Section XI, Paragraph 52, this notification letter shall further describe and explain the reasons for the delay; the anticipated duration of the delay; all actions taken or to be taken to prevent or

minimize the delay; a schedule for implementation of any measures to be taken to prevent or mitigate the delay or the effect of the delay; a statement as to whether, in the opinion of the County, such event may cause or contribute to an endangerment to public health, welfare or the environment.

Explanation and description of the reasons for the delay

The scope of this project comprises the furnishing and installation of all materials, labor, and equipment necessary to connect an existing 48-inch PCCP FM at SW 117th Avenue to an existing 72-inch PCCP FM. It also includes the installation of plug valves, air release valves, and access manholes and the restoration works at the road and impacted green areas. The purpose of the project is to reduce flow differential and increase flow transfer between PS # 0559 and PS # 0536.

During the pre-construction review, there were some concerns over the constructability of the interconnection due to the location of the force mains, other existing utilities, and the accuracy of the as-builts available to the designer. To overcome this, an exploratory excavation was deemed necessary to allow a final determination to be made as to the most efficient way to construct the interconnection. This has added time to the contract to allow for this exploratory work to proceed. Concurrently, there were issues during the procurement of a 48" plug valve required for the connection. This is discussed below.

Actions taken or to be taken to prevent or minimize the delay

The Program Management and Construction Management (PMCM) Team met with the contractor to discuss mitigation efforts and construction schedule changes to reduce the time impacts associated with this late start of contract. The County has initiated negotiations with the contractor with an objective of shortening the construction duration to minimize the delays to the CD compliance date. Based on the outcome of these discussions between the County and Contractor, the County has considered the available options to determine the best course of action to execute this project, while minimizing delays. Actions to be taken to minimize the delay are the following:

1. The lead time of the 48" Plug Valve was reduced from 23 weeks to 10 weeks. The Valve is already secured at Contractor's warehouse.
2. Plan and execution of exploratory excavation works to assess the condition of existing pipes, dimensions and distances, and to minimize the potential of unforeseen conditions when completing the connection of the pipes.
3. Expedited Procurement of the rest of the connection pieces and materials required to complete the works.

Anticipated duration of the delay

Currently, there is a delay of 8 (eight) calendar days for the contractor to reach substantial completion, extending past the original CD compliance date of May 09, 2018 to May 17, 2018. Although we anticipate that current mitigation actions will help closing the gap between the EPA compliance date and the actual Project completion date, this additional time is necessary for the contractor to reach substantial completion.

Schedule for implementation of any measures to be taken to prevent or mitigate the delay or the effect of the delay

The County will continue to take the following steps (in sequence) to prevent or mitigate delay or the effect of the delay:

1. Meet with contractor to assess different work scenarios, material sourcing and schedules that will allow early completion of critical path items of work.
2. Due to County permit limitations to weekends only, consider extended hours of work to improve schedule delivery of critical items of beneficial use to the force mains operations.
3. Meet with contractor to discuss additional work resources on the project to expedite key elements of the work.

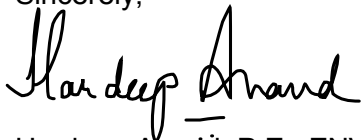
Cause or contribute to an endangerment to public health, welfare or the environment

The installation of the 48-inch force main is necessary to ensure the collection system's capacity to serve future developments as well as upgrade equipment to maintain the integrity of our system. It is the County's opinion that this delay will not present an immediate endangerment to the public health, welfare, or the environment.

Should you have any questions regarding this matter, please call me at (786) 552-8571.

I certify under penalty of law that this document was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering such information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Sincerely,



Hardeep Anand, P.E., ENV SP
Deputy Director, Capital Improvement Programs & Regulatory Compliance

cc: Jonathan A. Glogau
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