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## VIA ELECTRONIC CORRESPONDENCE

November 28, 2017

CCN: 61481  
File No: 8.DC.52 & 77

Chief, Environmental Enforcement Section  
Environment and Natural Resources Division  
U.S. Department of Justice  
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RE: DOJ No. 90-5-1-1-4022/1  
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Chief, Clean Water Enforcement Branch  
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Attn: Compliance/Enforcement Section  
[Jason.Andreotta@dep.state.fl.us](mailto: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**  
**5.12 – Replacement of Switchgear at PS No. 0187**

Dear Sir/Madam:

In accordance with the provisions of Section XI, Paragraph 52 of the above referenced Consent Decree (CD), on November 14, 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) 5.12 Replacement of Switchgear at PS No. 0187. Delays have occurred in the execution of this project during its construction phase. The November 14<sup>th</sup> email stated that due to this delay, the completion date on the contractor's project schedule exceeded the CD compliance date of May 9, 2018.

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 is to upgrade the existing booster Pump Station 0187 by replacing the electrical switchgear and all pump motor drives with variable frequency drives; installing four (4) new 450 Horsepower pumps with 4,160 volt motors; replacing associated valves and piping; as well as additional upgrades, i.e. Structural, Architectural, Electrical, Instrumentation, Mechanical, HVAC and Civil works.

During the initial construction mobilization phase the contractor encountered a significant conflict between the designed auger cast pile arrangement and the location of existing yard piping. Requests for Information (RFIs) were exchanged and meetings held to resolve the issues, culminating in the need to redesign and relocate the auger cast piles and the structure these piles are designed to support. Also causing delay was the effects of Hurricane Irma which required the contractor to demobilize, secure and then remobilize the site.

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

The contractor was limited in the work they could accomplish during this delay as these auger cast piles were on the critical path to allow the above grade building work to proceed. The contractor has committed to work to mitigate the delays and expedite the construction of the above grade structure by combining work phases and overlapping subcontractors where possible and where efficiency can still be maintained.

**Anticipated duration of the delay**

Currently, there is a delay of one hundred eighty-four (184) calendar days for the contractor to reach substantial completion, extending past the original CD compliance date of May 9, 2018 to November 9, 2018.

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

The County will meet with the contractor to assess other areas of remaining work that can be re-sequenced and allow concurrent completion of critical path items of work to prevent or mitigate delay.

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

The rehabilitation of this Pump Station 0187 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

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