FIRST AMENDMENT
TO AGREEMENT BETWEEN THE
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
AND
MANATEE COUNTY
FOR
BOWLEES CREEK WATERSHED MANAGEMENT PLAN (N809)

This FIRST AMENDMENT effective the 22nd day of May 2018, by and between the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT, a public corporation of the State of Florida having an address of 2379 Broad Street, Brooksville, Florida 34604-6899, hereinafter referred to as the "DISTRICT," and MANATEE COUNTY, a political subdivision of the State of Florida, having an address of 1112 Manatee Avenue West, Bradenton, Florida 34205, hereinafter referred to as the "COOPERATOR".

WITNESSETH:

WHEREAS, the DISTRICT and the COOPERATOR entered into an agreement effective March 02, 2017 (Agreement No. 17CF0000381/2017REV0011) hereinafter referred to as the "Existing Agreement," for the completion of the Watershed Evaluation and the Watershed Management Plan element, including computer modeling and floodplain analysis; and

WHEREAS, the parties hereto wish to amend the Existing Agreement to extend the contract period, replace the Project Plan due to scope changes and update contract language applicable to the DISTRICT’s cooperatively funded projects.

NOW THEREFORE, in consideration of the mutual terms, covenants and conditions contained herein, the parties hereby mutually agree to amend the Existing Agreement as follows:

1. The Contract Period Paragraph is hereby amended to extend the expiration date of March 31, 2020 to December 31, 2020.

2. New Paragraph 22, Scrutinized Companies, is hereby added as follows:

22. SCRUTINIZED COMPANIES.

Pursuant to Section 287.135, F.S., a company that, at the time of submitting a bid or proposal for a new contract or renewal of an existing contract, is on the Scrutinized Companies that Boycott Israel List, or is engaged in a boycott of Israel, is ineligible to, and may not bid on, submit a proposal for, or enter into or renew a contract with an agency or local governmental entity for goods or services in any amount. If the goods or services are in the amount of $1 million dollars or more, the company must also not be on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or be engaged in business operations in Cuba or Syria. By signing this Agreement, the COOPERATOR certifies that it is not on any of the lists or engaged in any of the
prohibited activities identified above, as applicable based upon the amount of this Agreement. The COOPERATOR agrees to notify the DISTRICT if it is placed on any of the applicable lists or engages in any of the prohibited activities during the term of this Agreement. The DISTRICT may immediately terminate this Agreement at its option if the COOPERATOR is found to have submitted a false certification, is placed on any of the applicable lists or engages in any prohibited activities.

3. Exhibit "A", Project Plan, is hereby replaced in its entirety with Exhibit "A-1" (Revised 09/26/2019), attached hereto.

4. The terms, covenants and conditions set forth in the Existing Agreement that have not been specifically amended herein, will continue in existence, are hereby ratified, approved and confirmed, and will remain binding upon the parties hereto.

The remainder of this page intentionally left blank.
IN WITNESS WHEREOF, the parties hereto, or their lawful representatives, have executed this FIRST AMENDMENT on the day and year set forth next to their signatures below.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

By: _______________________________ Date
    Amanda Rice, P.E.
    Assistant Executive Director

MANATEE COUNTY, a political subdivision of the State of Florida
By: its Board of County Commissioners

By: _______________________________ Date
    Chairperson

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: _______________________________ Deputy Clerk

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Page 3 of 3
AGREEMENT NO. 17CF0000381

EXHIBIT "A-1" (Revised 09/26/2019)
PROJECT PLAN

PROJECT DESCRIPTION

This is a multi-year funded PROJECT to develop a watershed management plan (WMP) for the Bowles Creek watershed (Watershed), which covers an area of approximately 9 square miles located in southwestern Manatee County, Florida. This WMP will identify flood prone issues in the Watershed through a comprehensive assessment including data analysis and modeling. Currently, flood analysis models are not available, and the Watershed includes regional or intermediate storm water systems. The information developed from the PROJECT will assist the COOPERATOR with floodplain management as well as planning and development decisions. It will also support the DISTRICT’S Resource Management and Environmental Resource Permitting programs. The following elements of the DISTRICT’S Watershed Management Program will be performed: (1) Watershed Evaluation, and (2) Watershed Management Plan. These elements are defined under the Project Tasks section below. Project Tasks are to be accomplished according to the Project Schedule and Project Budget sections listed below.

RESOURCE BENEFIT

The resource benefit of this flood protection project is to analyze flooding problems that exist in the Watershed. Currently, flood analysis models are not available, or are over 10 years old, and the Watershed includes regional or intermediate storm water systems.

PROJECT TASKS

All work related to this PROJECT will be performed in accordance with the DISTRICT’S Watershed Management Program Guidance documents, effective as of the date of the execution of this Agreement. A list of these Guidance documents can be found at: http://ftp.swfwmd.state.fl.us/pub/GWIS/WMP_Guidance_Documents (WMP_Guidance.zip).

1.1 Watershed Evaluation – The systematic acquisition and assessment of Watershed data through desktop and field reconnaissance and survey; and development of Geographic Watershed Information System (GWIS) database, or a Geographical Information System (GIS) database in a format approved by the DISTRICT, for the Watershed features. Watershed Evaluation defines the Watershed's natural conveyance and storage features as well as storm water infrastructure. It also establishes the complexity of preliminary model features of the Watershed. To provide additional quality assurance, the deliverables will be peer reviewed by an independent and qualified consultant.

1.2 Watershed Management Plan – Consists of tasks related to the management of surface water resources. These tasks include developing a Watershed model and identifying associated floodplains. The Watershed model and floodplain results will be peer reviewed by an independent and qualified consultant. A preliminary floodplain open house will be held to solicit public comments. Upon approval of the Watershed model and floodplain
results, subsequent tasks include identifying drainage improvement projects through
alternatives analysis and prioritization of best management practices (BMPs) to address
flood protection concerns of the Watershed.

DELIVERABLES

- Monthly Status Reports
- Project Development Document
- Watershed Evaluation Report
- Watershed Model
- WMP Geodatabase
- Watershed Management Plan
- Floodplain Justification Report
- Peer Review Report
- Comments Geodatabase
- Drainage Improvement Alternatives Analysis Report
- BMP Alternatives Analysis Report

PROJECT SCHEDULE

Additional milestones for the following tasks will be completed within the timeframes set forth
in Task Work Assignments (TWAs) issued to the DISTRICT’S consultant. The DISTRICT will
issue a notice to proceed to its consultant no later than 6 months from the execution of this
Agreement.

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PROJECT BUDGET

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December 23, 2019

Thomas Gerstenberger  
Manatee County  
1022 26th Avenue East  
Bradenton, Florida 34208

Subject: Bowles Creek Watershed Management Plan  
Project No. N809  
Agreement No. 17CF0000381/2017REV0011  
Amendment No. 1

Dear Thomas Gerstenberger:

Enclosed are two originals of the amendment 1 to the agreement between the Southwest Florida Water Management District (District) and Manatee County, for the subject project. Please have all originals signed and dated, then return them to my attention at our Brooksville office. One fully executed original will be sent to you for your files after the District’s executive director or designee has signed the agreements.

Please contact the procurement section if you are unable to have the referenced agreement signed and returned to the District within 90 calendar days from the date on this letter. Delayed execution of this agreement may affect the ranking of future cooperative funding requests.

If you have any questions, please contact me at the Brooksville office, extension 4106.

Sincerely,

**Rachelle Jones**
Senior Procurement Specialist  
Procurement Section  
Finance Bureau

Enclosures (2)  
cc: Jezabel Pagan Garcia  
S. Tarokh, PAB  
Records (Contract File)