

**CHANGE ORDER NO. 1
DEP AGREEMENT NO. 19ST4
VENICE BEACH NOURISHMENT PROJECT**

LOCAL SPONSOR

City of Venice
401 West Venice Avenue
Venice, FL 34285

DEP Agreement No. 19ST4, entered into on July 15, 2019, 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 3, Grant Work Plan is hereby deleted in its entirety and replaced with Attachment 3-A, Revised Grant Work Plan, attached hereto and made a part of the Agreement. All references in the Agreement to Attachment 3 shall hereinafter refer to Attachment 3-A, Revised Grant Work Plan.

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

REMAINDER OF PAGE LEFT BLANK INTENTIONALLY

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

CITY OF VENICE

FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

By: _____
Title: Mayor

By: _____
Title: Environmental Administrator

Print Name and Title

Print Designee Name and Title

Date: _____

Date: _____

FEID No. 59-6000443

*If someone other than the Mayor signs this Agreement, a resolution, statement or other documentation authorizing that person to sign the Agreement on behalf of the 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	3-A	Revised Grant Work Plan (3 pages)

**ATTACHMENT 3-A
REVISED GRANT WORK PLAN**

PROJECT TITLE: Venice Beach Nourishment.

PROJECT LOCATION: The Project is located between Department of Environmental Protection (DEP) reference monuments R116 and R133 along the Gulf of Mexico in the City of Venice in Sarasota County, Florida.

PROJECT BACKGROUND: Restoration was completed in two phases between 1994 and 1996, as part of the federal Sarasota County Shore Protection Project. Emergency fill placement was completed in 2005 with assistance from USACE following storm impacts. Construction of a 7.3-acre mitigation reef was completed in 2008 and monitoring for that event is complete. Project nourishment was completed in 2015, including federal repairs for damages sustained during Tropical Storm Debby in June 2012. Permit required annual monitoring continues until the next nourishment,

PROJECT DESCRIPTION: The Project consists of monitoring for the Venice Beach Nourishment.

PROJECT ELIGIBILITY: The Department has determined that 93.68 percent of the non-federal Project cost is eligible for state cost sharing. Therefore, the Department's financial obligation shall not exceed the sum of \$151,549.91 for this Project or up to 46.84 percent of the non-federal Project cost, if applicable, for the specific eligible Project items listed, whichever is less. Any indicated federal cost sharing percentage is an estimate and shall not affect the cost sharing percentages of the non-federal share. The parties agree that eligibility for cost sharing purposes will be maintained pursuant to 62B-36, F.A.C.

The Local Sponsor will be responsible for auditing all travel reimbursement expenses based on the travel limits established in Section 112.061, F.S.

Pursuant to Sections 161.091 - 161.161, F.S., the Department provides financial assistance to eligible governmental entities for beach erosion control and inlet management activities under the Florida Beach Management Funding Assistance Program.

Pursuant to 62B-36.005(1)(d), F.A.C., the Local Sponsor has resolved to support and serve as local sponsor, has demonstrated a financial commitment, and has demonstrated the ability to perform the tasks associated with the beach erosion control project as described herein.

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:

<https://floridadep.gov/sites/default/files/PhysicalMonitoringStandards.pdf>

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

Acronyms:

DEP or FDEP – Florida Department of Environmental Protection
F.S. – Florida Statutes
F.A.C. – Florida Administrative Code
FWC – Florida Fish and Wildlife Conservation Commission

TASKS and DELIVERABLES:

The Local Sponsor will provide detailed scopes of work or a letter requesting advance payment, if authorized by Attachment 2, for all tasks identified below, which shall include a narrative description of work to be completed, a corresponding cost estimate and a proposed schedule of completion for the proposed work and associated deliverables. Each scope of work shall be approved in writing by the DEP Project Manager to be included into this work plan for reimbursement.

Task 1: Monitoring

State and federal monitoring required by permit is eligible for reimbursement pursuant to program statute and rule. In order to comply with Florida Auditor General report 2014-064 regarding conflicts of interest and to be consistent with Section 287.057(17)(a)(1), F.S., all monitoring data and statistical analysis must be provided directly and concurrently from the monitoring contractor to the Department/Local Sponsor permittee/engineering consultant. The Local Sponsor's engineering consultant must provide an adequate mitigation plan, consistent with Section 287.057(17)(a)(1), F.S., including a description of organizational, physical, and electronic barriers to be used by the Local Sponsor's engineering consultant, that addresses conflicts of interest when contracting multi-disciplinary firms for Project engineering and post-construction environmental monitoring services, or when the Project engineering consultant firm subcontracts for post-construction environmental monitoring. Environmental monitoring includes hardbottom, seagrass, and mangrove resources. Department approval of the consultant's mitigation plan will be required prior to execution of this Agreement. If at any time the Local Sponsor and/or its engineering consultant fails to comply with this provision, the Local Sponsor agrees to reimburse the Department all funds provided by the Department associated with environmental monitoring for the Project listed.

Task Description: This task includes activities associated with permit-required monitoring conducted in accordance with the conditions specified by state or federal regulatory agencies. All monitoring tasks must be located within or adjacent to the Project area and follow the Department's Regional Coastal Monitoring Program and FWC's marine turtle and shorebird monitoring programs. Guidance for monitoring of nearshore resources is available in the Department's Standard Operation Procedures For Nearshore Hardbottom Monitoring Of Beach Nourishment Projects. The Local Sponsor must submit work products directly to the appropriate state or federal regulatory agencies in accordance with permit conditions to be eligible for reimbursement under this task, unless otherwise directed.

Deliverable: For each interim or final payment, the Local Sponsor will provide a Task Summary Report signed by Local Sponsor containing; 1) An itemized listing of all monitoring activities completed or in progress during the payment request period and, 2) Documentation of submittal to state and federal regulatory agencies of completed monitoring data, surveys and final reports for permit-required work under this task description.

Performance Standard: The DEP Project Manager will review the task deliverable and any associated work products as necessary to verify they meet the specifications in the Grant Work Plan and this task description.

Payment Request Schedule: Payment requests may be submitted after the deliverable is received and accepted and may be submitted no more frequently than quarterly.

Estimated Eligible Project Cost

Task #	Eligible Project Tasks	State Cost Share (%)	Federal Estimated Project Costs	DEP	Local	Total
1	Monitoring	46.84%		\$151,549.91	\$171,998.15	\$323,548.06
	PROJECT			\$151,549.91	\$171,998.15	\$323,548.06

PROJECT TIMELINE & BUDGET DETAIL: The tasks must be completed by, and all deliverables received by, the corresponding task end date.

Task No.	Task Title	Budget Category	Budget Amount	Task Start Date	Deliverable Due Date
1	Monitoring	Contractual Services	\$151,549.91	07/03/18	12/31/24
Total:			\$151,549.91		