

Bachteler, James J

From: Celeste, Merry E
Sent: Monday, June 19, 2017 8:58 AM
To: Bachteler, James J
Cc: Bishop, John
Subject: RE: BCC 03-15-16 - Item 24 - File 16-253A - PE 7th Amendment to the Agreement DC839 with FDEP for Honeymoon Island Beach Project

The FDEP destroyed the partially signed Board amendment and then sent another amendment several months later that was processed as a delegated item. The amendment was signed as a delegated item which negates the Board item.

Does this explanation help?
Thanks,

Merry Celeste
Public Works
14 S. Ft. Harrison Ave., 4th Floor
727-464-3185

From: Bachteler, James J
Sent: Monday, June 19, 2017 7:54 AM
To: Celeste, Merry E <mceleste@co.pinellas.fl.us>
Subject: RE: BCC 03-15-16 - Item 24 - File 16-253A - PE 7th Amendment to the Agreement DC839 with FDEP for Honeymoon Island Beach Project

Good Morning, Merry.....

So does this mean that the item is still in play and there will be another submittal for FDEP to approve.

Thank You and Have A Pleasant Afternoon

James Bachteler

Deputy Clerk / Records Specialist - Senior
Pinellas County Board Records Department
Finance Division
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315 Court Street, Fifth Floor, Clearwater, Florida 33756
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Tell us how we're doing by filling out a comment card!

From: Celeste, Merry E
Sent: Friday, June 16, 2017 4:15 PM
To: Bachteler, James J <jbachteler@co.pinellas.fl.us>

Subject: RE: BCC 03-15-16 - Item 24 - File 16-253A - PE 7th Amendment to the Agreement DC839 with FDEP for Honeymoon Island Beach Project

Please see attached – I had this saved to the project file.

Merry Celeste

Public Works
14 S. Ft. Harrison Ave., 4th Floor
727-464-3185

From: Bachteler, James J

Sent: Friday, June 16, 2017 12:58 PM

To: Celeste, Merry E <mceleste@co.pinellas.fl.us>

Subject: RE: BCC 03-15-16 - Item 24 - File 16-253A - PE 7th Amendment to the Agreement DC839 with FDEP for Honeymoon Island Beach Project

Thank You for the Response.....will investigate further.....

From: Celeste, Merry E

Sent: Friday, June 16, 2017 12:54 PM

To: Bachteler, James J <jbachteler@co.pinellas.fl.us>

Subject: RE: BCC 03-15-16 - Item 24 - File 16-253A - PE 7th Amendment to the Agreement DC839 with FDEP for Honeymoon Island Beach Project

I don't know if I remember the entire story on this one, but please also see file 16-441D. I think FDEP accidentally shredded the first amendment we sent them, and then sent us the same thing several months later that was processed as a delegated item.

Merry Celeste

Public Works
14 S. Ft. Harrison Ave., 4th Floor
727-464-3185

From: Bachteler, James J

Sent: Friday, June 16, 2017 11:19 AM

To: Celeste, Merry E <mceleste@co.pinellas.fl.us>

Subject: FW: BCC 03-15-16 - Item 24 - File 16-253A - PE 7th Amendment to the Agreement DC839 with FDEP for Honeymoon Island Beach Project

Good Morning, Merry.....

In doing some routine checking of the status of items in *Legistar*, it has been noticed that the item referenced below does not have a **fully-executed 7th Amendment** in the Attachments list.

Did **FDEP** ever return the Fully-executed Amendment back to Pinellas County.

Thank You and Have A Pleasant Weekend

James Bachteler

Deputy Clerk

Celeste, Merry E

From: Bishop, John
Sent: Monday, May 16, 2016 4:29 PM
To: Celeste, Merry E
Cc: Squires, Andrew P
Subject: DC839 Amendment 7
Attachments: memo.docx; 201605161304.pdf

Hi Merry.

DC839 Amend 7 was rejected by DEP; here is the revised amendment. After the original amendment 7 went through a lengthy review at FDEP. We discovered a conflict between the contract end date and the deliverable end dates. Minor change were made and FDEP did not want to put it back through review. Consequently, after it passed our review and was signed they rejected it.

