

**AMENDMENT NO. 1  
TO AGREEMENT NO. 19B01  
BETWEEN  
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
AND  
BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS**

This Amendment to Agreement No. 19B01 (Agreement) is made by and between the Department of Environmental Protection (Department), an agency of the State of Florida, and Broward County Board of County Commissioners, 115 South Andrews Avenue, Room 329H, Ft. Lauderdale, Florida 33301 (Grantee), on the date last signed below.

WHEREAS, the Department entered into the Agreement with the Grantee for the Broward County Shore Protection Project – Segment II effective March 18, 2019; and

WHEREAS, the parties wish to amend the Agreement to extend the agreement period.

NOW THEREFORE, the parties agree as follows:

- 1) The Agreement is extended for a one year period to begin October 2, 2020, and remain in effect until October 1, 2021. 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, Grant Work Plan, is hereby deleted in its entirety and replaced with Attachment 3-A, Revised Grant Work Plan, as attached to this Amendment and hereby incorporated into the Agreement. All references in the Agreement to Attachment 3 shall hereinafter refer to Attachment 3-A, Revised Grant Work Plan.
- 3) All other terms and conditions of the Agreement remain in effect. If and to the extent that any inconsistency 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.

**Broward County Board of County Commissioners**

**Florida Department of  
Environmental Protection**

By: \_\_\_\_\_  
Title

By: \_\_\_\_\_  
Secretary or Designee

Date: \_\_\_\_\_

Date: \_\_\_\_\_

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

<u>Specify Type</u>	<u>Letter/Number</u>	<u>Description</u>
Attachment	3-A	Revised Grant Work Plan (3 pages)

## ATTACHMENT 3-A REVISED GRANT WORK PLAN

**PROJECT TITLE:** Broward County Shore Protection Project – Segment II

**PROJECT LOCATION:** The Project is located between Department of Environmental Protection (Department or DEP) reference monuments R36 to R41.3 and R51 to R72 along the Atlantic Ocean in Broward County, Florida.

**PROJECT BACKGROUND:** The Project was initially restored in 1970 from R32 to R49. The subsequent nourishment in 1983 expanded the project boundaries from R25 to R53. Following the passage of Hurricane Sandy in 2012, a small beach fill project was conducted as part of the repairs made to State Route A1A, and in 2014 an FCCE project placed upland sand above the mean high water line along the Project boundary. A new JCP permit for the Project (R25-R85) was issued in 2014. The subsequent truck haul project began in January 2016 and was completed in two segments (R36 to R41.3 and R51 to R72), the second of which was completed in December 2016 after sea turtle nesting season. The permit requires 6.8 acres of artificial reef to be constructed as mitigation for the 2016 nourishment.

**PROJECT DESCRIPTION:** The Project consists of post-construction monitoring following the 2016 nourishment.

**PROJECT ELIGIBILITY:** The Department has determined that 81.44 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 \$81,113 for this Project or up to 40.72 percent of the non-federal Project cost, 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 Statutes (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  
FCCE – Flood Control and Coastal Emergency  
F.S. – Florida Statutes  
FWC – Florida Fish and Wildlife Conservation Commission  
JCP – Joint Coastal Permit

**TASKS and DELIVERABLES:**

For all tasks identified below, the Local Sponsor will provide detailed scopes of work or a letter requesting advance payment, 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: Monitoring**

State and federal monitoring required by permit is eligible for reimbursement pursuant to program statute and rule. In order to comply with Florida Auditor General report 2014-064 regarding conflicts of interest and to be consistent with Section 287.057(17)(a)(1), F.S., all monitoring data and statistical analysis must be provided directly and concurrently from the monitoring contractor to the Department/Local Sponsor permittee/engineering consultant. The Local Sponsor's engineering consultant must provide an adequate mitigation plan, consistent with Section 287.057(17)(a)(1), F.S., including a description of organizational, physical, and electronic barriers to be used by the Local Sponsor's engineering consultant, that addresses conflicts of interest when contracting multi-disciplinary firms for Project engineering and post-construction environmental monitoring services, or when the Project engineering consultant firm subcontracts for post-construction environmental monitoring. Environmental monitoring includes hardbottom, seagrass, and mangrove resources. Department approval of the consultant's mitigation plan will be required prior to execution of this Agreement. If at any time the Local Sponsor and/or its engineering consultant fails to comply with this provision, the Local Sponsor agrees to reimburse the Department all funds provided by the Department associated with environmental monitoring for the Project listed.

**Task Description:** This task includes activities associated with permit-required monitoring conducted in accordance with the conditions specified by state or federal regulatory agencies. All monitoring tasks must be located within or adjacent to the Project area and follow the Department's Regional Coastal Monitoring Program and FWC's marine turtle and shorebird monitoring programs. Guidance for monitoring of nearshore resources is available in the Department's Standard Operation Procedures For Nearshore Hardbottom Monitoring Of Beach Nourishment Projects. The Local Sponsor must submit work products directly to the appropriate state or federal regulatory agencies in accordance with permit conditions to be eligible for reimbursement under this task, unless otherwise directed.

**Deliverable:** For each interim or final payment, the Local Sponsor will provide a Task Summary Report containing; 1) An itemized listing of all monitoring activities completed or in progress during the payment request period and, 2) Documentation of submittal to state and federal regulatory agencies of completed monitoring data, surveys and final reports for permit-required work under this task description.

**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.

Estimated Eligible Project Cost

Task #	Eligible Project Tasks	State Cost Share (%)	Federal Estimated Project Costs	DEP	Local	Total
1	Monitoring	40.72%	\$244,451.00	\$81,113.00	\$118,085.00	\$443,649.00
	<b>TOTAL PROJECT COSTS</b>		<b>\$244,451.00</b>	<b>\$81,113.00</b>	<b>\$118,085.00</b>	<b>\$443,649.00</b>

**PROJECT TIMELINE & BUDGET DETAIL:** The tasks must be completed by, and all deliverables received by, the corresponding task end date.

Task No.	Task Title	Budget Category	Budget Amount	Task Start Date	Deliverable Due Date
1	Monitoring	Contractual Services	\$81,113	01/01/2017	07/01/2021
Total:			\$81,113		