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Agenda Item: 3L-10

# PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:	February 7, 2023	(X) Consent ( ) Workshop	()Regular ()Public Hearing
Department:	Environmental Resource		

#### I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

A) ratify Singer Island Emergency Dune Restoration Contract No. 2023ERM02 (Contract) with Eastman Aggregate Enterprises, LLC (Contractor) in the amount of \$2,137,500.64 to provide dune restoration services for the Singer Island Dune Restoration Project (Project), for a term beginning January 20, 2023 and expiring 90 calendar days from the Notice to Proceed; and

**A) approve** a Budget Transfer of \$2,137,501 from the Beach Improvement Fund Reserves to the Singer Island Dune Restoration Project.

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 February 2022, but the area was eroded to pre-restoration conditions by the Hurricane. Because of this, 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. 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 January 20, 2023. The Contract 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 second of two 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 both projects prior to the start of marine turtle nesting season, it was necessary for the County to begin construction of this Project immediately after completion of the first.

#### Attachment:

- 1. Contract with Eastman Aggregate Enterprises, LLC (3 originals)
- 2. Budget Transfer

Recommended	by: MM yolahad Stell by	1/26/23	
	ybh Department Director	<b>Daté</b>	
Approved by:		- 1/30/2013	
	Assistant County Administrator	Date	

# **II. FISCAL IMPACT ANALYSIS**

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2023	2024	2025	2026	2027
Capital Expe	enditures <u>\$2,137,501</u>				
Operating C	osts				
External Rev	enues			<del></del>	
Program Inc	ome (County)				
In-Kind Mate	ch (County)				
NET FISCA	L IMPACT \$2,137,501				
# ADDITIO POSITIONS	NAL FTE (Cumulative)				
Is Item Inclu	ded in Current Budget?	Yes	No X	<del>-</del>	
Does this ite	em include the use of fe	deral funds?	Yes X	No	
Budget Acc	ount No.:				
Fund <u>3652</u> l	Department <u>381</u> Unit _	M037 Objec	t <u>4630</u> Pro	gram	<del></del>
В.	Recommended Source	s of Funds/Sเ	ımmary of Fi	scal Impact:	
	Additional funding will be the County's fiscal impac	<b>,</b> t	•		ay offset
C.	Department Fiscal Rev	iew:	Meling	war	
	III. RE	/IEW COMME	NTS		
A.	OFMB Fiscal and /or Co	ontract Dev. a	and Control C	Comments:	1
(	Shar Unda		ka¢t Develop	ment and Co	1/30/2 2 introl
В.	Legal Sufficiency:	·27-23 MA	1/30/23		
	1/30/	23			
	Assistant County Attor	•			
C.	Other Department Revi	ew.			
	Department Director				

23-0342

# BOARD OF COUNTY COMMISSIONERS PALM BEACH COUNTY, FLORIDA BUDGET TRANSFER

BGEX 381 012323-0718

EXPENDED/

## FUND 3652 Beach Improvement

ACCT.NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	ENCUMBERED As of 01/23/23	REMAINING BALANCE
REVENUES/EXPE	NDITURES							
381-M037-4630 381-9900-9909	Beach/Dune Restore/Renourish Res-Improvement Progrm	1,275,403 9,178,914	1,114,108 9,178,914	2,137,501	0 2,137,501	3,251,609 7,041,413	10,660	3,240,949 7,041,413
Total Receipts and Balances		50,485,743	50,339,330	2,137,501	2,137,501	50,339,330		
Office of Fin	nancial Management & Budget	Signatures & Dates			By Board of County Commissioners  At Meeting of			
INITIATING DEPARTMENT/DIVISION		- Alukat	\$1,61	1/201	,		February	7th 2023
Administration/Budget Department Approval		Lusar	bul-	· /	12023		Deputy Clerk to the	e
OFMB Department - Posted						Board	of County Commis	sioners