

DRAFT



CONTRACT NUMBER: 4600004527
September 8, 2025

STIPULATED PAYMENTS AND DELIVERABLES PROPOSAL
FOR PHASE TWO SERVICES

Design/Build of a Lower Kissimmee Basin Stormwater Treatment Project

PREPARED FOR: **South Florida Water Management District**
PREPARED BY: **EIP Florida Water Quality, LLC**

INDIVIDUAL AUTHORIZED
TO EXECUTE CONTRACT:

Heath Rushing
Managing Partner
5550 Newbury Street, Suite B
Baltimore, Maryland 21209

heath@ecosystempartners.com
443.921.9441

PRIMARY CONTACT
REGARDING THIS PROPOSAL:

Kyle Graham
Senior Program Manager
1402 Greening Avenue
Erie, Colorado 80516

kyle@ecosystempartners.com
828.243.2674

Introduction

EIP Florida Water Quality, LLC (EIP or DEVELOPER) is pleased to submit this Stipulated Payments and Deliverables Proposal (Proposal) for Phase Two Services for the Lower Kissimmee Basin Stormwater Treatment Area Project (LKBSTA or Project).

In December 2021, the South Florida Water Management District (SFWMD or DISTRICT) authorized EIP to initiate Phase One, which consisted of a Reconnaissance Study, a Design Documentation Report and Preliminary Design activities. In early 2023, there was an opportunity to add an additional 1,400 acres of land to the original 3,400-acre Project area. After coordination with DISTRICT staff and additional stakeholder communication and engagement, the DISTRICT entered into an amended Project Agreement with EIP for the revised Preliminary Design of the Expanded Project. Phase One is expected to be complete by October 2025 and includes submission of this Proposal.

This Proposal consists of the following Phase Two services: Final Design, Land Transfer, Permitting, Construction, and Facility Startup, as described below.

Proposed Stipulated Contract Price

Phase One: \$23,600,000 (authorized September 12, 2024)
 Phase Two: \$592,091,600
 Total: \$615,691,600

Proposed Stipulated Payment Schedule

Phase Two Milestone/Task	Payment	Percentage of Phase Two Contract Price
1. Land Transfer ^A		
2. Final Design ^A	\$99,150,000	16.7
3. Permitted Final Design ^A		
4. Construction	\$482,941,600	81.7
5. Facility Startup	\$10,000,000	1.7
Phase Two Contract Price ^B	\$592,091,600	100

A. Payment amounts for Milestones 2 and 3 will be determined based on the agreed-upon payment amount for Milestone 1.

B. The Phase Two Proposed Stipulated Contract Price does NOT include Project Elements/Modifications provided in Table 2.

Assumptions and Clarifications made by Developer in Preparation of the Proposal

This section provides a description of the assumptions and clarifications made by DEVELOPER in preparation of this Proposal.

Key Project Elements ***INCLUDED*** in this Proposal (aka Project Description)

