

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date:	August 23, 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 Change Order No. 1 to Florida Department of Environmental Protection (FDEP) Standard Grant Agreement (Agreement) No. 21PB13 for the South Jupiter Feasibility Study expiring on December 31, 2023.

Summary: On August 17, 2021, the Board of County Commissioners approved FDEP Agreement No. 21PB13 (R2021-1108). Delegated authority to execute all future time extensions, task assignments, certifications, and any other forms associated with this Agreement was approved at that time. Change Order No. 1 was executed on November 22, 2021. The Grant Work Plan was deleted and replaced with a revised Grant Work Plan that reduces County and Total cost share amounts by \$1 to accurately reflect the 50% cost share. 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: The FDEP Agreement No. 21PB13 provides for reimbursement of 50% of the eligible costs to evaluate alternatives for beach restoration along a 1.45 mile stretch of critically eroded shoreline between FDEP monuments R-19 and R-26 in central Jupiter.

Attachments:

- 1. DEP Agreement No. 21PB13, Change Order No. 1
- 2. Delegation of Authority

Recommended by:	Deborah Drum		Date
	Department Director		
Approved by:			Date
	Assistant County Administrator		7/14/22

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 <u> 3652 </u> Department <u> 381 </u> Unit <u> M053 </u> Object _____				
Program	_____				

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

C. Department Fiscal Review: B. N. King

III. REVIEW COMMENTS

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

Following De 13/22 7/13/22
 [Signature] 7/13/22 OFMB [Signature] 7/13/22 Contract Dev. and Control
 [Signature] 7/14/22 [Signature] 7/14/22
7-14-22 TW

B. Legal Sufficiency:
 [Signature]
 Assistant County Attorney

C. Other Department Review:

 Department Director

CHANGE ORDER No. 1
DEP AGREEMENT No. 21PB13
SOUTH JUPITER BEACH FEASIBILITY STUDY

LOCAL SPONSOR:
Palm Beach County Board of
County Commissioners
2300 North Jog Road, 4th Floor
West Palm Beach, Florida 33411

This agreement entered into on September 2, 2021, is hereby revised as follows:

WHEREAS, the LOCAL SPONSOR has requested an update to the Grant Work Plan.

NOW, THEREFORE, in consideration of the mutual benefits to be derived herefrom, the DEPARTMENT and the LOCAL SPONSOR do hereby agree as follows:

1. Attachment 3, Grant Work Plan is hereby deleted in its entirety and replaced with Attachment 3-A, Revised Grant Work Plan, attached hereto and made a part of the Agreement. All references in the Agreement to Attachment 3 shall hereinafter refer to Attachment 3-A, Revised Grant Work Plan.
2. All other terms and conditions of the Agreement shall remain unchanged.

IN WITNESS WHEREOF, the parties have caused these presents to be duly executed, the day and year, last written below.

PALM BEACH COUNTY BOARD OF
COUNTY COMMISSIONERS

By: *Deborah Drum*
Department Director or Designee

DEBORAH DRUM, Department Director,
Print Name and Title Palm Beach County
ENVIRON. RESOURCES MGMT.

Date: 10/19/2021

FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

By: Hanna Tillotson Digitally signed by Hanna Tillotson
Date: 2021.11.22 12:14:32 -05'00'
Environmental Administrator

Hanna Tillotson, Environmental Administrator
Print Name and Title

Date: 11/22/2021

FEID No. 59-6000785

If someone other than the Mayor signs this Agreement, a resolution, statement or other documentation authorizing that person to sign the Agreement on behalf of the County must accompany the Agreement.

List of Attachments/Exhibits included as part of this Agreement:

Specify Type	Letter/ Number	Description (include number of pages)
Attachment	3-A	Revised Grant Work Plan (3 pages)

Approved as to form and legal sufficiency:

1st Scott A. Stone
Scott A. Stone, Assistant County Attorney

**ATTACHMENT 3-A
REVISED GRANT WORK PLAN**

PROJECT TITLE: South Jupiter Beach Feasibility Study

PROJECT LOCATION: The Project is located between Department of Environmental Protection (Department or DEP) reference monuments R19 and R26 along the Atlantic Ocean in Palm Beach County, Florida.

PROJECT BACKGROUND: The South Jupiter Beach Feasibility Study consists of a study to evaluate alternatives for beach restoration along 1.45 miles of critically eroded shoreline between DEP monuments R19 to R26 in Palm Beach County. In 2016, a dune restoration was conducted to provide storm protection to Highway A1A/Ocean Boulevard and existing dune crossovers. A feasibility study is being conducted to investigate the option of incorporating the Jupiter/Carlin, South Jupiter, and Juno Beach projects into a single fill event to reduce project construction costs and increase project performance of all three segments.

PROJECT DESCRIPTION: The Project consists of a feasibility study and design for South Jupiter Beach.

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 \$133,292 for this Project or up to 50 percent of the non-federal Project cost, 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.A.C. – Florida Administrative Code
F.S. – Florida Statutes

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: Feasibility

Task Description: The Local Sponsor will acquire professional services for activities necessary to determine the feasibility of the proposed Project or Project-related improvements necessary to accomplish Department-approved goals and strategies.

Deliverable: Certification of Completion including documentation of submittal affirming that the final feasibility report 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: 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.

Estimated Eligible Project Cost

Task #	Eligible Project Tasks	State Cost Share (%)	Federal Estimated Project Costs	DEP	Local	Total
1	Feasibility	50.00%		\$83,292.00	\$83,292.00	\$166,584.00
2	Design	50.00%		\$50,000.00	\$50,000.00	\$100,000.00
TOTAL PROJECT COSTS				\$133,292.00	\$133,292.00	\$266,584.00

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	Feasibility	Contractual Services	\$83,292.00	01/01/2018	6/30/2023
2	Design	Contractual Services	\$50,000.00	01/01/2018	6/30/2023
Total:			\$133,292.00		



**INTEROFFICE MEMORANDUM
Palm Beach County
Environmental Resources Management**

DATE: September 24, 2021
TO: Verdenia C. Baker
County Administrator
THROUGH: Patrick Rutter *PR*
Assistant County Administrator
FROM: Deborah Drum, Director *DD 9-24-21*
Environmental Resources Management

SUBJECT: REQUEST FOR DELEGATION OF APPROVAL AUTHORITY:
A State of Florida Department of Environmental Protection
(FDEP) Standard Grant Agreement No. 21PB13 (Agreement),
for an amount not to exceed \$133,292, providing for the
development of the South Jupiter Feasibility Study, beginning
January 1, 2018 and expiring December 31, 2023.

On August 17, 2021, agenda item 3L-12 (R2021-1108), 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 substantially 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, 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: *VC Baker* DATE: *10/6/21*
Verdenia C. Baker, County Administrator