

**FIRST AMENDMENT TO CONTRACT AGREEMENT
for HABITAT RESTORATION AT ROOSEVELT CREEK CHANNEL 5**

This FIRST AMENDMENT is made and entered into this ___ day of _____ 2023, by and between the TAMPA BAY ESTUARY PROGRAM (TBEP) and PINELLAS COUNTY, hereinafter referred to as the "Parties".

WITNESSETH:

WHEREAS, the Parties entered into an agreement dated February 7, 2022 for funding assistance for the above-named project;

WHEREAS, the expiration date of the existing agreement is September 30, 2024; and

WHEREAS, additional time is required to complete the tasks described in the Scope of Work;

WHEREAS, additional funds are required to complete the tasks described in the Scope of Work;

NOW THEREFORE, in consideration of the mutual terms, covenants and conditions herein contained, the Parties agree as follows:

1. TBEP and the PINELLAS COUNTY hereby agree to extend the expiration date of this agreement to September 30, 2026;
2. TBEP and PINELLAS COUNTY agree that the amended total project cost will not exceed One-hundred Six Thousand Eight Hundred Dollars (\$106,800).
3. The Project Manager for TBEP is hereby replaced by Kerry Flaherty Walia (kfwalia@tbep.org);
4. TBEP and PINELLAS COUNTY agree that EXHIBIT A be amended, as follows:

PROJECT SUMMARY:

Pinellas County intends to complete Phase 2 of enhancements to Roosevelt Creek Channel 5, a tributary to Old Tampa Bay, including: weir removal, installation of manatee grates meeting FWC permitting requirements, grading, exotic plant removal, and native plant installation. The TBEP 2020 Habitat Master Plan included several 2030 restoration targets of which this project directly aligns. In addition, TBEP has prioritized habitat and stormwater restoration initiatives within the Old Tampa Bay watershed because this bay segment has failed to meet water quality targets for multiple years.

The main outcome of this project is to remove the existing salinity barrier (concrete weir) to create a more natural connection to Tampa Bay that will allow the passage of aquatic organisms, improve water quality, flood flows, and tidal tributary connectivity and habitat value. Bank stabilization and direct habitat restoration in the area immediately adjacent to the existing weir is anticipated. Phase 1 of this project provided removal of accumulated sediment in Channel 5 from Executive Drive north to the existing weir.

The county completed a comprehensive Preliminary Engineering Report (PER) providing alternatives for flood protection and water quality benefits in 2016. This project implements

Alternative 2 of the PER, which provides water quality, flood protection, sediment removal, and habitat improvements within Channel 5, with the added benefit of establishing a more natural connection between Channel 5 and Old Tampa Bay. The TBEP wishes to support implementation of the weir removal, retrofit existing pipe connections for manatee protection given the new natural connection to Tampa Bay, and enhance the habitat restoration components of the project to support continued ancillary benefits to water quality in Old Tampa Bay.

PROJECT TASKS

Task 1: Construction Activities

Summary, Including Measurable Benefit: Removal and modification of weir structure within 12 months of contractor's notice to proceed.

Description: Task 1 includes construction activities centered around pipe lining, installation of manatee grates/exclusion devices, bank stabilization and grading in preparation for native plant restoration outlined in Task 2.

Task 1 Deliverables: Construction plans permits, as-builts. photographs documenting progress.

Task 1 Budget: \$50,000.00

Task 2: Tidal Tributary Habitat Restoration

Summary, Including Measurable Benefit: Installation of native plants within 4 months of construction.

Description: Task 2 includes habitat restoration activities upon removal of the weir which primarily constitutes planting of native species along the channel banks. The re-contoured embankments associated with this project will be vegetated with the appropriate canopy and herbaceous species. Maintenance activities (exotics removal and watering) will occur as needed.

Task 2 Deliverables: Table displaying information for installed native vegetation (including species name, zonation, size, and number), site photographs documenting progress.

Task 2 Budget: \$56,800.00

5. TBEP and PINELLAS COUNTY hereby agree that the project schedule and budget shall be amended, as follows:

PROJECT TIMELINE:

Task No.	Task Title	Task Start Date	Task End Date
1	Construction Activities (pipe lining, installation of manatee grate/exclusion device, bank stabilization and grading)	May 1, 2024	October 31, 2025
2	Habitat restoration (~2.5 acres native plantings and maintenance)	November 1, 2025	April 30, 2026

PROJECT BUDGET:

Description	Pinellas County	TBEP
Task 1: Construction/Manatee Grate Installation	\$5,350,000	\$50,000.00
Task 2: Native Plant Installation and Maintenance	\$50,000	\$56,800.00
TOTAL	\$5,400,000	\$106,800.00

6. All terms and conditions not specifically modified in this FIRST AMENDMENT shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have caused this AMENDMENT to be executed by their officials thereunto duly authorized.

TAMPA BAY ESTUARY PROGRAM

PINELLAS COUNTY


By: 

Ed Sherwood, Executive Director

Date: 11/17/2023

Attest (if required):

Date: _____

By:  

Barry A. Burton, County Administrator

Date: 11/20/2023

Attest (if required):

Date: _____

APPROVED AS TO FORM

By:  
Office of the County Attorney