

II. FISCAL IMPACT ANALYSIS

A Five Year Summary of Fiscal Impact:

Fiscal Years	2022	2023	2024	2025	2026
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>0</u>	_____	_____	_____	_____
No. ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____
Is Item Included in Current Budget?	Yes <u>X</u>		No _____		
Does this item include the use of federal funds?	Yes _____		No <u>X</u>		
Budget Account No.:	Fund _____	Department _____	Unit _____	Object _____	
Reporting Category	_____				

B. Recommended Sources of Funds/Summary of Fiscal Impact:
No Fiscal Impact.

C. Department Fiscal Review: *S. Healy*

III. REVIEW COMMENTS

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

for review 2/9/22
Lois M. Miller *2/10/22*
OFMB *2-11-22 TW*
James J. Miller *2-11-22 TW*
Contract Dev. and Control

B. Legal Sufficiency:

[Signature] *2/11/22*
Assistant County Attorney

C. Other Department Review:

Department Director

ATTACHMENT 1

AMENDMENT NO. 2
TO AGREEMENT NO. 19PB16
BETWEEN
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
AND
PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

This Amendment to Agreement No. 19PB16, as previously amended, (Agreement) is made by and between the Department of Environmental Protection (Department), an agency of the State of Florida, and Palm Beach County Board of County Commissioners, 2300 North Jog Road, 4th Floor, West Palm Beach, Florida 33411 (Grantee), on the date last signed below.

WHEREAS, the Department entered into the Agreement with the Grantee for design and construction of the South Jupiter Hurricane Irma Recovery Project effective September 11, 2019; and

WHEREAS, the parties wish to amend the Agreement as set forth herein; and

WHEREAS, the federal cost share has been updated for the Design and Construction tasks and funds have been moved from the Construction task to the Design task; and

WHEREAS, the Grantee has requested an extension to the agreement period and the Department has agreed.

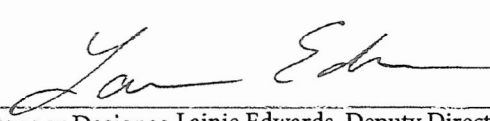
NOW THEREFORE, the parties agree as follows:

- 1) The Agreement is extended for a one (1) year period to begin November 16, 2021, and remain in effect until November 15, 2022. The Department and the Grantee shall continue to perform their respective duties during this extension period pursuant to the same terms and conditions provided in the Agreement.
- 2) Attachment 3-A, Revised Grant Work Plan, is hereby deleted in its entirety and replaced with Attachment 3-B, Second Revised Grant Work Plan, as attached to this Amendment and hereby incorporated into the Agreement. All references in the Agreement to Attachment 3-A shall hereinafter refer to Attachment 3-B, Second Revised Grant Work Plan.
- 3) All other terms and conditions of the Agreement remain in effect. If and to the extent that any inconsistencies may appear between the Agreement and this Amendment, the provisions of this Amendment shall control.

The parties agree to the terms and conditions of this Amendment and have duly authorized their respective representatives to sign it on the dates indicated below.

Palm Beach County Board of County Commissioners Florida Department of Environmental Protection

By: 
Chairman or Designee

By: 
Secretary or Designee Lainie Edwards, Deputy Director
Office of Resilience and Coastal Protection

Date: 11-23-21

Date: 11/30/2021

Approved as to form and legal sufficiency:
/s/ Scott A. Stone
Scott A. Stone, Assistant County Attorney

LIST OF ATTACHMENTS/EXHIBITS INCLUDED AS PART OF THIS AMENDMENT:

<u>Specify Type</u>	<u>Letter/Number</u>	<u>Description</u>
Attachment	3-B	Second Revised Grant Work Plan (3 pages)

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**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date:	March 8, 2022	(X) Consent	() Regular
		() Workshop	() Public Hearing
Department:	<u>Environmental Resources Management</u>		

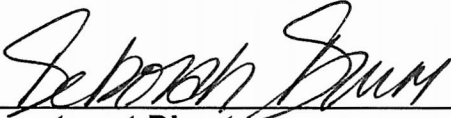

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file Amendment No. 2 to the Florida Department of Environmental Protection (FDEP) Agreement No. 19PB16 providing for a one-year extension beginning November 16, 2021 and expiring November 15, 2022.

