

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

<p>Meeting Date: January 23, 2018</p> <p>Department</p> <p>Submitted By: <u>Environmental Resources Management</u></p> <p>Submitted For: <u>Environmental Resources Management</u></p>	<p>(X) Consent</p> <p>() Workshop</p>	<p>() Regular</p> <p>() Public Hearing</p>
--	--	--

I. EXECUTIVE BRIEF

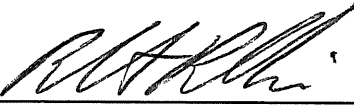
Motion and Title: Staff recommends motion to receive and file: the First Amendment to Contract for Sinking of Retired Naval Submarine *USS Clamagore* to create an artificial reef (Amendment) with CRB Geological and Environmental Services, Inc. D/B/A Artificial Reefs International *USS CLAMAGORE* (ARI-Clamagore) extending the completed service date one year to January 9, 2019, for the sinking of retired naval submarine *USS CLAMAGORE*.

Summary: On January 10, 2017, the Board of County Commissioners approved Contract (R2017-0113) for the Sinking of Retired Naval Submarine *USS CLAMAGORE* to create an artificial reef. ARI-Clamagore has secured exclusive rights with the submarine owner, Patriots Point Naval & Maritime Museum, for acquiring and reefing the *USS CLAMAGORE*, a 320' long Balao class submarine built in 1945 and retired to the museum in 1975. The Amendment is for a one-year extension of time to January 9, 2019. The time extension allows ARI-Clamagore to complete their necessary fund-raising efforts and to complete the engineering design to allow the submarine to rest on the sea floor and be stable in storm events. Delegated authority to execute all future time extensions, task assignments, certification, and any other forms associated with the Contract was approved at that time. District 1 (AH)

Background and Justification: The *USS CLAMAGORE* has been a popular exhibit at Patriots Point near Charleston, South Carolina. Recent structural fatigue requires costs to refurbish the vessel to safe standards that exceed the available budget. After exploring other alternatives, the reefing concept is the most viable. ARI-Clamagore has extensive knowledge in reefing retired naval vessels including the *USS MOHAWK* and the *USS VANDENBERG*, both off the Florida coast. This will be a unique and historic addition to the County's extensive Artificial Reef Program.

Attachments:

1. First Amendment
2. Delegated Authority

Recommended by:		<u>12/28/17</u>
	Department Director	Date

Approved by:		<u>1/10/18</u>
	Deputy County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2018	2019	2020	2021	2022
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u> 0 </u>	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	<u> 0 </u>	_____	_____	_____	_____

Is Item Included in Current Budget? Yes No

Does this item include the use of federal funds? Yes No

Budget Account No.:

Fund Department Unit Object Program

B. Recommended Sources of Funds/Summary of Fiscal Impact

C. Department Fiscal Review:

no special impact.
[Signature]

III. REVIEW COMMENTS

A. OFMB Fiscal and /or Contract Administrator Comments:

[Signature] 1/4/18
OFMB *[Signature]* 1/3/18

[Signature] 1/5/18
Contract Administrator

B. Legal Sufficiency:

Anne Delzant 1-8-18
Assistant County Attorney

C. Other Department Review:

Department Director

ATTACHMENT 1

**FIRST AMENDMENT TO CONTRACT FOR
SINKING OF RETIRED NAVAL SUBMARINE USS CLAMAGORE TO CREATE AN
ARTIFICIAL REEF**

This First Amendment is made as of the 3 day of November, 2017, by and between Palm Beach County, a Political Subdivision of the State of Florida by and through its Board of Commissioners, hereinafter referred to as the COUNTY, and CRB Geological and Environmental Services, Inc. D/B/A Artificial Reefs International USS CLAMAGORE (ARI-Clamagore) located at 8744 SW 133 Street, Miami, FL 33176, a corporation authorized to do business in the State of Florida, hereinafter referred to as the CONTRACTOR, whose Federal I.D. number is 65-0324398.

WITNESSETH:

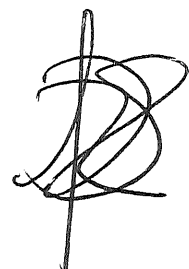
WHEREAS, the parties entered into a Contract on January 10, 2017 for CONTRACTOR to procure, prepare, transport and scuttle the vessel, USS CLAMAGORE, as an artificial reef ("Contract"); and

WHEREAS, the parties desire to make amendments to the Contract to extend the term of the Contract by one year; and

WHEREAS, this First Amendment is in the best interest of both parties, and serves a public purpose.

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

1. The foregoing recitals are true and correct and are incorporated herein by reference.
2. Article 2 of the Contract is amended to state: "The CONTRACTOR shall commence services within 10 calendar days of receipt of a fully executed contract, and complete all services by January 9, 2019."
3. All provisions, covenants, terms and conditions of the Contract between the parties as originally set forth therein, which are not hereby expressly amended or modified shall remain the same and be unaffected by this First Amendment.



WHEREFORE, the parties have caused this First Amendment to be executed by their authorized representatives on the date first written above.

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By: Anne Helgent
County Attorney

Barbara Livieri
Witness Name (Printed)

Barbara Livieri
Witness Name (Signed)

**APPROVED AS TO TERMS
AND CONDITIONS**

By: [Signature]
Department Director

ARI-Clamagore:
Signature [Signature] 11/3/17

Fred Baddour Fred Baddour
Printed Name

President President
Title

ATTACHMENT 2




INTEROFFICE MEMORANDUM
Palm Beach County
Environmental Resources Management

DATE: January 20, 2017

TO: Verdenia C. Baker
County Administrator

THROUGH: Jon Van Arnam
Deputy County Administrator

FROM:  Robert Robbins, Director
Environmental Resources Management

SUBJECT: REQUEST FOR DELEGATION OF APPROVAL AUTHORITY:
Contract for Sinking of Retired Naval Submarine *USS CLAMAGORE* to create an artificial reef.

On January 10, 2017, agenda item 5A1 (R2017-0113,0114) the County Commission approved the County Administrator or her designee to sign all future extensions, task assignments, certifications, and other forms associated with the Contract, and any necessary minor amendments that do not substantially change the scope of work, terms or conditions for this Contract.

This memorandum is my request for delegation of signatory authority for the Director or Deputy Director of Environmental Resources Management (ERM) to sign all future time extensions, task assignments, certifications and other documents associated with this Agreement and any necessary minor amendments to those documents that do not substantially change the scope of work or terms and conditions of this Contract. If you agree, please sign below and return this memorandum. I am available to answer any questions you may have concerning this request. Thank you in advance for your consideration.

APPROVED: Verdenia C. Baker DATE: 2/1/17
Verdenia C. Baker, County Administrator

RR:mc
Attachment

