Agenda Item <u>3L3</u>

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:	February 5, 2019	(X) Consent () Workshop	()Regular ()Public Hearing
Department: Submitted By: Submitted For:	Environmental Resources Environmental Resources Environmental Resources	Management	

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: the Second 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 to September 30, 2019, for the sinking of retired naval submarine *USS CLAMAGORE*.

Summary: On January 10, 2017, the Board of County Commissioners (BCC) approved the Contract for Sinking of Retired Naval Submarine USS CLAMAGORE to Create an Artificial Reef (R2017-0113). 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 BCC approved the First Amendment (R2018-0080) on January 23, 2018, for a one-year extension of time to January 9, 2019. This Amendment is for a time extension to September 30, 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 the County Administrator, or designee, to sign all future time extensions, task assignments, certifications, and other forms associated with the Contract was approved at In accordance with County PPM CW-O-051, all delegated contracts/ that time. agreements/grants must be submitted by the initiating Department as a receive and file agenda item. 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. Second Amendment

 2. Delegated Authority

 Recommended by:

 Department Director

 Department Director

 Approved by:

 Approved by:

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2019	2020	2021	2022	2023
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income (County	()				
In-Kind Match (County)					
NET FISCAL IMPACT					
# ADDITIONAL FTE POSITIONS (Cumulative)				
Is Item Included in Propo	sed Budget?	Yes _	No		
Does this item include th	e use of fede	eral funds?	Yes	No <u>X</u>	
Budget Account No.:		partment		RC	

B. Recommended Sources of Funds/Summary of Fiscal Impact:

C. Department Fiscal Review:

Newy

III. REVIEW COMMENTS

awbour

Contract Development and Control

1116)19

A. OFMB Fiscal and /or Contract Dev. and Control Comments:

OFMB 10 9110

B. Legal Sufficiency:

Assistant County Attorney

C. Other Department Review:

Department Director

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

This Second Amendment is made as of the $\underline{4^{*n}}$ day of $\underline{20000000}$, 2018, 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 S.W. 133rd 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 extend the term of the Contract by eight months; and

WHEREAS, this Second 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 September 30, 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 Second Amendment.

1

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

2

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: **County Attorney**

Witnessed

<u>Barbara Livieri</u> Witness Name (Printed)

Witness Name (Signed)

APPROVED AS TO TERMS AND CONDITIONS

By: **Department Director**

ARI-Clamagore:

Frederick R. Baddour Printed Name Title: President

ATTACHMENT 2



TO:

INTEROFFICE MEMORANDUM Palm Beach County Environmental Resources Management

DATE: August 2, 2018

Verdenia C. Baker County Administrator

THROUGH:

Patrick Rutter PMK Assistant County Administrator

FROM:

Deborah Drum, Director Environmental Resources Management

SUBJECT: CLARIFICATION OF THE INTENT OF PREVIOUS DELEGATION OF APPROVAL AUTHORITY MEMOS

The intent of previously delegated authority memos was to delegate the signatory authority to the current Director and Deputy Director of Environmental Resources Management (ERM).

This memorandum clarifies that Deputy Director Michael Stahl and I have signatory authority to sign all future time extensions, task assignments, certifications, and other documents associated with previously approved and delegated Board items. 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:

DATE: 8/ 9/18

8/3/18

^{AUG}^B2018

Verdenia C. Baker, County Administrator

DD:kf