Summary: On July 13, 2021, the BCC approved Amendment No. 1 to FDEP Agreement No. 19PB16 (R2019-1179), for the South Jupiter Hurricane Irma Recovery Project extending the Agreement for a one-year period beginning on November 15, 2020 and expiring November 15, 2021. Amendment 2 will update the federal cost share for the Design and Construction tasks, and move funds from the Construction task to the Design task. The one-year extension is necessary in order to receive reimbursement for all eligible project-related costs. Delegated authority to the County Administrator, or designee, to sign all future time extensions, task assignments, certifications, and other forms associated with this Agreement was approved at that time. In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating department as a receive and file agenda item. **There is no cost to the County.** District 1 (SS)

Background and Justification: Hurricane Irma made landfall within the State of Florida on September 10, 2017, causing dune erosion along the South Jupiter shoreline in northern Palm Beach County. The Florida Legislature authorized supplemental recovery funds during their 2018 session to assist counties with damages sustained by beach and dune restoration projects during the passage of Irma. The FDEP subsequently developed the 2018 Hurricane Irma Supplemental Funding Plan for Florida's beach and dune system to distribute these funds. The storm repair project was completed February 28, 2021.

- Attachments:**
- 1. Amendment No. 1 to FDEP Agreement No. 19PB16
 - 2. Delegation of Authority

Recommended by:		<u>2-8-22</u>	SAS 2 2 22
	Department Director	Date	
Approved by:		<u>2/14/22</u>	
	Assistant County Administrator	Date	

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NET FISCAL IMPACT	<u>0</u>	_____	_____	_____	_____
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Is Item Included in Current Budget?	Yes <u>X</u>		No _____		
Does this item include the use of federal funds?	Yes _____		No <u>X</u>		
Budget Account No.:	Fund _____	Department _____	Unit _____	Object _____	
Reporting Category	_____				

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

No Fiscal Impact.

C. Department Fiscal Review: *S. Healy*

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

for review 2/9/22
Lin Ma 2/10/22
OFMB 2/9/22
James Hill for *Kevin Jacobowitz*
Contract Dev. and Control
2-11-22 TW

B. Legal Sufficiency:

[Signature] 2/11/22
Assistant County Attorney

C. Other Department Review:

Department Director

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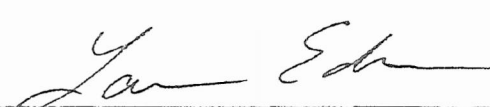
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Palm Beach County Board of County Commissioners Florida Department of Environmental Protection

By: 
Chairman or Designee

By: 
Secretary or Designee Lainie Edwards, Deputy Director
Office of Resilience and Coastal Protection

Date: 11-23-21

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Approved as to form and legal sufficiency:
/s/ Scott A. Stone
Scott A. Stone, Assistant County Attorney

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ORCP Additional Signatures

Karen Milicic Digitally signed by Karen Milicic
Date: 2021.11.30 09:01:15 -05'00'

DEP Grant Manager

Avery Lehmann Digitally signed by Avery Lehmann
Date: 2021.11.30 09:40:34 -05'00'

DEP QC Reviewer

Local Sponsor may add additional signatures if needed below.

**ATTACHMENT 3-B
SECOND REVISED GRANT WORK PLAN**

PROJECT TITLE: South Jupiter Hurricane Irma Recovery Project

PROJECT LOCATION: The Project is located between Department of Environmental Protection (Department or DEP) reference monuments R20-230' and R21 along the Atlantic Ocean in Palm Beach County, Florida.