John E. Bishop, Ph.D.

Coastal Mgmt Coordinator
Pinellas County Environmental Management
22211 US Hwy. 19 N, Bldg. 10
Clearwater, FL 33765
Phone (727) 464-8766
jbishop@pinellascounty.org

Or visit our website at:

<http://www.pinellascounty.org/environment/coastalMngmt/default.htm>

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From: Bachteler, James J
Sent: Friday, March 18, 2016 9:18 AM
To: Celeste, Merry E <mceleste@co.pinellas.fl.us>
Cc: Loy, Norman <nloy@co.pinellas.fl.us>; Baxter, Kevin <kbaxter@co.pinellas.fl.us>; Smitke, Arlene L <asmitke@co.pinellas.fl.us>; Young, Bernie C <bcyoung@co.pinellas.fl.us>
Subject: RE: BCC 03-15-16 - Item 24 - File 16-253A - PE 7th Amendment to the Agreement DC839 with FDEP for Honeymoon Island Beach Project

Good Morning, Merry.....

Board Records has updated **Legistar** File 16-253A for **BCC 03-15-16, Agenda Item 24**, for the partially-executed **7th Amendment to Agreement BC839** with the **Florida Dept of Environmental Protection (FDEP)** and Humiston & Moore Engineers for the Honeymoon Island Beach Restoration Project **000150A**.

The original Agreement documents are ready to be picked up here at Board Records at your convenience.

Please provide Board Records with a fully-executed document when received from FDEP so that the **Legistar** File can be updated accordingly.

Have A Pleasant Weekend.

Jim Bachteler

Board Records Department / Finance Division
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Pinellas County, Florida
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Staff Report

File #: 16-441D, **Version:** 1

Agenda Date: 8/23/2016

Subject:

Amendment No. 7 to the agreement with the Florida Department of Environmental Protection and Humiston & Moore Engineers, P.A., for the Honeymoon Island Beach Restoration project.

Recommended Action:

Approval and signature by the County Administrator of Amendment No. 7 with the Florida Department of Environmental Protection (FDEP) and Humiston & Moore Engineers, P.A., for the Honeymoon Island Beach Restoration project, County PID No. 000150A and FDEP Contract No. DC839.

This amendment reduces the overall agreement by (\$239,013.76), for a revised total of \$1,249,193.24, establishes phase II post-construction monitoring services, and reallocates funding between tasks assignments within the agreement.

Strategic Plan:

Practice Superior Environmental Stewardship

3.3 Protect and improve the quality of our water, air, and other natural resources.

Summary:

This amendment is necessary to establish phase II post-construction monitoring for twenty-four (24) months through the addition of tasks 4.2 and 4.3. The amendment also reallocates funding from previously completed tasks to the beach fill and dredging management task, and includes an overall agreement decrease of \$239,013.76.

Background/Explanation:

On August 5, 2008, the FDEP Division of Recreation and Parks entered into an agreement with Humiston & Moore Engineers, P.A., for professional services for the Honeymoon Island State Park Beach Stabilization and Renourishment Project. The following represents a summary of previous amendments approved by the Board for this agreement:

- Amendment No. 1, Board approval on February 3, 2009, adding Pinellas County as local sponsor/administrator.
- Amendment No. 2, Board approval on October 20, 2009, modified scope of Consultant's work.
- Amendment No. 3, Board approval on July 26, 2011, added permit required monitoring tasks.
- Amendment No. 4, Board approval on October 2, 2012, added work elements including updated project plans.
- Amendment No. 5, Board approval on July 23, 2013, reduced the Consultant's contract wage rates.
- Amendment No. 6, Board approval on January 28, 2014, included tasks necessary to fulfill construction administration and monitoring requirements.

Fiscal Impact:

County's Portion:	\$1,178,943.24 (1,417,957 - \$239,013.76)
FDEP's Portion:	\$ 70,250.00
Total Revised Agreement Amount:	\$1,249,193.24

Funding for this project is budgeted within the Capital Improvement Program: Physical Environment, Coastal Management Program allocation. Project costs are shared between the FDEP Beach Management Funding Assistance Program and the Tourist Development Tax.

