

**MODIFICATION #1 TO AGREEMENT BETWEEN
THE DIVISION OF EMERGENCY MANAGEMENT AND PINELLAS COUNTY**

This Modification is made and entered into by and between the State of Florida, Division of Emergency Management ("the Division") and Pinellas County ("Recipient"), to modify Contract Number **D1549**, which began on June 14, 2024 ("the Agreement").

WHEREAS, the Division and the Recipient have entered into the Agreement, pursuant to which the Division has provided a grant to the Recipient of **\$10,081,573.00**.

WHEREAS, the Agreement expires **June 30, 2027**; and,

WHEREAS, the Division and the Recipient desire to modify the Agreement; and,

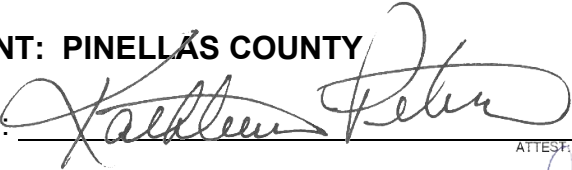
WHEREFORE, in consideration of the mutual promises of the parties contained herein, the parties agree as follows:

1. Attachment A

The entire Attachment A in the original contract will be modified to read as follows - an additional **\$275,000.00** to the grant, bringing the grant total to **\$10,356,573.00**

IN WITNESS WHEREOF, the parties hereto have executed this Modification as of the dates set out below.

RECIPIENT: PINELLAS COUNTY

Signature: 

ATTEST: KEN BURKE, CLERK

Name: Kathleen Peters

By: 

Title: Chair

Date: September 5, 2024.

APPROVED AS TO FORM
By: Brendan Mackesey
Office of the County Attorney



STATE OF FLORIDA, DIVISION OF EMERGENCY MANAGEMENT

Signature: _____

Name and Title: **Kevin Guthrie, Director, or Ian Guidicelli, Response Bureau Chief, as Authorized Representative.**

Date: _____

ATTACHMENT A
Proposed Budget and Scope of Work

I. PROPOSED BUDGET

Project	Anticipated Expenditure Amount
Sand Key Beach Renourishment	\$10,356,573.00
Total Expenditures	\$10,356,573.00

II. BACKGROUND

As documented by the Hurricane Idalia Repair and Recovery Program, \$50 million dollars were appropriated to assist impacted communities with mitigation of local and county revenue losses and operating deficits, infrastructure repairs and replacement including road; sewer; and water facilities, beach renourishment, debris removal, and dredging of public waterways. Funding can be requested by local governments, independent special districts, and school boards, including charter schools within counties which received IA and PA declarations due to Hurricane Idalia.

Pinellas County sustained damage during Hurricane Idalia and is awarded a one-time advance payment of \$10,356,573.00 for beach renourishment that is not FEMA eligible.

Below are the project(s) that will be funded under this funding agreement:

Beach Renourishment:

Pinellas County’s beaches are a major tourist attraction to the entire region with more than 15 million visitors every year generating more than \$7 billion for the local economy supporting approximately 90,000 jobs locally. During Hurricane Idalia, which impacted the County on August 29th, 2023, a significant amount of beach erosion and coastal flooding occurred. Recognizing these impacts, the County began constructing emergency sand dunes to protect the beaches that are already under strain due to previous storm erosion. Pinellas County will complete their beach renourishment project on the Sand Key segment from Florida Department of Environmental Protection (FDEP) Monuments R55-R67 and R70-R109. The amount of sand that will be placed will be approximately 276,774 cubic yards of sand but it will be dependent upon the survey completed.