- Transfer of ownership of ~4,800 acres of land from the DEVELOPER to the DISTRICT, including ~500 acres of buffer areas between the STA and adjacent lands.
- Seven (7) Stormwater Treatment Area (STA) cells, graded flat and configured to operate in parallel, with a total of approximately 3,600 acres of effective treatment area, expected to be dominated by emergent aquatic vegetation.
- An electric substation located near the intersection of State Road 70 and 128th Avenue.
- An electric-powered inflow pump station (6 pumps @ 100 cubic feet per second) on the L-62 Canal within a building that includes electrical, operations, and generator rooms; stand-by generator is for site security, lighting, and SCADA purposes; includes a conveyor-less trash rake system on the intake side.
- Seven (7) dual-barrel inflow water control structures (WCS) with slide gates (one for each STA cell); includes a control building for electrical, control, and IT equipment and a generator receptacle for connection to a portable backup emergency generator.
- Seven (7) dual-barrel outflow WCS with slide gates (one for each STA cell); includes a control building for electrical, control, and IT equipment and a generator receptacle for connection to a portable backup emergency generator.
- Seven (7) passive emergency overflow spillways (aka weirs), one for each STA cell.
- Approximately 8,000 linear feet of L-62 Canal relocated and/or improved.
- An L-62 Canal divide structure (WCS-9) to manage upstream L-62 Canal levels and enable LKBSTA inflows from the C-38 Canal; includes a two-room control building housing the electrical, instrumentation, and telemetry gear in the control room, and a second room with a backup generator.
- A sag culvert with operable gates (WCS-10) located under the L-62 Canal to convey pumped flows east of the L-62 Canal for treatment in Cells 4-7; includes a control building housing the electrical, instrumentation, and telemetry gear.
- Inflow canals to convey untreated flows to the STA cells.
- Outflow canals to convey treated flows to the C-38 Canal.
- Perimeter seepage/drainage canals to manage seepage, offsite drainage flows, and groundwater levels via gravity (i.e. no pump stations); includes grade control structures (or fixed weirs) to “step down” canal water levels due to site topography.
- S-154 Replacement (replacing existing S-154), a dual-barrel roller gate structure that will enable bi-directional flow; includes a two-room control building housing the electrical, instrumentation, and telemetry gear in the control room, and a second room with backup generator.
- S-154C Replacement (replacing S-154C), a dual-barrel slide gate structure that will serve as discharge structure for Cells 1-3; includes a two-room control building housing the electrical, instrumentation, and telemetry gear in the control room, and a second room with backup generator.

- WCS-8, a single-barrel slide gate structure that will enable treated flows to be directed to the C-38 Canal via S-267 and that replicates the function of S-267 for water supply and flood control operations.
- Approximately 30 stand-alone surface water stilling wells and 9 structure- or sheetpile-mounted surface water stilling wells for surface water level monitoring.

Key Services *INCLUDED* in this Proposal

- Land Transfer, Final Design, Construction and Facility Startup.
- Permit coordination and acquisition support services during Final Design, Construction and Facility Startup.
- Coordination with adjacent landowners re: conservation easements that may be beneficial in mitigating for potential impacts to protected species within the Project Property.
- USACE Section 408 Program authorization coordination support services during Final Design and Construction.
- Geotechnical Engineering Services to support Final Design and Permitting.
- Inflow Pump Station Physical Hydraulic Model Study.
- Computational Fluid Dynamic (CFD) analysis at various structures/locations.
- Updates to the Hydrologic and Hydraulic Modeling prepared during Phase One.
- Updates to the Embankment Breach Analysis prepared during Phase One.
- Updates to the Seepage Modeling prepared during Phase One.
- Updates to the MODFLOW-based (Groundwater Vistas) Three-Dimensional (3D) Groundwater Model prepared during Phase One.
- Updates to DMSTA water quality modeling prepared during Phase One.
- Updated Monitoring Plans (if needed).
- Florida Power and Light (FPL) coordination, including: 1) a direct payment (up to \$700,000) to FPL to initiate the design of the electrical distribution system, and 2) the direct transfer of up to 9 acres of land needed for the electrical substation from DEVELOPER to FPL.
- Preparation of a Construction Quality Control Plan.
- Baseline soil sampling before treatment cell inundation.
- Pre-discharge activities required to obtain regulatory approval to commence flow-through operations including monitoring and analysis (e.g. water quality, soil, mercury, fish tissue, other toxicants, etc.), startup operations support, vegetation evaluation and management, etc.
- Groundwater Monitoring during Final Design, Construction and Facility Startup, including the installation of two (2) additional dataloggers and telemetry devices at PZ-8 and PZ-11 during Final Design.

Additional Assumptions and Clarifications

Regulatory Approvals, Authorizations and Permits

1. The DISTRICT will be lead permittee on all regulatory authorization/approval requests and permit applications.
2. The DISTRICT will support the Department of the Army's commitment to prioritize the review and issuance of Clean Water Act Section 404 permits, consistent with the Memorandum of Agreement (MOA) between the State of Florida and the Department of the Army for Expediting and Advancing the Restoration of America's Everglades, signed on July 18, 2025 (available at <https://flgov.com/eog/sites/default/files/shared/2025/07/EOG%207.18.2025%203%20pgs.pdf>).

