

**CHANGE ORDER NO. 1
DEP AGREEMENT NO. 14ME1
ANNA MARIA ISLAND-MANATEE COUNTY SHORE PROTECTION PROJECT**

LOCAL SPONSOR

Manatee County
5502 33rd Ave. Dr. West
Bradenton, Florida 34209

THIS AGREEMENT, entered into on October 1, 2013, amended on December 23, 2014, and September 28, 2017, is hereby revised as follows:

WHEREAS the local Sponsor has requested updates to the Grant Work Plan and the Department has agreed.

NOW, THEREFORE, in consideration of the mutual benefits to be derived here from, the Department and the Local Sponsor do hereby agree as follows:

Attachment A, Grant Work Plan is hereby deleted in its entirety and replaced with Attachment A-1, Revised Grant Work Plan, attached hereto and made a part of the Agreement. All references in the Agreement to Attachment A shall hereinafter refer to Attachment A-1, Revised Grant Work Plan.

All other terms and conditions of the Agreement shall remain unchanged.

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IN WITNESS WHEREOF; the undersigned have signed and executed this Agreement on the respective dates under their signatures:

MANATEE COUNTY

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: _____
Title: Commission Chair

By: _____
Department of Environmental Protection
Secretary or designee

Print Name and Title

Print Designee Name and Title

Date: _____

Date: _____

FEID No. 59-6000727

*If someone other than the Commission Chair signs this Agreement, a resolution, statement or other documentation authorizing that person to sign the Agreement on behalf of the County/City must accompany the Agreement.

List of Attachments/Exhibits included as part of this Agreement:

Specify Type	Letter/ Number	Description (include number of pages)
Attachment	A-1	Revised Grant Work Plan (6 pages)

ATTACHMENT A-1 GRANT WORK PLAN

Project Title: Anna Maria Island - Manatee County Shore Protection Project.

Project Location: The Project is located between Department of Environmental Protection (Department/DEP) reference monuments R12 and R36 along the Gulf of Mexico in Manatee County, Florida, as specified in the Strategic Beach Management Plan.

Project Background: The Project (R12 - R36) is part of the federal Manatee County Shore Protection Project, which was restored in 1993. Nourishment was completed in 2002. In 2006 the project received federally funded hurricane recovery nourishment. A federal storm repair project using FCCE/CG funding was completed in 2013/2014 to address storm losses sustained during Tropical Storm Debby.

Project Description: The Project consists of construction and monitoring of the nourishment of approximately 4.7 miles of Gulf of Mexico shoreline between Department Monuments R12 – R36 in Manatee County.

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:

<http://www.dep.state.fl.us/beaches/publications/pdf/PhysicalMonitoringStandards.pdf>

One (1) electronic copy of all written reports developed under this Agreement shall be forwarded to the Department, unless otherwise specified.

Acronyms:

USACE- United States Army Corps of Engineers
FWC- Florida Fish and Wildlife Conservation Commission
JCP- Joint Coastal Permit
FCCE/CG- Flood Control and Coastal Emergency/Construction General

For the purpose of this Attachment A, Grant Work Plan, the term "Grantee" and "Local Sponsor" will be used interchangeably.

The Department and the Local Sponsor/Grantee agree that the state grant funding, not to exceed, the estimated costs of the Project as identified in Table 1 below:

TABLE 1
Estimated Eligible Project Cost

Task #	Eligible Project Tasks	State Cost Share (%)	Federal Estimated Project Costs	DEP	Local	Total
3.0	Construction					
3.1	Construction of the Tropical Storm Debby FCCE/CG Repair Project (2013)	50.00%	\$5,584,365.00	\$2,789,639.57	\$2,789,639.57	\$11,163,644.14
	Subtotal		\$5,584,365.00	\$2,789,639.57	\$2,789,639.57	\$11,163,644.14
4.0	Monitoring					
4.1	Physical Monitoring	50.00%	\$234,816.18	\$98,852.90	\$98,852.90	\$432,521.98
4.2	Biological Monitoring (2015) – Turtle Monitoring, Shorebird Monitoring, Tilling	50.00%		\$34,561.92	\$34,561.92	\$69,123.84
4.3	Biological Monitoring (2016) – Turtle Monitoring, Shorebird Monitoring, Tilling	50.00%		\$31,789.61	\$31,789.61	\$63,579.22
4.4	Biological Monitoring (2017) – Turtle Monitoring, Tilling	50.00%		\$35,330.00	\$35,330.00	\$70,660.00
4.5	Biological Monitoring – Turtle Monitoring (Cortez Groins)	50.00%		\$3,284.00	\$3,284.00	\$6,568.00
4.6	Biological Monitoring - Annual Nearshore Hardbottom & Artificial Reef Monitoring Surveys & Report	50.00%		\$181,542.00	\$181,542.00	\$363,084.00
	Subtotal		\$234,816.18	\$385,360.43	\$385,360.43	\$1,005,537.04
	TOTAL PROJECT COSTS		\$5,819,181.18	\$3,175,000.00	\$3,175,000.00	\$12,169,181.18

Changes in Project costs that increase or decrease the total funding amount shall require a formal amendment to the Agreement.

