



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#17-0834

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Lee R. Feldman, ICMA-CM, City Manager

DATE: July 11, 2017

TITLE: Motion to Approve Payment to Florida Department of Health in Broward
County in response to Consent Orders, #SFCO-16-406PWS0486 - A, B,
C, D and E in the Total Amount of \$5,000

Recommendation

It is recommended the City Commission authorize the City Manager to issue payment to Florida Department of Health in Broward County (FDOH) in response to placing water main components into operation without Florida Department of Health in Broward County approval as identified in Consent Orders #SFCO-16-406PWS0486 – A, B, C, D, and E in the total amount of \$5,000.

Background

The City received five warning letters on May 18, 2017 from FDOH for five separate instances where a Certification of Construction Completion and Clearance was not obtained prior to placing a water main extension in service. In each instance, a private contractor working for the Florida Department of Transportation (FDOT) replaced a portion of a City water main. Once construction was completed, the water main was properly tested and passed, however the contractor failed to obtain the necessary certification prior to requesting the water main be placed back in service. The City did not validate that FDOH had certified the project before placing the water mains in service. In each case the FDOH fined the contractors \$1,000 which the contractors paid. Because the City of Fort Lauderdale did not verify FDOH certification before placing the water mains in service, the City is being fined the same amount. In each case, the water main was properly tested by the City prior to it being placed in service and there was no threat to the public. FDOH has informed the City that there is one more incident being processed for the same violation.

The Public Works staff has revised formal procedures and has trained personnel in the proper certification requirements to avoid future instances of this nature.

Staff met with the FDOH on June 14, 2017 in regards to the above warning letters to notify of corrective measures taken.

On June 23, 2017 the City received the consent orders (Exhibits 1, 2, 3, 4 and 5) from the FDOH to settle this matter in the total amount of \$5,000. If accepted by the City, the consent order forms will be signed by the Public Works Director and returned to the FDOH by August 26, 2017, along with the \$5,000 payment.

Resource Impact

There is a fiscal impact to the City in the amount of \$5,000.

<i>Funds available as of July 5, 2017</i>					
ACCOUNT NUMBER	INDEX NAME (Program)	CHARACTER CODE/ SUB-OBJECT NAME	AMENDED BUDGET (Character)	AVAILABLE BALANCE (Character)	PURCHASE AMOUNT
450-PBS660101-3216	Distribution & Collection Operations	Services & Materials/ Costs/Fees/Permits	\$1,548,611	\$516,644	\$5,000
				TOTAL →	\$5,000

Strategic Connections

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included in the Infrastructure Cylinder or Excellence, specifically advancing:

- **Goal 2:** Be a sustainable and resilient community.
- **Objective 1:** Proactively maintain our water, wastewater, and bridge infrastructure.
- **Initiative 5:** Integrate a plan with infrastructure improvements that include modern and efficient energy standards.

This item advances the *Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Ready*

Attachments:

- Exhibit 1 – Consent Order #SFCO-16-406PWS0486-A
- Exhibit 2 – Consent Order #SFCO-16-406PWS0486-B
- Exhibit 3 – Consent Order #SFCO-16-406PWS0486-C
- Exhibit 4 – Consent Order #SFCO-16-406PWS0486-D
- Exhibit 5 – Consent Order #SFCO-16-406PWS0486-E
- Exhibit 6 – Clearance and Activation of Distributions Improvements

Prepared by: Rick Johnson, Distribution & Collection Systems Manager
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Department Directors: Paul Berg, Public Works