

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: October 8, 2024 Consent Regular
 Workshop Public Hearing

Department: Environmental Resources Management

I. EXECUTIVE BRIEF

Motion and Title: **Staff recommends motion to receive and file:** Project Agreement Amendment to Florida Inland Navigation District (FIND) Project Agreement No. PB-22-220 (Agreement) for the Providencia Cay Habitat Restoration (Project) to extend the term of agreement to November 14, 2025.

Summary: On May 3, 2022, the Board of County Commissioners (BCC) approved submittal of a FIND Waterways Assistance Program (WAP) Grant Application (R2022-0440) to fund up to \$365,000 and authorized the County Administrator, or designee, to sign all future time extensions and minor amendments associated with the Agreement. On February 7, 2023, the BCC approved FIND Project Agreement No. PB-22-220 (R2023-0174). Project Agreement Amendment No. PB-22-220 extends the Project completion date for a twelve-month period to be complete by September 30, 2025, and submit all required payment reimbursement information by November 14, 2025. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. **There is no cost to the County.** District 7 (SS)

Background and Justification: FIND offers grants to local governments through its WAP for public projects directly related to its waterways. FIND has awarded Palm Beach County \$365,000 to cover a portion of the Project, estimated at \$730,000. Matching local dollars (\$365,000) will come from the Manatee Protection Fund. The Project was designed to leverage and utilize Lake Worth Lagoon compatible dredged sand from a local waterway maintenance project. The Project's identified sand source has been delayed, resulting in impacts to the Project's construction timeline. Upon acquisition and placement of the dredged material, FIND WAP funds would be used to purchase rock to create a revetment around the mangrove island.

- Attachments:**
1. FIND Project Agreement Amendment PB-22-220
 2. Delegation of Authority

Recommended by:  8/30/24 SAS 8/30/24
Department Director Date

Approved by:  9/10/24
Deputy County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2025	2026	2027	2028	2029
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u> 0 </u>	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____
Is Item Included in Current Budget?			Yes <u> X </u>	No _____	
Does this item include the use of federal funds?			Yes _____	No <u> X </u>	
Does this item include the use of state funds?			Yes <u> X </u>	No _____	

Budget Account No.:

Fund 1232 Department 380 Unit 3312 Object _____ Program _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

There is no fiscal impact.

C. Department Fiscal Review:

Spring

III. REVIEW COMMENTS

A. OFMB Fiscal and /or Contract Dev. and Control Comments:

Lara Manta 9/6/2024
 OFMB JA 9/5
 KK 9/5 VS 9/5

Frank Brack 9/13/24
 Contract Development & Control
 mldes 9/13/24

B. Legal Sufficiency:

[Signature] 9/17/24
 Assistant County Attorney

C. Other Department Review:

 Department Director

PROJECT AGREEMENT AMENDMENT

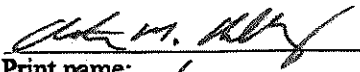

In consideration of the continuing mutual promises and covenants contained in PROJECT AGREEMENT # PB-22-220 Providencia Cay Habitat Restoration, between the FLORIDA INLAND NAVIGATION DISTRICT (F.I.N.D.) and Palm Beach County hereafter known as the PROJECT SPONSOR. The parties hereby agree that Paragraph 2 of said certain PROJECT AGREEMENT be deleted and the following be substituted therefore:

2. **TERM** - The PROJECT SPONSOR shall not commence work on the PROJECT prior to the execution of this Agreement unless specifically authorized by the DISTRICT Board and shall complete the PROJECT on or before September 30, 2025 and submit all required payment reimbursement information by November 14, 2025. Pursuant to Chapter 374.976(2) F. S., the PROJECT period cannot extend beyond three (3) years from October 1, 2022 and therefore this PROJECT must be completed by September 30, 2025, unless the completion of the PROJECT has been delayed by a declared State of Emergency and the F.I.N.D. Board authorizes an extension of the completion date based upon this delay.

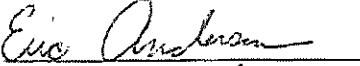
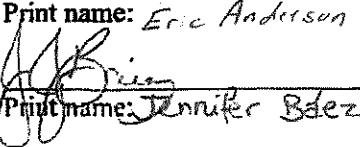
Except as modified hereby, all of the terms and provisions of the original Project Agreement shall remain in full force and effect.

In WITNESS WHEREOF, the parties have hereunto set their hands and seals this 15th of August, 2024.


F.I.N.D Witnesses:


Print name:

Print name:

PBC Witnesses:


Print name: Eric Anderson

Print name: Jennifer Bdez

F.I.N.D.


Janet Zimmerman, Executive Director

PROJECT SPONSOR: Palm Beach County


Deborah Drum, Director
Environmental Resources Mgmt. Dept.

Approved as to form and legal sufficiency:
/s/ Scott A. Stone
Assistant County Attorney



**INTEROFFICE MEMORANDUM
Palm Beach County
Environmental Resources Management**

DATE: August 10, 2022

TO: Verdenia C. Baker
County Administrator

THROUGH: Patrick Rutter *PRR*
Assistant County Administrator

FROM: Deborah Drum, Director *ms for*
Environmental Resources Management

SUBJECT: REQUEST FOR DELEGATION OF APPROVAL AUTHORITY:
**Resolution For Assistance 2022 in support of a Waterways
Assistance Program (WAP) Grant Application to the Florida
Inland Navigation District (FIND) to fund up to \$365,000 or
50% of the construction costs for the Providencia Cay Habitat
Restoration Project.**

On May 3, 2022, agenda item 3L-2 (R2022-0440), the Board of County Commissioners approved the County Administrator, or designee, to execute the Grant Project Agreement (Agreement) and to sign all future time extensions, task assignments, certifications, and other forms associated with the Agreement, and any necessary minor amendments that do not substantially change the scope of work, or terms and conditions of the Agreement, if the grant is approved.

This memorandum is my request for delegation of signatory authority for the Director or Deputy Director of Environmental Resources Management (ERM), to sign all future time extensions, task assignments, certifications, and other forms associated with this Agreement, and any necessary minor amendments that do not substantially change the scope of work, or terms and conditions of the Agreement, if the grant is approve. If you agree, please sign below and return this memorandum. I am available to answer any questions you may have concerning this request. Thank you in advance for your consideration.

APPROVED: *V. Baker* DATE: *8/29/22*
Verdenia C. Baker, County Administrator

DD:kf
Attachment