

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2011	2012	2013	2014	2015
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	<u>\$9,032</u>	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>\$ 9,032</u>	_____	_____	<u>0</u>	<u>0</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Is Item Included in Current Budget? Yes X No _____
 Budget Account No.: Fund 1226 Department 380 Unit 3252 Object 3401
 Program M00002

B. Recommended Sources of Funds/Summary of Fiscal Impact

\$9,032 Contract Increase - Manatee Protection Program

C. Department Fiscal Review: *JP*

III. REVIEW COMMENTS

A. OFMB Fiscal and /or Contract Administrator Comments:

N. Brian 1/27/2011
 OFMB *JB* 1/27
1/27/11
John J. Jacob 1/31/11
 Contract Administrator
G. Jones 1/31/11

B. Legal Sufficiency: *2/1/11*

Thomas Joy
 Assistant County Attorney

This amendment complies with our review requirements.

C. Other Department Review:

 Department Director

**AMENDMENT NUMBER 1
TO
CONTRACT FOR CONSULTING/PROFESSIONAL SERVICES
BETWEEN
PALM BEACH COUNTY
AND
SEA SHORE ALLIANCE**

THIS AMENDMENT NUMBER 1 TO THE CONTRACT is made as of the 25 day of January, 2011, by and between Palm Beach County, Florida, a Political Subdivision of the State of Florida, by and through its Board of County Commissioners, and Sea to Shore Alliance, Inc, a not-for-profit corporation authorized to do business in the State of Florida, hereinafter referred to as the CONTRACTOR, whose Federal Employer Identification Number is 26-2568737.

WITNESSETH:

WHEREAS, the parties desire to amend the Consulting/Professional Services Contract (the "Contract") (R2009-0109) executed on January 13, 2009 to extend the date for completion of all services from March 31, 2011 to May 31, 2011, which will allow for two additional months of aerial surveys.

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties agree as follows:

1. Article 2 of the Contract is hereby revised to extend the date for completion of all services to May 31, 2011.
2. Article 3 (A) of the Contract is hereby revised to increase the maximum compensation amount of the Contract from \$114,755 to \$123,787.
3. Exhibits A and B of the Contract are hereby replaced with the Revised Scope of Work and Revised Schedule of Payments attached hereto as Exhibits A and B, respectively, and all reference in the Contract to Exhibits A and B shall refer to the Revised Scope of Work and Revised Schedule of Payments attached hereto.
4. All other terms and conditions of the Contract shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Amendment on behalf of the COUNTY and CONTRACTOR has hereunto set its hand the day and year above written.

ATTEST:
Sharon R. Bock, Clerk and Comptroller

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS:

By: _____
Deputy Clerk

By: _____
Karen T. Marcus, Chair

WITNESS:
Kerry Baker
Signature

Kerry Baker
Name (type or print)

CONTRACTOR:
Sea to Shore Alliance
Company Name

[Signature]
Signature

Dr. James Powell
Name

Executive Director
Title

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By _____
County Attorney

**APPROVED AS TO
TERMS AND CONDITIONS**
By Richard E. Walesky

Richard E. Walesky, Director
Department of Environmental Resources Management

EXHIBIT A

REVISED SCOPE OF WORK PALM BEACH COUNTY MANATEE AERIAL SURVEYS

OBJECTIVES

- Conduct aerial surveys to determine relative abundance and distribution of manatees in Palm Beach County.
- Compare historic to current manatee abundance and distribution patterns.
- Document incidental observations of dolphins and sea turtles.

BACKGROUND

Aerial distribution surveys are an important tool for determining the seasonal distribution and relative abundance of marine mammals, including manatees. Manatees are found throughout Palm Beach County, including marine, brackish and fresh water environments. Relative abundance and distribution varies seasonally. Comprehensive seasonal distribution and abundance patterns were last documented in Palm Beach County during a county/state survey effort in the early 1990s (MPP 2007). The current Palm Beach County Manatee Protection Plan (2007) recommends updating manatee aerial survey data to document any change that may have occurred in manatee use of the county in the past fifteen years.

Sea to Shore Alliance staff has prior knowledge of the Palm Beach County region, including boat-based and aerial surveys in conjunction with manatee feeding projects and synoptic surveys from the 1980s through 2006. Scientists for Sea to Shore Alliance have been involved with manatee research techniques for over 40 years. The study will be based on previous survey routes to provide comparability and include additional areas not previously surveyed in Palm Beach County as recommended by the Florida Fish & Wildlife Conservation Commission.