TASKS and DELIVERABLES:

Tasks must be completed as outlined below and in the Department-approved scope(s) of work prepared by the Local Sponsor for the Project. Deliverables listed below are to be completed by the Local Sponsor or submitted to the Department by the due date listed, in this Work Plan. The Deliverable due by dates established in this Grant Work Plan indicate the time by which a Deliverable is received. The dates do not necessarily correspond with permit required due by dates. The Local Sponsor must meet the terms of the permit for compliance. The Department shall provide review and comment/approval of each Deliverable prior to reimbursement.

TASK 3.0 Construction

Task Description: This task includes work performed and costs incurred associated with the placement of fill material and/or the construction of erosion control structures within the Project area. The task includes work associated with eligible beach restoration construction associated with the Project such as those costs approved through bids and construction-phase engineering and monitoring services. Eligible costs may include mobilization, demobilization, construction observation or inspection services, beach fill, tilling and scarp removal, erosion control structures, dune stabilization measures and native beach-dune vegetation. Construction shall be conducted in accordance with any and all State or Federal permits. The Local Sponsor will submit a construction activity package for task work completed during the period. The construction activity package must include:

- (1) An itemized summary of the materials, labor, or services to identify the nature of the work performed; the amount expended for such work; the name of the person/entity providing the service or performing the work; and proof of payment of the invoices, the period activity was performance;

(2) A certification signed by the Local Sponsor's project manager as to the current cost of the Project; stating that the materials, labor, or services represented by the invoice have been satisfactorily purchased or performed and applied to the Project; and that all funds expended to date have been applied toward completing the Project; and

(3) A certification signed and sealed by the Engineer responsible for overseeing construction stating that equipment, materials, labor and services represented by the construction invoices have been satisfactorily invoiced, purchased, received, approved and applied to the Project, as described in the Grant Work Plan, in accordance with construction contract documents; that payment is in accordance with construction contract provisions; and that construction, up to the point of the request, is in compliance with the contract documents; and identifying all additions or deletions to the Project that have altered the Project's performance standards, scope of work, or purpose since the issuance of the Department construction permit.

Performance Standard: The Department's Project Manager will review the construction activity package and other deliverables to verify that 1) work was performed in accordance with the service provider's-contracted documents and specifications in this task description and 2) that the deliverables meet the specifications in this task description. Reimbursement requests may be submitted once a deliverable has been submitted to and approved by the Department's Project Manager.

3.1 Construction of the Tropical Storm Debby FCCE/CG Repair Project (2013)

Construction consists of the placement of 348,400 cubic yards of material to address storm impacts received during Tropical Storm Debby with the additional placement of 1,351,600 cubic yards of material to return the project to full design template. The project was conducted by the USACE in FY2013/2014. Advance payment of the non-federal cost share for construction was requested in a letter from the USACE. The 2014 engineering monitoring report will include the annual physical monitoring of the 2011 City of Anna Maria/Coquina Beach project and 2012 Longboat Pass Geotextile Tube project, plus the immediate post-construction monitoring of the 2014 Coquina Beach Nourishment project and 2014 turtle and shorebird monitoring.

Deliverable A: Final cost accounting from the USACE detailing reconciliation of construction costs, project completion certification signed by a professional engineer and the immediate post-construction monitoring report.

Total Cost: \$11,111,089.14; Non-federal cost: \$5,526,724.14 (**Department Cost:** \$2,763,362.07).

Due Date: March 31, 2020.

Deliverable B: Initial season (2014) turtle and shorebird monitoring data, submitted in FWC format and in accordance with JCP 0039378-010-JC.

Total Cost: \$52,555 (**Department Cost:** \$26,277.50).

Due Date: March 31, 2020.

TASK 4.0 Monitoring

Task Description: This task includes a monitoring program conducted in accordance with the requirements specified in any and all permits issued by State or Federal agencies. A monitoring scope of work must be developed in a manner which will coordinate the monitoring activities associated with current shoreline stabilization projects located within or adjacent to the Project area and with the Department's Regional Coastal Monitoring Program. All data and analysis will be presented in a Department-approved format per the scope of work required by paragraph 4 of this Agreement.

Performance Standard: All deliverables, reports, and monitoring results will be circulated to the Department for review and comment. The Department's Grant Manager will review the deliverables to verify that they meet the specifications in the Scope of Work and this Grant Work Plan and this task description, and that work is being performed in accordance with the Grantee's service provider contracted documents and specifications. Reimbursement requests may be submitted once a deliverable has been submitted to and approved by the Department's Project Manager, in writing.

4.1 Physical Monitoring

Deliverable A: Year One (2015) Post-Construction Physical Monitoring Report and Profile survey data, submitted in Department format and in accordance with JCP 0039378-010-JC.

Total Cost: \$147,542.98; Non-federal cost: \$67,441.90 (**Department Cost:** \$33,720.95).

Due Date: March 31, 2020.

