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Agenda Item: 3L-5

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:	January 24, 2023	(X) Consent () Workshop	()Regular ()Public Hearing
Department:	Environmental Resour	rces Management	

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to ratify Coral Cove Emergency Dune Restoration Contract No. 2023ERM01 (Contract) with Eastman Aggregate Enterprises, LLC (Contractor) in the amount of \$2,256,930 to provide dune restoration services for the Coral Cove Dune Restoration Project (Project), for a term beginning December 19, 2022 and expiring 120 calendar days from the Notice to Proceed.

Summary: The Contract provides for emergency dune restoration within the Project area, which suffered extensive erosional damage in November, 2022 due to waves generated by Hurricane Nicole. Restoration of the dune was most recently completed in January, 2022, but the area was eroded to pre-restoration conditions by the Hurricane. Because of this, the need to protect County infrastructure at Coral Cove Park from potential future damage, and the fact that dune and beach construction is not authorized during marine turtle nesting season (March 1 through October 31), it became necessary to complete an immediate restoration of the Project on an emergency basis. The Federal Emergency Management Agency (FEMA) provides funding assistance where declared emergencies affect shore protection projects. In order to qualify for potential FEMA funding, the County inquired about dune construction rates from other local governments with existing competitively bid contracts including federal requirements; the Town of Jupiter Island (Town) has an existing contract for these services where the Contractor is the low bidder and willing to accept additional work at existing rates. The Contractor recently completed dune restoration work for the Town immediately adjacent to the Coral Cove location and was already mobilized at the Project's primary construction access location. Pursuant to Sections 2-53 (f) and 2-54 (f)(4) of the Palm Beach County Purchasing Code, and based on these emergency circumstances where approval by the Board of County Commissioners could not be obtained in a timely manner, the Environmental Resources Management Department Director executed the Contract on December 19, 2022. The Contract generated savings for the County in mobilization costs and allowed an immediate start to emergency restoration work. District 1 (YBH)

Background and Justification: The County terminated the previously approved Dune and Beach Restoration Annual Contracts (R2021-0511 and R2021-0512) in November, 2022 due to the contractors' inability to accept additional work and secure sub-contractors at existing fuel prices. Staff began the termination process in September, 2022 with the intent to competitively rebid the work.

The Project is the first of three such projects requiring emergency dune restoration within the County. Due to significant and widespread damages throughout the east coast of Florida, capacity at the upland mines permitted to provide sand for these projects is expected to be severely limited, meaning only one project can be constructed at a time. In order to ensure completion of all projects prior to the start of marine turtle nesting season, it was necessary for the County to begin construction of this Project immediately.

Att	achment:					
1.	Contract with	Eastman	Aggregate	Enterprises,	LLC (3	originals)

Recommended b	y: <i>WCM</i> ybh	Behow	el Du	M	1-11-	202	3	
	Departmen	nt Director			Date			
Approved by:	2	Il X	Blur		11	15/1	213	
	Assistant	County Ac	ministrator		Date '	'		

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years		2023	2024	2025	2026	2027		
Capital Expe	enditures	\$2,256,930	Market Control of the	-				
Operating C	osts							
External Rev	venues			Nagarity and the same of the s	Tri Managania di Managania			
Program Inc	ome (County	y)						
In-Kind Mate	ch (County)							
NET FISCA	L IMPACT	\$2,256,930						
# ADDITIONS		e)						
Is Item Inclu	ded in Curre	ent Budget?	Yes X	No				
Does this ite	em include th	ne use of fed	eral funds?	Yes X	No			
Budget Acc	ount No.:							
		881 Unit <u>M040</u> 881 Unit <u>M033</u>						
B.	Recommen	ded Sources	of Funds/Su	mmary of Fis	cal Impact:			
	PBC ERM Beach Improvement Fund 3652-381-M033 Emergency Beach Responses \$1,256,930 3652-381-M040 Coral Cove Dune Restoration \$1,000,000							
Additional funding will be requested from FEMA and FDEP and may offset the County's fiscal impact.								
C.	C. Department Fiscal Review: 1. News							
		III. REVI	EW COMME	NTS				
A.	OFMB Fisca	al and /or Co	ntract Dev. a	nd Control C	omments:			
Colorina Par	June Man	to vholous	Cont	act Develop	ment and co	17123 ntrol 23		
0 _B .	Legal Suffic	ciency:	Tran4	1/13/33	U			
	Assistant C	ounty Attorn	023 ey					
C.	Other Depa	rtment Revie	w:					
	Department	t Director						