



# Broward County

## Legislation Details (With Text)

**File #:** 22-1181 **Version:** 1

**Status:** Agenda Ready

**In control:** RESILIENT ENVIRONMENT DEPARTMENT

**On agenda:** 8/25/2022 **Final action:** 8/25/2022

**Title:** MOTION TO APPROVE First Amendment to the Agreement between Broward County and Olsen Associates, Inc. for coastal engineering consultant services for the Segment III Shore Protection Project (RFP No. T2112588P1) in substantially the form attached (Exhibit 1), providing for post-construction reporting and monitoring for beach renourishment along Segment III and Federal reauthorization of the Project, increasing the maximum total agreement lump sum compensation by an additional \$4,577,350, from a total of \$2,729,385 to a total of \$7,306,735, and authorize the Director of Purchasing to approve nonmaterial changes that do not further increase the total cost to the County, subject to review for legal sufficiency by the Office of the County Attorney; and authorize the Mayor and Clerk to execute the final form of the amendment. (Commission District 6)

**Sponsors:**

**Indexes:** Established Commission Goals

**Code sections:**

**Attachments:** 1. Exhibit 1 - Segment III Amendment 1, 2. Exhibit 2 - Agreement History, 3. Exhibit 3 - OESBD Memo, 4. Additional Material - Information

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

**Director's Name:** Leonard Vialpando

**Department:** Resilient Environment **Division:** Choose a Division.

### Information

#### Requested Action

MOTION TO APPROVE First Amendment to the Agreement between Broward County and Olsen Associates, Inc. for coastal engineering consultant services for the Segment III Shore Protection Project (RFP No. T2112588P1) in substantially the form attached (Exhibit 1), providing for post-construction reporting and monitoring for beach renourishment along Segment III and Federal reauthorization of the Project, increasing the maximum total agreement lump sum compensation by an additional \$4,577,350, from a total of \$2,729,385 to a total of \$7,306,735, and authorize the Director of Purchasing to approve nonmaterial changes that do not further increase the total cost to the County, subject to review for legal sufficiency by the Office of the County Attorney; and authorize the Mayor and Clerk to execute the final form of the amendment. **(Commission District 6)**

#### Why Action is Necessary

In accordance with Broward County Procurement Code Section 21.47.(a), action by the Broward County Board of County Commissioners is necessary to amend contracts.

#### What Action Accomplishes

Authorizes the post-construction monitoring tasks required by federal and state permits pertinent to the Segment III Shore Protection Project and tasks required for Federal reauthorization of the

Project.

**Is this Action Goal Related**

Yes

**Previous Action Taken**

None taken

**Summary Explanation/Background**

THE RESILIENT ENVIRONMENT DEPARTMENT RECOMMENDS APPROVAL OF THE ABOVE MOTIONS.

This item supports the County Commission's Value of "Encouraging investment in renewable energy, sustainable practices and environmental protection" and Goal 2: "Proactively lead in the planning, design and construction of projects supporting resilience and climate adaptation, including coordination with other entities to foster resilient design as part of local and regional projects, especially shore protection efforts". This item ensures that publicly accessible beaches are sufficient in dimension (i.e. >75 feet in width) to provide storm protection, recreational opportunities, and sea turtle nesting habitat.

The First Amendment (Exhibit 1) will provide continued coastal engineering services for permit-required monitoring for the federally funded Segment III beach restoration work implemented by the U.S. Army Corps of Engineers' (Corps) Flood Control and Coastal Emergencies (FCCE) Program. Section 3.3 of the original agreement, approved on June 12, 2018, Item 44, provides that the County and Consultant may negotiate additional scopes of services, compensation, time of performance and other related matters for future phases of the Project. Broward County holds the beach renourishment permits issued by the Florida Department of Environmental Protection and is responsible for all post-construction physical and biological monitoring. Accordingly, the current amendment provides post-construction services (physical and biological monitoring) required for the Segment III beach renourishment project, with a maximum increase in contract amount not to exceed \$4,577,350 for a total amended contract amount of \$7,306,735.

This FCCE project is the result of impacts to Segment III related to Hurricane Irma. The project began on November 1, 2021, and is expected to be completed by April 30, 2024, with an estimated 850,000 cubic yards of sand placed between the Port Everglades Inlet and the south County line.

The First Amendment will also provide: 1) consultant services to support Federal Reauthorization of the Segment III project requisite to future federal cost share participation in Segment III shore protection projects; and 2) optional services which may include additional planning, design, permitting, and project oversight that may be required to complete the Segment III work; and 3) general consulting services. Authorizations for these tasks are withheld until required.

Details of the agreement history and individual tasks are provided as Exhibit 2.

The Office of Economic and Small Business Development did not establish a County Business Enterprise (CBE) participation goal because this project may be partially funded by the United States Army Corps of Engineers and Florida Department of Environmental Protection. Federal grant regulations prohibit geographical preferences in the evaluation of proposals (Exhibit 3).

On March 8, May 5, and June 29, 2022, negotiations meetings were held for this First Amendment. The meetings were attended virtually by representatives from Olsen Associates, staff from the Office of the County Attorney, the Resilient Environment Department, and the Natural Resources Division. The Office of the County Attorney is making final revisions to the First Amendment which will be distributed as additional material.

**Source of Additional Information**

Dr. Jennifer Jurado, Deputy Director, Resilient Environment Department, 954-519-1464.

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

The Amendment increases the maximum overall cost of Consultant Services for the project by an additional \$4,577,350, from a total of \$2,729,385 to a total of \$7,306,735. These funds are budgeted within the Department's capital budget. Costs for services incurred by the County and delivered under this First Amendment are subject to partial reimbursement by the Federal Government and the State of Florida.