III. SCOPE OF WORK

- A. Funds have been allocated to the Recipient for the Beach Renourishment Project on Sand Key, Florida, from FDEP markers R55-R67 and R70-R109. Funds shall be utilized in accordance with all local, state, and federal regulations.
- B. Eligible costs for the Beach Renourishment Project include plans, designs, engineering, specification documents, preliminary engineering design, coastal engineering analysis, preparation of plans and specifications, physical and environmental surveys and monitoring, cultural resource surveys, geotechnical services, sediment studies, inlet studies, environmental analysis, orthophotography, plan formulations, dredging, sifting, dewatering, placement and grading of fill material, hydrographic and topographic surveys, mobilization, temporary easements, and beach tilling.
- C. Ineligible costs for the Beach Renourishment Project include administrative expenses.
- D. The project’s measurable outcome is Sand Key, Florida erosion restoration.
- E. The Recipient shall provide an initial timeline. Table SW-1, “Initial Timeline and Estimated Allocation Schedule” or other similar instrument as approved by the Division may be used.

IV. TASK PRODUCTS

- A. Per Scope-of-Work Item III.D, Recipient shall prepare an initial timeline with key milestone activities/tasks schedule, including estimated start and end dates for each activity. Table SW-1 may be used to meet this deliverable.
- B. The Recipient shall provide the Division with copies of before photographs to document site conditions, site work progress, and completed site work.
- C. The Recipient shall provide the Division with the procurement documents, if the Recipient went out to bid for the project listed above and invoices for all purchases.
- D. The Recipient shall provide the Division with copies of pertinent site work regulatory reviews, permits, studies, and surveys.
- E. The Recipient shall provide the Division with copies of bid-ready project documents and specifications for review and comment by the Division as applicable. The site work documents shall be signed by the applicable registered or licensed design professional(s) of record.
- F. The Recipient shall provide the Division with an Environmental Monitoring Summary Report.
- G. The Recipient shall provide the Division with a completion report. The completion report shall demonstrate that the project meets the requirements of the agreement.

V. FINANCIAL CONSEQUENCES

If Recipient fails to comply with any term of the grant, the Division shall take one or more of the following actions, as appropriate in the circumstances:

- 1. Temporarily withhold cash payments pending correction of the deficiency by the recipient;
- 2. Disallow all or part of the cost of the activity or action not in compliance;
- 3. Withhold further funding; or,
- 4. Take other remedies that may be legally available.

VI. SCHEDULE OF WORK

- A. No later than 30 days after the agreement's execution date, the Recipient shall provide the Division with Task Product IV.A for review and approval. Failure to supply the required documentation, or disapproval of this documentation by the Division, shall result in denial or reduction of funds at the sole discretion of the Division.
- B. By July 31, 2024, and at least on a quarterly basis thereafter, Recipient shall report on progress in relation to the initial timeline and submit an invoice for work accomplished in accordance with the Division approved cost allocation table referenced in Task Product IV.A.
- C. By mutually agreed upon date(s), the Recipient shall provide the Division with Task Products IV.B through G for review and approval. Failure to supply the required documentation, or disapproval of this documentation by the Division, shall result in denial or reduction of funds at the sole discretion of the Division.

- D. By June 30, 2027, the Recipient shall provide a copy of the certificate of occupancy or completion or other appropriate written acceptance of completed work, or certification letter from the civil engineer showing that work meets specification of design, close-out documentation and final payment invoice.

Table SW-1. Initial Timeline and Estimated Allocation Schedule			
Project Name(s): Sand Key Beach Renourishment			
PROJECT PHASE	Start Date	End Date	LAP Funds (FY 2023-2024)
Board Contract Approval			
Architectural & Engineering Services Firm Selection			
Site Survey and Soil Testing			
Spatial Needs Assessment			
Preliminary Design, 100% complete			
Permits			
Regulatory Review			
Bid Document(s) Development & Award			
Notice to Proceed/Mobilization			
Construction Project Management & Special Inspections			
Construction 25% Complete			
Construction 50% Complete			
Construction 100% Complete			
Sub-Totals			\$10,356,573.00
TOTAL Estimated Project Cost			

A/E - Architectural and Engineering; DEM – Division of Emergency Management; FY - Fiscal Year