



Broward County

Legislation Details (With Text)

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On agenda: 1/26/2021 **Final action:** 1/26/2021

Title: MOTION TO APPROVE First Amendment to the Sea Turtle Conservation Program and Marine Environmental Education Center Program Services Agreement with Nova Southeastern University, Inc. for sea turtle conservation and marine environmental education services, providing for a six-month extension in contract term from January 1, 2021 to June 30, 2021, at a cost not-to-exceed \$196,026 (consistent with terms of the current Agreement); and authorize the Mayor or Vice Mayor to execute the agreement, subject to final review and approval as to form by the Office of the County Attorney. (Commission Districts 4, 6 and 7)

Sponsors:

Indexes: Established Commission Goals

Code sections:

Attachments: 1. Exhibit 1 - Agreement Summary, 2. Exhibit 2 - First Amendment

Date	Ver.	Action By	Action	Result
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Broward County Commission Regular Meeting

Director's Name: Leonard Vialpando

Department: Environmental Protection

Division: Environmental Planning & Comm. Resilience

Information

Requested Action

MOTION TO APPROVE First Amendment to the Sea Turtle Conservation Program and Marine Environmental Education Center Program Services Agreement with Nova Southeastern University, Inc. for sea turtle conservation and marine environmental education services, providing for a six-month extension in contract term from January 1, 2021 to June 30, 2021, at a cost not-to-exceed \$196,026 (consistent with terms of the current Agreement); and authorize the Mayor or Vice Mayor to execute the agreement, subject to final review and approval as to form by the Office of the County Attorney. **(Commission Districts 4, 6 and 7)**

Why Action is Necessary

Section 21.94a of the Broward County Procurement Code requires Commission approval of a formal amendment to a negotiated contract. Board action is necessary to approve the amended agreement providing continuation of services for six months.

What Action Accomplishes

The action approves a six-month extension of the agreement with Nova Southeastern University, Inc. to allow for uninterrupted daily sea turtle nesting surveys, outreach within the community, and continued operation of the Marine Environmental Education Center supporting sea turtle conservation in the county.

Is this Action Goal Related

Yes

Previous Action Taken

None

Summary Explanation/Background

THE ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT, THE ENVIRONMENTAL PLANNING AND COMMUNITY RESILIENCE DIVISION AND THE PARKS AND RECREATION DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTION.

This item supports the Commission Value of “Encouraging investments in renewable energy, sustainable practices and environmental protection,” Goal 2: Proactively lead in the planning, design and construction of projects supporting resilience and climate adaptation, by ensuring that publicly accessible beaches are sufficient in dimension to provide storm protection, recreational opportunities, and sea turtle nesting habitat, and Goal 4: Educate the public about the fragile South Florida ecosystems, impacts of severe weather, sea level rise, and climate change, with special emphasis on the coral reef ecosystem.

Approval of this item provides for a six-month extension to the Agreement between Broward County and Nova Southeastern University providing for continuation of sea turtle conservation activities, data collection and outreach, and marine environmental education services from January 1, 2021 to June 30, 2021, until a new contract is negotiated and executed.

On March 31, 2016, Broward County and Nova Southeastern University entered into an Agreement for Sea Turtle Conservation Program and Marine Environmental Education Center Program services with an expiration date of December 31, 2020 (Agenda No. 30, 10/27/2015). This agreement was supported by a most reasonable source designation, following nearly three decades of collaborative sea turtle conservation efforts, and the Board’s desire to expand these efforts to include joint operation of additional sea turtle conservation and outreach services via a Marine Education Environmental Center at the Carpenter House.

Nearing completion of the current five-year contract term, the Commission recently renewed its approval of Nova Southeastern University as the most reasonable source for delivery of joint sea turtle conservation and education services in collaboration with Broward County, and authorized the Director of Purchasing to negotiate a new agreement providing for continuation of these services (Agenda No. 23, 12/1/2020). Contract negotiations have ensued, requiring update to contract terms and conditions along with negotiation of program details pertaining to daily sea turtle nesting surveys, monthly beach lighting surveys, outreach in the community, care for a permanent non-releasable resident green sea turtle at the Marine Environmental Education Center, and exhibits/programming supporting sea turtle and marine conservation at the Marine Environmental Education Center. Despite the efforts of both entities, additional time is needed to finalize contract details and hence the request to extend the current agreement to avoid a lapse in services during final negotiations, including operation of the Marine Environmental Education Center, on-call response to sick, injured, stranded or cold stung turtles, and daily nest monitoring required for shore protection project permits beginning March 1, 2020.

This First Amendment extends the initial Agreement six months, until June 30, 2021, and includes a not-to-exceed amount of \$164,776 for the Sea Turtle Conservation Program and a Lump Sum amount of \$31,250 for the Marine Environmental Education Center Program. These costs are consistent with payment terms negotiated under the current Agreement.

Nova Southeastern University has been involved with sea turtle research and conservation efforts within Broward County since 1978, providing the county with sea turtle conservation services during the eight-month nesting season as well as off-season outreach in the community. Since 2016, Nova Southeastern University has provided additional services in the form of a Marine Environmental Education Center under the current Agreement. The Marine Environmental Education Center provides further opportunities for public outreach including a resident non-releasable green sea turtle and interactive programming for the public and schools. Sea turtle conservation activities provide direct protection of these endangered species and their habitat in Broward County. Outreach programs throughout the year provide an opportunity for the public to learn about sea turtles and marine conservation. The current agenda item supports these objectives.

This First Amendment continues the payment rates, terms, and conditions of the current Agreement and is subject to final review and approval as to form by the Office of the County Attorney.

Source of Additional Information

Dr. Jennifer Jurado, Chief Resilience Officer and Deputy Director, Environmental Protection and Growth Management Department, 954-519-1464

Fiscal Impact

Fiscal Impact/Cost Summary

The cost of the First Amendment is not to exceed \$164,776 for the Sea Turtle Conservation Program and a lump sum amount of \$31,250 for the Marine Environmental Education Center Program for which funds are allocated within the General Fund.