METHOD

Aerial surveys will be conducted every 2 weeks for 26 months totaling 52 flights. Standard aerial survey techniques will be utilized. Flights will be conducted in a Cessna 172 (four-seat, high-winged aircraft) at an altitude of 750 ft and an air speed of 80 mph. The altitude and airspeed chosen for the survey are based on a consensus opinion that there is no significant loss in sightability of manatees at 750' compared to an altitude of 500'. The additional safety margin to recover from a stall condition warrants the higher altitude. Flights will be conducted by pilots very experienced with manatee surveys and research techniques. Pilots will have a minimum of 1,500 of total flight time. Observers will be trained and experienced in manatee aerial survey techniques and data collection. Analysis and synthesis of data will be under the supervision of highly experienced and qualified senior manatee scientists.

The flight paths are designed to maximize manatee counts by concentrating on shallow nearshore waters, where manatees and seagrasses are located. Survey flights will follow the original flight path from the previous manatee abundance and distributional surveys in order to facilitate comparisons (see Attachment A). Additional survey areas will be included as per FWC recommendations. Total survey time is estimated to be 5.5-6 hours depending on the number of sightings and amount of time spent circling a single sighting and permissions to enter controlled airspace by FAA controllers. The final surveys may be modified after the results of the first survey. The final survey route will be finalized in collaboration with Palm Beach County.

For the surveys, the primary observer will occupy the right front seat and a secondary observer, when available, will occupy the right rear seat. When manatees are sighted, the aircraft will circle until researchers are able to obtain the highest count of animals in each group. Groups of manatees will be photographed and those photographs will be linked to a GPS location for later analysis and scrutiny. Manatee and dolphin locations, numbers (adults and calves), and behaviors (resting – bottom, surface; feeding; direction of travel; cavorting) will be manually recorded on orthophoto maps of the study area and later transcribed to the electronic data base. Sightings of spotted eagle rays and sea turtles in addition to any other observations of interest or concern will be noted, e.g. new seagrass scarring, siltation, point discharge, groundings, manatee corpses, security etc. Survey conditions, including weather, cloud cover, sea-state condition, tide, estimates of water clarity will be collected at the time of the survey. Survey track lines will be automatically recorded on a GPS. Following the survey, data will be entered into a Microsoft Access or Excel database and incorporated into a Geographic Information System (GIS) for spatial analysis. All data in any form are the property of Palm Beach County and will be included with semi-annual and annual reports and also made available to FWC upon instructions by the County.

Data collected from these surveys will be used to investigate temporal and spatial distribution, relative abundance, behavior, and habitat use of manatees throughout the county. The track line will follow that of the previous surveys in order to allow comparable results by unit effort to the previous work. The monthly surveys will allow analyses of changes in distribution and abundance between months, seasons, annually for the two years of the study and previous surveys conducted in the 1990s.

DELIVERABLES AND INVOICES

Monthly reports shall be submitted with each invoice and are due the 15th of the month following data collection and will consist of a brief 1 page summary of activities and any highlights or unusual observations. Semi-annual reports will be produced and shall include a Microsoft Access or Excel database containing all manatee sightings including number (adults and calves), behavior, and location. Incidental dolphin and sea turtle sightings and other observational data will also be summarized. The reports will include graphs and tables summarizing data. GIS maps/projects including the flight path and all manatee sightings by month, by season, and overall will also be provided. Mapped manatee sightings will include behaviors and lifestage (adults, calves).

Annual report will include all data outlined above, in addition to analysis of abundance and distribution seasonally and monthly, percentage of calves, percentage of behaviors, habitat utilization, and other items deemed useful by the county.

The final report shall be cumulative and summarize all data collected and include a:

- Comparison to previous manatee studies in Palm Beach County to determine substantial changes,
- Plot manatee locations in relation to speed zones and SAV,
- Recommendations for manatee protection and conservation in Palm Beach County based upon results of the study.

SCHEDULE

The contract duration shall be 28 months which provides for 26 months of field work and 2 months to complete the final report. The proposed work schedule is:

Pre-work coordination meeting- February 2009

Flights- February 2009- March 2011

REPORTS

The reporting schedule shall be:

Monthly- March 2009- April 2011

Semi-annual- August 2009, August 2010

Annual – February 2010

Final- May 31, 2011

EXHIBIT B

REVISED SCHEDULE OF PAYMENTS

The Scope of Work to be completed by CONTRACTOR as defined in **Exhibit A** consists of specific completion tasks which shall be clearly identified on a task-by-task basis upon submission to the COUNTY of certain deliverables as expressly indicated below. Compensation for the work tasks stated herein shall be in accordance with the following Schedule of Payments:

Deliverables shall be defined as reports, datasheets, data files, etc as described in **Exhibit A**.

Reports

Task(s) to be Completed: As set forth in **Exhibit A**

Deliverable Due Date: no later than 15th of the following month

Monthly reports (24) -	\$4,516 each x 26 = \$ \$117, 416
Semi-annual reports (2) -	\$1,000 each x 2 = \$ 2,000
Annual (1) and final (1) reports -	\$2,185.50 ea x 2 = \$ 4,371
Total Compensation -	\$ \$123,787

Attachment A. Survey Route

