



**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)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	_____	_____	_____	_____	_____
No. ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____
Is Item Included in Current Budget?	Yes _____		No _____		
Does this item include the use of federal funds?	Yes _____		No _____		
Budget Account No.:	Fund <u>3652</u>	Department <u>381</u>	Unit <u>M053</u>	Object _____	
Reporting Category	_____				

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

No fiscal impact, time extension only.

**C. Department Fiscal Review:** LSA

**III. REVIEW COMMENTS**

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

*for review 8/16/23 8/14/23*  
Line Math 2/16/23  
 OFMB 2/16

Joe J. [Signature] 2/17/23  
 Contract Dev. and Control  
 from 2/7/23

**B. Legal Sufficiency:**

[Signature]  
 Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
 Department Director

**AMENDMENT NO. 3  
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, 4<sup>th</sup> 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 effective September 11, 2019;

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

NOW THEREFORE, the parties agree as follows:

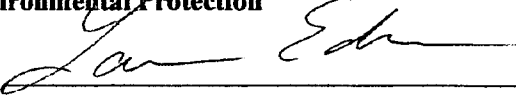
- 1) The Agreement is extended for a one (1) year period to begin November 16, 2022, and remain in effect until November 15, 2023. The Department and the Grantee shall continue to perform their respective duties during this extension period pursuant to the same terms and conditions provided in the Agreement.
- 2) Attachment 3-B, Second Revised Grant Work Plan, is hereby deleted in its entirety and replaced with Attachment 3-C, Third Revised Grant Work Plan, as attached to this Amendment. All references in the Agreement to Attachment 3-B shall hereinafter refer to Attachment 3-C, Third 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:   
Title: Department Director

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

Date: 1-9-2023

Date: 1/17/2023

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

<u>Specify Type</u>	<u>Letter/Number</u>	<u>Description</u>
Attachment	3-C	Third Revised Grant Work Plan (3 Pages)

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

By:   
Assistant County Attorney

Agreement No.: 19PB16

Amendment No.: 3

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ORCP Additional Signatures

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**John P. Irving** Digitally signed by John P. Irving  
Date: 2023.01.11 08:30:45 -05'00'

DEP Grant Manager

**Randall Wilson** Digitally signed by Randall Wilson  
Date: 2023.01.12 14:43:33 -05'00'

DEP QC Reviewer

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Local Sponsor may add additional signatures if needed below.

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**ATTACHMENT 3-C  
THIRD 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 is nearing completion and local sponsor is preparing reimbursement request.

**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.A.C. – Florida Administrative Code  
F.S. – Florida Statutes  
FEMA – Federal Emergency Management Agency  
FWC – Florida Fish and Wildlife Conservation Commission  
USACE – United States Army Corps of Engineers

**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 and Permitting**

**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 signed by Local Sponsor 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.

Task #	Eligible Project Tasks	Estimated Eligible State Cost Share (%)	Project Cost Federal Estimated Project Costs	DEP	Local	Total
1.1	Design and Permitting	100.00%	\$15,396.20	\$810.33	\$0.00	\$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	\$0.00	\$227,092.56
2.2	Construction	50.00%		\$44,513.49	\$44,513.49	\$89,026.98
	<b>TOTAL PROJECT COSTS</b>		<b>\$231,134.13</b>	<b>\$60,545.00</b>	<b>\$48,380.04</b>	<b>\$340,059.17</b>

**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	09/15/2023
2	Construction	Contractual Services	\$55,868.12	09/12/2017	09/15/2023
Total:			\$60,545.00		

Note that, per paragraph 8.h of the agreement, authorization for continuation and completion of work and any associated payments may be rescinded, with proper notice, at the discretion of the Department if the Legislature reduces or eliminates appropriations. Extending the contract end date carries the risk that funds for this project may become unavailable in the future. This should be a consideration for the Local Sponsor with this and future requests for extension.



**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: *VC Baker*

Verdenia C. Baker, County Administrator

DATE: 1/17/2020