3. The DISTRICT (as the non-federal sponsor) will lead USACE Section 408 Program Authorization coordination.
4. A Semi-quantitative Risk Assessment (SQRA) is expected to be performed as part of the Section 408 Program Authorization process to ensure consistency with USACE requirements. The DISTRICT will lead the SQRA, which is proposed to be performed by a DISTRICT consultant with DEVELOPER'S assistance.

Real Estate, Land Management and Access

5. DEVELOPER will transfer up to 9 acres of land directly to FPL for an electrical substation (Utility Site) that is required for the Project; An FPL access easement to the Utility Site (up to 2.5 acres) will be granted over the Project Property conveyed from DEVELOPER to the DISTRICT.
6. After DISTRICT acquisition of the Project Property from DEVELOPER, the DISTRICT will coordinate all land management activities (e.g. cattle leases, etc.) until no longer compatible with the Project.
7. Access to the Project Property and all property owned by the DISTRICT and the State of Florida to be utilized in connection with completing the Project will be provided by the DISTRICT to DEVELOPER and FPL for all Final Design-related activities (e.g. species monitoring, geotechnical investigations, etc.), Construction-related activities and Facility Startup-related activities.

Project Design

8. Any DISTRICT requests to incorporate updated DISTRICT design standards during the Final Design Period must be in writing to the DEVELOPER; DEVELOPER will evaluate impacts of incorporation of the request (cost, schedule, etc.) and will coordinate with the DISTRICT on a forward path, including increased fees above the stipulated contract price set forth in this Proposal. In such event, DISTRICT and DEVELOPER will execute a change order or formal amendment to the Project Agreement to implement same.
9. DEVELOPER will prepare sketches and legal descriptions of power distribution easements within the Project Property proposed to be conveyed to FPL for review by DISTRICT; DISTRICT will convey all necessary easements to FPL.

Construction

10. DEVELOPER will continue to maintain onsite and offsite groundwater monitoring wells during Phase Two, however, some existing onsite wells may need to be removed or relocated prior to construction due to their locations being incompatible with construction activities.
11. Monthly pay applications/invoices will be submitted by the DEVELOPER during the Construction Period.
12. Upon construction completion, DEVELOPER will immediately turn over all Project elements to the DISTRICT. As such, after Project turnover, all electricity charges and/or usage fees associated with the Project elements will be paid by the DISTRICT.

Estimated Schedule

Table 3

Phase Two Milestone/Task	Estimated Start Date	Estimated Completion Date
1. Land Transfer ^A	September 11, 2025	December 31, 2025
2. Final Design	October 1, 2025	September 30, 2026
3. Permitted Final Design	October 1, 2026	March 30, 2027
4. Construction	April 15, 2027	April 15, 2030
5. Facility Startup	March 1, 2030	April 30, 2031

A. The transfer of up to an additional ~4 acres from the DEVELOPER to the DISTRICT may occur after December 31, 2025; this is land being retained by DEVELOPER that may be determined to be in excess of what is needed by FPL for the electrical substation.

Estimated Payment Schedule

Table 4

Phase Two Milestone/Task	Estimated Invoice Amount	Estimated Invoice Date
Land Transfer ^A	\$41,250,000	Payment due at closing
Final Design	\$7,237,500	December 15, 2025
Final Design	\$7,237,500	March 15, 2026
Final Design	\$7,237,500	June 15, 2026
Final Design	\$7,237,500	September 15, 2026
Final Design	\$7,237,500	December 15, 2026
Final Design	\$7,237,500	March 15, 2027
Permitted Final Design	\$14,475,000	May 15, 2027
Construction ^B	\$482,941,600	June 2027-May 2030 (Monthly)
Facility Startup	\$10,000,000	June 15, 2031
Total	\$592,091,600	

A. The proposed Land Transfer payment amount shown is still to be negotiated; Final Design invoice amounts may be adjusted dependent on the final negotiated Land Transfer payment amount; As shown in Table 1, the total proposed payment for Land Transfer and Final Design is \$99,150,000.

B. Total Construction Payment shown; Monthly invoice amounts will be based on documented construction progress.