Delegated Authority:

Authority for the County Administrator to sign this amendment is granted under Code Section 2-62 (a)(2).

Staff Member Responsible:

Kelli Hammer Levy, Environmental Management Division Director, Public Works

Partners:

FDEP

Attachments:

Amendment No. 7

DEP CONTRACT No. DC839
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

AMENDMENT 7

THIS AGREEMENT was entered into on the 5th day of August 2008, and amended by Amendment I on the 3rd day of February 2009, Amendment 2 on the 29th day of October 2009, Amendment 3 on the 8th day of August 2011, Amendment 4 on the 11th day of October 2012, Amendment 5 on the 29th day of July 2013 and Amendment 6 on the 13th day of February 2014, by and between the Florida Department of Environmental Protection with headquarters at 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, a state agency ("Department"), the Pinellas County Board of County Commissioners, 315 Court Street, Clearwater, Florida 33756, a Florida local governmental entity ("County") and Humiston & Moore Engineers, P.A., with headquarters at 5679 Strand Court, Naples, Florida 34110, a Florida corporation ("Consultant").

RECITALS

WHEREAS, the Consultant was selected to provide Professional Services (Coastal Engineering) according to the Consultants Competitive Negotiations Act, Chapter §287.055 Florida Statutes, for the Honeymoon Island Beach Restoration Project (Project). The Request for Statement of Qualifications No. RFSOQBDC 02 06/07 and the Consultant's response are included herein by reference.

WHEREAS, this Agreement was intended to be amended as the work progresses.

NOW, THEREFORE, this Agreement is hereby amended as follows:

1. Term, Section 3.1 the renewal expiration date was erroneously stated in Amendment 5, as August 5, 2018. Term, Section 3.1 was amended in Amendment 5 to exercise the option of renewing the Agreement an additional five (5) years changing the completion date to, and hereby correctly stated as, August 4, 2018
2. The Scope of Work is amended to include Attachment A-7, Statement of Work, attached hereto and incorporated herein, which details Permit requirements and Post Construction monitoring to August 4, 2018.
3. The total contract amount is hereby reduced by \$239,013.76 from \$1,488,207.00 to \$1,249,193.24.

The Department's financial obligation of \$70,250.00 remains unchanged and was met in 2009 and is more particularly described within Amendment 2. The County's financial obligation to date is \$1,178,943.24.

5. It is understood by the Department, County, and Consultant that in each and every respect the terms of this Agreement, except as amended hereby, shall remain unchanged and in full force and effect, and the same are hereby ratified, approved and confirmed, by the Department, County and Consultant as of the date of this Amendment.
6. It is understood and agreed by the Department, County and Consultant that this Amendment is binding upon the Department, County and Consultant, and their successors and assigns.

Attachments to this Amendment:

Attachment A-7, Pages 1-8: A 'Statement of Work'

Attachment B-7, Pages 1-4: Approval Authority for the County Administrator

The parties have caused this Amendment to be duly executed the day and year last written below.

FOR THE CONSULTANT


Authorized Person

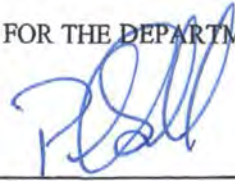
Brett D. Moore, P.E.
Print Name

President
Title

6-10-2016
Date

65-0262351
FEID Number

FOR THE DEPARTMENT

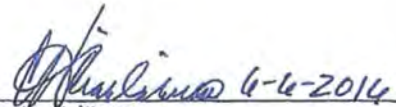

Signature
Department of Environmental Protection
Division of Recreation and Parks (DRP)

Parks Small
Print Name

Bureau Chief
Title

7-13-16
Date

APPROVED AS TO FORM AND LEGALITY


Department Attorney

FOR THE COUNTY


Pinellas County Administrator, or Designee

Mark S. Woodard
Print Name

June 23, 2016
Date

APPROVED AS TO FORM AND LEGALITY

Brendan Mackesey
County Attorney