

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date:	January 23, 2024	(X) Consent	() Regular
		() Workshop	() Public Hearing
Department:	<u>Environmental Resources Management</u>		

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

A) ratify Singer Island Emergency Dune Restoration Contract No. 2023ERM05 (Contract) with Eastman Aggregate Enterprises, LLC (Contractor) in the amount of \$2,530,586.50 to provide dune restoration services for the Singer Island Dune Restoration Project (Project), for a term beginning November 20, 2023 and expiring 90 calendar days from the Notice to Proceed; and

B) accept a Temporary Construction Easement (Easement) with Eastpointe II Condominium Association, Inc. to provide an expanded construction access area for a term beginning December 1, 2023 and expiring no later than May 29, 2024.

Summary: The Contract provides for emergency dune restoration within the Project area, which suffered exceptional erosion damage in October and November 2023 due to waves generated by a combination of prolonged severe weather and king tides. Restoration of the dune was most recently completed in February 2023, but the area had been eroded to pre-restoration conditions by recent wind and waves, leaving adjacent upland infrastructure and a construction access easement utilized by the County for beach management efforts, vulnerable to direct impacts. 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 Florida Department of Environmental Protection (FDEP) provides funding assistance where critical erosion impacts shore protection projects. In order to qualify for potential FDEP funding, the County inquired about dune construction rates from other local governments with existing competitively bid contracts including state and federal requirements; the Town of Jupiter Island (Town) has an existing contract for these services where the Contractor is 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 November 20, 2023. The Contract allowed an immediate start to emergency restoration work. The Easement provides the Contractor with required access to complete the Project, and is necessary due to erosion of a portion of the existing construction access easement area. The Project will utilize a combination of available project-specific and emergency response budget within the Beach Improvement Fund, and will be submitted for consideration of supplemental funding through the FDEP Beach Management Funding Assistance Program. District 1 (YBH)

Background and Justification: The Project is located on Singer Island in Riviera Beach and will restore approximately 1.2 miles of eroded dunes. Construction consists of sand placement to restore the dune profile and subsequent planting of native dune vegetation to stabilize the sand. Since 2001, fourteen dune restoration projects have been completed within the Project area, providing for recreation, habitat, and storm protection.

Attachments:

- 1. Contract with Eastman Aggregate Enterprises, LLC (3 originals)
- 2. Temporary Construction Easement with Eastpointe Condominium II Association, Inc. (1 original)

Recommended by:	<i>mm Deborah Drum</i>	<i>1-4-2024</i>
<small>KF/ ybh</small>	Department Director	Date
Approved by:	<i>IC Baker</i>	<i>1/17/24</i>
	Assistant County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2024	2025	2026	2027	2028
Capital Expenditures	<u>\$2,530,587</u>	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>\$2,530,587</u>	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes X No _____

Does this item include the use of federal funds? Yes X No _____
Budget Account No.: M037 & M033

Does this item include the use of state funds? Yes X No _____

Fund 3652 Department 381 Unit M037 Object 4630 Program _____
Fund 3652 Department 381 Unit M033 Object 4630 Program _____

Unit M037 – 60% = \$1,518,352
Unit M033 – 40% = \$1,012,235

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

Additional funding will be requested from FDEP and may offset the County's fiscal impact.

C. Department Fiscal Review: *Dan*

III. REVIEW COMMENTS

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

 ASD 1/5/24 *Samantha M. Amari* 1/11/24
OFMB *DA* 12/20 Contract Development and Control
 DA 1/5

B. Legal Sufficiency:

 [Signature] 1/16/24
Assistant County Attorney

C. Other Department Review:

Department Director