Deliverable B: Year Two (2016) Post-Construction Physical Monitoring Report and Profile survey data, submitted in Department format and in accordance with JCP 0039378-010-JC.

Total Cost: \$127,323; Non-federal cost: \$58,199.34 (**Department Cost:** \$29,099.67).

Due Date: March 31, 2020.

Deliverable C: Year Three (2017) Post-Construction Physical Monitoring Report and Profile survey data, submitted in Department format and in accordance with JCP 0039378-010-JC.

Total Cost: \$157,656.00; Non-federal cost: \$72,064.56 (**Department Cost:** \$36,032.28).

Due Date: March 31, 2020.

4.2 Biological Monitoring (2015) – Turtle Monitoring, Shorebird Monitoring, Tilling

Deliverable A: Year One (2015) Post-Construction turtle monitoring data submitted in FWC format and in accordance with JCP 0039378-010-JC.

Total Cost: \$40,660.00 (**Department Cost:** \$20,330.00).

Due Date: March 31, 2020.

Deliverable B: Year One (2015) Post-Construction shorebird monitoring data submitted in FWC format and in accordance with JCP 0039378-010-JC.

Total Cost: \$2,963.84 (**Department Cost:** \$1,481.92).

Due Date: March 31, 2020.

Deliverable C: Year One (2015) Post-Construction beach tilling, verified by tilling summary report and in accordance with JCP 0039378-010-JC.

Total Cost: \$25,500 (**Department Cost:** \$12,750).

Due Date: March 31, 2020.

4.3 Biological Monitoring (2016) – Turtle Monitoring, Shorebird Monitoring, Tilling

Deliverable A: Year Two (2016) Post-Construction turtle monitoring data submitted in FWC format and in accordance with JCP 0039378-010-JC.

Total Cost: \$40,660.00 (**Department Cost:** \$20,330.00).

Due Date: March 31, 2020.

Deliverable B: Year Two (2016) Post-Construction shorebird monitoring data submitted in FWC format and in accordance with JCP 0039378-010-JC.

Total Cost: \$3,142.22 (**Department Cost:** \$1,571.11).

Due Date: March 31, 2020.

Deliverable C: Year Two (2016) Post-Construction beach tilling, verified by tilling summary report and in accordance with JCP 0039378-010-JC.

Total Cost: \$19,777.00 (**Department Cost:** \$9,888.50).

Due Date: March 31, 2020.

4.4 Biological Monitoring (2017) – Turtle Monitoring, Tilling

Deliverable A: Year Three (2017) Post-Construction turtle monitoring data submitted in FWC format and in accordance with JCP 0039378-010-JC.

Total Cost: \$40,660.00 (**Department Cost:** \$20,330.00).

Due Date: March 31, 2020.

Deliverable B: Year Three (2017) Post-Construction beach tilling, verified by tilling summary report and in accordance with JCP 0039378-010-JC.

Total Cost: \$30,000.00 (**Department Cost:** \$15,000.00).

Due Date: March 31, 2020.

4.5 Biological Monitoring – Turtle Monitoring (Cortez Groins)

The Cortez Groins protect Gulf Drive between R34-R36 within the boundaries of the federal project, although the groins are not federally authorized or funded. Construction of the permeable, adjustable replacement groins began in 2015 and was completed in 2016. Year One (2017) Post-Construction turtle monitoring for the Cortez Groins was a component of subtask 4.4A above.

Deliverable A: Year Two (2018) Post-Construction turtle monitoring data submitted in FWC format and in accordance with JCP 0039378-009-JC.

Total Cost: \$3,284.00 (**Department Cost:** \$1,642.00).

Due Date: March 31, 2020.

Deliverable B: Year Three (2019) Post-Construction turtle monitoring data submitted in FWC format and in accordance with JCP 0039378-009-JC.

Total Cost: \$3,284.00 (**Department Cost:** \$1,642.00).

Due Date: March 31, 2020.

4.6 Biological Monitoring - Annual Nearshore Hardbottom & Artificial Reef Monitoring Surveys & Report

Deliverable A: Report for Year One (2015) Monitoring of Nearshore Hardbottom & Artificial Reef, submitted in Department format and in accordance with JCP 0039378-010-JC.

Total Cost: \$121,028.00 (**Department Cost:** \$60,514.00).

Due Date: March 31, 2020.

Deliverable B: Report for Year Two (2016) Monitoring of Nearshore Hardbottom & Artificial Reef, submitted in Department format and in accordance with JCP 0039378-010-JC.

Total Cost: \$121,028.00 (**Department Cost:** \$60,514.00).

Due Date: March 31, 2020.

Deliverable C: Report for Year Three (2017) Monitoring of Nearshore Hardbottom & Artificial Reef, submitted in Department format and in accordance with JCP 0039378-010-JC.

Total Cost: \$121,028.00 (**Department Cost:** \$60,514.00).

Due Date: March 31, 2020.

NOTE: The deliverable due dates established in this Grant Work Plan indicate the time by which a deliverable is received. The dates do not necessarily correspond with permit required due dates. The Local Sponsor must meet the terms of the permit for compliance. All Tasks are Contractual Services.