PROJECT BACKGROUND: Hurricane Irma made landfall on September 10, 2017 causing beach and dune erosion along the South Jupiter Hurricane Irma Recovery Project in Palm Beach County. The 2018 Florida Legislature provided funds to assist counties with beach and dune restoration projects. The Department developed the 2018 Hurricane Irma Supplemental Funding Plan for Florida's beach and dune system to distribute these funds. Construction of a storm recovery project is scheduled for 2021/2022 to repair storm damages with federal assistance from FEMA.

PROJECT DESCRIPTION: The Project consists of Design and Construction of the South Jupiter Hurricane Irma Recovery Project.

PROJECT ELIGIBILITY: The Department has determined that 100 percent of the non-federal Project cost is eligible for state cost sharing. Therefore, the Department's financial obligation shall not exceed the sum of \$60,545 for this Project or up to 100 percent of the non-federal Project cost with a federal cost share, and up to 50 percent of the non-federal Project cost without a federal cost share, if applicable, for the specific eligible Project items listed, whichever is less. Any indicated federal cost sharing percentage is an estimate and shall not affect the cost sharing percentages of the non-federal share. The parties agree that eligibility for cost sharing purposes will be maintained pursuant to 62B-36, Florida Administrative Code (F.A.C.).

The Local Sponsor will be responsible for auditing all travel reimbursement expenses based on the travel limits established in Section 112.061, Florida Statute (F.S.).

Pursuant to Sections 161.091 - 161.161, F.S., the Department provides financial assistance to eligible governmental entities for beach erosion control and inlet management activities under the Florida Beach Management Funding Assistance Program.

Pursuant to 62B-36.005(1)(d), F.A.C., the Local Sponsor has resolved to support and serve as local sponsor, has demonstrated a financial commitment, and has demonstrated the ability to perform the tasks associated with the beach erosion control project as described herein.

The Project shall be conducted in accordance with the terms and conditions set forth under this Agreement, all applicable Department permits and the eligible Project task items established below. All data collection and processing, and the resulting product deliverables, shall comply with the standards and technical specifications contained in the Department's Monitoring Standards for Beach Erosion Control Projects (2014) and all associated state and federal permits, unless otherwise specified in the approved scope of work for an eligible Project item. The monitoring standards may be found at:

<https://floridadep.gov/sites/default/files/PhysicalMonitoringStandards.pdf>

One (1) electronic copy of all written reports developed under this Agreement shall be forwarded to the Department, unless otherwise specified.

Acronyms:

DEP – Florida Department of Environmental Protection
F.S. – Florida Statutes
F.A.C. – Florida Administrative Code
FEMA – Federal Emergency Management Agency

TASKS and DELIVERABLES:

The Local Sponsor will provide detailed scopes of work or a letter requesting advance payment if authorized by Attachment 2, for all tasks identified below, which shall include a narrative description of work to be completed, a corresponding cost estimate and a proposed schedule of completion for the proposed work and associated deliverables. Each scope of work shall be approved in writing by the DEP Project Manager to be included into this work plan for reimbursement.

Task 1: Design

Task Description: The Local Sponsor will acquire professional services for the engineering and design of the Project such as coastal engineering analyses, preparation of plans and specifications, physical and environmental surveys, cultural resource surveys, design-level geotechnical services, sediment studies, inlet studies, environmental analyses, orthophotography, plan formulations and for obtaining environmental permits and other Project-related authorizations. The Local Sponsor will submit work products to the appropriate State or Federal regulatory agencies as requested by the DEP Project Manager in order to be eligible for reimbursement under this task.

Deliverable: Certification of Completion including documentation of submittal affirming that the final design document was completed and submitted to the Department. For interim payment requests, a Task Summary Report signed by the Local Sponsor must be submitted detailing work progress during the payment request period. The Task Summary Report must include the dates and descriptions of all activities, surveys and reports completed or in progress during the time period of the interim payment request.

