Agenda Item: 3L-1

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:	December 20, 2022	(X) Consent () Workshop	()Regular ()Public Hearing
Department:	Environmental Resourc	es Management	

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file Amendment No. 02 to Agreement No. 4600003684 (Agreement) with the South Florida Water Management District (District) to extend the expiration date from October 1, 2022 to February 28, 2023.

Summary: On October 3, 2017, the Board of County Commissioners approved Agreement (R2017-1492) with the District and authorized the County Administrator, or designee, to sign all future time extensions and any necessary minor amendments that do not substantially change the scope of work, terms, or conditions of the Agreement. The Agreement outlines the cooperative process in which Palm Beach County Environmental Resources Management (PBCERM) will collect monthly surface water quality samples and associated field parameters at fourteen stations in Lake Worth Lagoon (LWL). Amendment No. 02 is limited to the extension of the period of performance from the current expiration date of October 1, 2022 to February 28, 2023; in order for the District to process a new cooperative agreement that outlines program changes identified in Amendment No. 01 (R2020-1081). Each party is responsible for their own expenses under this Agreement. In accordance with County PPM CW-O-051, all delegated contracts/ agreement/grants must be submitted by the initiating Department as a receive and file agenda item. There is no cost to the County. Countywide (SS)

Background and Justification: The Agreement formalizes the partnership between the District and the County for water quality data collection resulting from the establishment of the LWL Initiative through County and District Resolutions (R2008-0569) and (R2008-421), respectively. The protocol outlined in the Agreement is a continuation of the water quality collection and data processing arrangement between PBCERM and the District beginning in 2008 and most recently reauthorized in 2017. The water quality data is utilized to establish the LWL water quality baseline, establish Total Maximum Daily Load values (TMDL) and Numeric Nutrient Criteria (NNC).

Attachments: 1. Amendment No. 02 to Agreement No. 4600003684

2. Delegation of Authority

Recommended b	by: Department Director	10 - 13 - 22 Date	SAS 10/13/22
		Date	
Approved by:	fal	11/22/22	
	Assistant County Administrator	Date	

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2023	2024	2025	2026	2027
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income (County	/)				
In-Kind Match (County)					
NET FISCAL IMPACT					
# ADDITIONAL FTE POSITIONS (Cumulative	2)				
Is Item Included in Curre	ent Budget?	Yes		No	
Does this item include th	ne use of fed	eral funds?	Yes	No	
Budget Account No.:					
Fund Department_	Unit	Object_	Program	·	-
		and the second			

- B. Recommended Sources of Funds/Summary of Fiscal Impact: There is no fiscal impact associated with this item.
- C. Department Fiscal Review:

en

III. REVIEW COMMENTS

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

- 11/2/22 ABOCIA OFMB GA IND

11/22/22 **Contract Development and Control**

Legal|Sufficiency:

2/22 Assistant County Attorne

C. Other Department Review:

Department Director

Attachment 1



SOUTH FLORIDA WATER MANAGEMENT DISTRICT AMENDMENT

4600003684-A02

AMENDMENT NO. 02

TO AGREEMENT NO. 4600003684

BETWEEN THE

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

AND

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

This AMENDMENT NO. 02 is entered into on Oct 6 2022 to that Agreement dated October 23, 2017 and amended on September 20, 2020 (A01) between "the Parties," the South Florida Water Management District (District), and Palm Beach County Board of County Commissioners (County).

Background

1. The Parties entered into the agreement on October 23, 2017, for the collection and analysis of water quality data in the Lake Worth Lagoon.

2. The term of the Agreement is five (5) years from October 1, 2017.

3. The Parties amended the Agreement on September 20, 2020 (A01) to revise the Statement of Work to include two (2) monitoring stations and one (1) autosampler.

4. The Parties wish to amend the Agreement to extend the period of performance of the Agreement.

Terms and Conditions

5. Article 2 - Term of the Agreement is hereby amended as follows:

"This AGREEMENT shall be effective October 1, 2017 and shall continue in full force and effect until February 28, 2023, unless terminated in accordance with Article 7 below. No changes to this AGREEMENT will occur unless they are in writing and agreed upon by both Parties in a signed amendment."



SOUTH FLORIDA WATER MANAGEMENT DISTRICT AMENDMENT

6. This **AMENDMENT NO. 02** shall be effective upon the date of execution by the Parties.

7. This AMENDMENT NO. 02 shall be at no additional cost to the District.

8. All other terms and conditions of the Agreement remain unchanged.

IN WITNESS WHEREOF, the Parties or their duly authorized representatives hereby execute this AMENDMENT NO. 02 on the date first written above.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

By:

Heater rolida

Candida Heater, Director Administrative Services Division

SFWMI	PROCUREMENT APPROVED
🖉 BY:	CT-Dixet-Dixed
A DATE:	09/15/2022
Xð	

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

By:

Deborah-Drum, Director

Department of Environmental Resources Management

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: /s/ Scott A. Stone

ASSISTANT COUNTY ATTORNEY

Attachment 2



INTEROFFICE MEMORANDUM Palm Beach County Environmental Resources Management

DATE: October 17, 2017

> Verdenia C. Baker **County Administrator**

THROUGH:

FROM:

TO:

Jon Van Apram Deputy County Administrator

Robert Robbins, Director Michael Sall for **Environmental Resources Management**

SUBJECT: **REQUEST FOR DELEGATION OF APPROVAL AUTHORITY:** A Cooperative Agreement with South Florida Water Management District (District) for the collection and analysis of water quality data in the Lake Worth Lagoon.

On October 3, 2017, agenda item 3L2 (R2017-1492) the County Commission approved the County Administrator or her designee to sign all future 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.

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 that do not substantially change the scope of work or terms and conditions. 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: 10/22/17 Verdenia C. Baker, County Administrator

RR:mc Attachment