



City of Boynton Beach Agenda Item Request Form

Meeting Date: 07/15/2025

Proposed Resolution No. R25-170- Approving a Second Amendment to the Progressive Design-Build Agreement with Foster Marine Contractors, Inc. to Incorporate Required Federal Grant Provisions (Attachment 8-B) for the Town of Hypoluxo Septic-to-Sewer Conversion Project.

Requested Action: Staff recommends approval of Proposed Resolution No. R25-170.

Explanation of Request: The City of Boynton Beach entered into a Progressive Design-Build (PDB) Agreement with Foster Marine Contractors, Inc. for the septic-to-sewer conversion project located in the Town of Hypoluxo, within the Boynton Beach Utilities service area. While the City managed the design and construction of the project, the Town of Hypoluxo is administering grant funding from the Florida Department of Environmental Protection (FDEP) under Grant Agreement No. 22FRP72.

The project construction has been completed, and the Town submitted its first payment request to FDEP. During the review of this request, FDEP advised that reimbursement could not proceed until the City's contract with Foster Marine is amended to include "Attachment 8-B: Contract Provisions for SLFRF Agreements," which outlines mandatory federal compliance language tied to the grant.

Although the project was procured prior to the issuance of this federal requirement, FDEP has confirmed that a formal amendment incorporating Attachment 8-B is necessary for reimbursement. Foster Marine has reviewed the language and agreed to the amendment, acknowledging that all construction work complied with the relevant provisions.

This item will authorize the Mayor to execute a contract amendment with Foster Marine Contractors, Inc. that incorporates Attachment 8-B: Contract Provisions for SLFRF Agreements into the existing Progressive Design-Build Agreement. This amendment is required to ensure that the Town of Hypoluxo receives timely reimbursement of eligible project costs through the state grant program.

How will this affect city programs or services? Approval of this agenda item ensures that the City of Boynton Beach remains in good standing as the utility service provider for interlocal projects funded by state or federal grants. While the septic-to-sewer project is located within the Town of Hypoluxo, it is within the City's utility service area and was managed by City staff.

By amending the contract to include the required federal grant provisions, the City

demonstrates its ability to comply with evolving grant requirements, thereby protecting its reputation and maintaining eligibility for future state or federally funded infrastructure partnerships.

There is no negative impact on current City programs or services; rather, this action reinforces the City's commitment to supporting regional infrastructure improvements that enhance environmental quality, reduce reliance on septic systems, and strengthen intergovernmental relationships.

Budgeted Item: Yes

Account Line Item and Description: N/A

Fiscal Impact: The amendment has no direct fiscal impact on the City, it facilitates reimbursement to the Town of Hypoluxo, which in turn supports continued collaboration on regional utility projects.

Attachments:

[R25-170 Agenda_Item_3338-2025_Resolution_for_Foster_Marine_Progressive_Design-Build_Amd__2.docx](#)

[Exhibit A to Resolution - Foster Marine Progressive Design Build 2nd Amendment 6.25.25.pdf](#)

[Exhibit A to Second amd](#)

[R23-105_- _Executed_Contract_Phase_1_Foster_Marine \(1\).pdf](#)

[R24-075 \(1\) \(1\).pdf](#)