Performance Standard: The DEP Project Manager will review the task deliverable and any associated work products as necessary to verify they meet the specifications in the Grant Work Plan and this task description.

Payment Request Schedule: Payment requests may be submitted after the deliverable is received and accepted and may be submitted no more frequently than quarterly.

Task 2: Construction

Task Description: This task includes work performed and costs incurred associated with the placement of fill material and/or the construction of erosion control structures within the Project area. Project costs associated with eligible beach and inlet construction activities include work approved through construction bids and/or construction-phase engineering and monitoring services contracts. Eligible costs may include mobilization, demobilization, construction observation or inspection services, physical and environmental surveys, beach fill, tilling and scarp removal, erosion control structures, mitigation reefs, dune stabilization measures and native beach-dune vegetation. Construction shall be conducted in accordance with any and all State or Federal permits. The Local Sponsor will submit work products to the appropriate State or Federal regulatory agencies as requested by the DEP Project Manager in order to be eligible for reimbursement under this task.

Deliverable: Certification of Completion by a Florida-registered Professional Engineer with documentation of submittal to the Department affirming the construction task was completed in accordance

with construction contract documents. For interim payment requests, a Task Summary Report must be submitted detailing activities completed during the payment request period. The Task Summary Report must include the dates and descriptions of all activities, surveys and reports completed or in progress during the time period of the interim payment request.

Performance Standard: The DEP Project Manager will review the task deliverable and any associated work products as necessary to verify they meet the specifications in the Grant Work Plan and this task description.

Payment Request Schedule: Payment requests may be submitted after the deliverable is received and accepted and may be submitted no more frequently than quarterly.

Estimated Eligible Project Cost

Task #	Eligible Project Tasks	State Cost Share (%)	Federal Estimated Project Costs	DEP	Local	Total
1.1	Design and Permitting	100.00%	\$15,396.20	\$810.33		\$16,206.53
1.2	Design and Permitting	50.00%		\$3,866.55	\$3,866.55	\$7,733.10
2.1	Construction	100.00%	\$215,737.93	\$11,354.63		\$227,092.56
2.2	Construction	50.00%		\$44,513.49	\$44,513.49	\$89,026.98
	TOTAL PROJECT COSTS		\$231,134.13	\$60,545.00	\$48,380.04	\$340,059.17

PROJECT TIMELINE & BUDGET DETAIL: The tasks must be completed by, and all deliverables received by, the corresponding deliverable due date.

Task No.	Task Title	Budget Category	Budget Amount	Task Start Date	Deliverable Due Date
1	Design	Contractual Services	\$4,676.88	09/12/2017	09/15/2022
2	Construction	Contractual Services	\$55,868.12	09/12/2017	09/15/2022
Total:			\$60,545.00		



INTEROFFICE MEMORANDUM
Palm Beach County
Environmental Resources Management

DATE: December 27, 2019

TO: Verdenia C. Baker
County Administrator

THROUGH: Patrick Rutter *PWR*
Assistant County Administrator

FROM: Deborah Drum, Director *DD 12-27-19*
Environmental Resources Management

SUBJECT: REQUEST FOR DELEGATION OF APPROVAL AUTHORITY:
State of Florida Department of Environmental Protection (FDEP)
Standard Grand Agreement No. 19PB16 with FDEP to provide up
to \$60,545 for South Jupiter Hurricane Irma Recovery Project
expenses for a term beginning on September 12, 2017 and expiring
November 15, 2020.

On August 20, 2019, agenda item 3L6 (R2019-1179) the Board of County Commissioners approved the County Administrator, or designee, to sign all future time extensions, task assignments, certifications, and other forms associated with the Agreement, and any necessary minor amendments that do not significantly change the scope of work, terms, or conditions of the Agreement.

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 forms associated with this Agreement, and any necessary minor amendments that do not substantially change the scope of work, terms, or conditions of the Agreement. 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: *VBaker* **DATE:** 11/17/2020
Verdenia C. Baker, County Administrator

DD:kf
Attachment