

**AMENDMENT NO. 1 TO CONTRACT NO. 2012000050
AGREEMENT BETWEEN CHARLOTTE COUNTY
and
COASTAL ENGINEERING CONSULTANTS, INC.
for
STUMP PASS TEN-YEAR MANAGEMENT PLAN**

THIS AMENDMENT NO. 1 to Contract No. 2012000050 (hereinafter the "Amendment"), is made and entered into this 18 day of OCTOBER 2012 by and between CHARLOTTE COUNTY, a political subdivision of the State of Florida, 18500 Murdock Circle, Port Charlotte, Florida 33948-1094, hereinafter referred to as the "County," and COASTAL ENGINEERING CONSULTANTS, 3106 South Horseshoe Drive, Naples, Florida 34104-6137, hereinafter referred to as the "Consultant."

WITNESSETH

WHEREAS, County issued Request for Proposal (RFP) No. 2012000050 to retain a Consultant to provide a ten year beach and inlet management plan for Stump Pass to include, but not be limited to, an alternative analysis, design, permitting, construction support, and monitoring (the "Project"); and

WHEREAS, Consultant submitted a proposal in response to RFP 2012000050 and was subsequently selected by County as the company to provide the services requested by RFP 2012000050; and

WHEREAS, the parties entered into Contract No. 2012000050 (the "Contract") on or about April 16, 2012, for Consultant to provide consulting services for the Project; and

WHEREAS, in June of 2012, Tropical Storm Debby impacted the coastline of Charlotte County and the Project resulting in beach erosion, channel shoaling, and loss of natural resources and habitats; and

WHEREAS, as a result of the impact of Tropical Storm Debby, County desires to acquire additional consulting services from Consultant, as described in the attached Exhibit "A" Addendum No.1–Scope of Work and Fee Summaries, and which include post-storm damage assessments, and Consultant desires to provide said additional services in accordance with the Contract, RFP No. 2012000050, Consultant's proposal, and subsequent negotiations between the parties.

NOW, THEREFORE, the County and the Consultant, in consideration of the mutual covenants contained herein, do agree as follows:

**ARTICLE I
INCORPORATION / COMPENSATION / SERVICES**

1.1 The above Recitals are hereby incorporated herein and made a part of this Amendment.

1.2. The provisions of Exhibit A: Addendum No.1–Scope of Work and Fee Summaries are attached hereto and incorporated into and made a part of this Amendment.

1.3. This Amendment to the Contract shall consist of the services which Consultant agrees to perform in accordance with the terms found in this Amendment and Exhibit A. In accordance with this Amendment, the parties agree that the County shall pay Consultant an amount not to exceed Ninety Eight Thousand, Nine Hundred Twenty Eight Dollars (\$98,928.00) to perform these services in accordance with the terms of this Amendment and Exhibit A.

ARTICLE II **MISCELLANEOUS**

2.1 Any terms used in the Amendment shall have the same meanings and definitions as they have in the Contract.

2.2 All other provisions of the Contract not in conflict with this Amendment shall remain in full force and effect.

2.3. The provisions of this Amendment and Exhibit A are specifically incorporated into and made a part of the Contract.

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IN WITNESS WHEREOF, the parties hereto have caused the execution of these premises as of the date and year first above written.

WITNESSES:

COASTAL ENGINEERING
CONSULTANTS, INC.

Signed
By: Karen J. Taylor
Print
Name: Karen J. Taylor
Date: 10/18/12
Signed
By: Sarah Bunn
Print
Name: Sarah Bunn
Date: 10/18/2012

Signed by: Michael T. Poff
Print Name: Michael T. Poff
Title: V-P
Date: 10/18/12

ATTEST:

Barbara T. Scott, Clerk of Circuit
Court and Ex-officio Clerk to the
Board of County Commissioners

By: Susan F. Constance
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: Christopher G. Constance
Christopher G. Constance, Chairman
Date: Oct 15, 2012

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
LR 12-2078

Exhibit List:

Exhibit A – Addendum No.1-Scope of Work
and Fee Summaries

EXHIBIT A

Charlotte County 10-Year Beach and Inlet Management Plan – Addendum No. 1 *Tropical Storm Debby Post-Storm Damage Assessment*

Charlotte County 10-Year Beach and Inlet Management Plan – Tropical Storm Debby Post-Storm Damage Assessment Addendum No. 1 - Scope of Work

Introduction: In May 2011, Charlotte County (COUNTY) completed construction of the 2011 Post-Storm Recovery and Maintenance Project, restoring three critically eroding beach segments along Manasota Key, Knight Island and Don Pedro Island, using sand dredged from the permitted channel alignment of Stump Pass. Tropical Storm Debby impacted the beach project in June 2012 resulting in beach erosion, channel shoaling, and loss of natural resources and habitats. The COUNTY has met with representatives of FEMA who have indicated the COUNTY is eligible for post-disaster funding. The COUNTY has requested that the consulting team assess the damages from the storm, and assist the COUNTY apply for FEMA funding for post-storm damage recovery to replace the sand that was lost from the permitted beach fill templates using the permitted borrow area along the Stump Pass channel alignment. In accordance with the terms and conditions of the original agreement between the COUNTY and Coastal Engineering Consultants, Inc. (CEC), dated April 16, 2012, CEC shall provide the following services.

Task 1 – Damage Assessment

CEC will prepare and submit an engineering report and the monitoring data to the COUNTY. CEC will prepare plots of survey profiles and graphical representations of volumetric and shoreline position changes comparing the monitoring survey completed in May 2011 to the annual monitoring survey performed in July 2012 soon after Tropical Storm Debby occurred. CEC will estimate the background erosion rate and then quantify the volume of erosion attributed to storm impacts. The report shall summarize and discuss the data and the performance of the beach fill project, and identify erosion damage attributed to the storm affecting the monitored area in 2012. CEC will prepare an Opinion of Probable Construction Cost to construct the Post-Storm Damage Recovery Project.

Task 2 – Project Coordination

CEC will assemble the storm damage assessment data, summarize the historical project elements and the work necessary to restore the protective benefits of the public project, and assist the COUNTY in developing and completing a Project Worksheet for submittal to FEMA. CEC will attend two meetings with FEMA representatives, and assist the COUNTY in responding to two FEMA Requests for Additional Information (RAI). CEC will attend and present at one meeting with the COUNTY in support of this funding request.

Task 3 – Construction Plans and Specifications

Utilizing the 2012 annual monitoring surveys, CEC will prepare for incorporation in the Bid Documents, final plans and specifications to show the general scope, character and extent of the work to be furnished and performed by the COUNTY's Contractor. CEC will design the dredge templates and alignment including horizontal and vertical control, survey baseline, borrow area

Charlotte County 10-Year Beach and Inlet Management Plan – Addendum No. 1
Tropical Storm Debby Post-Storm Damage Assessment

cross sections, design dredge quantities, and channel marker plan; and design the beach fill template including horizontal and vertical control, survey baseline, and beach fill cross sections. The Updrift Beach Fill template shall be designed to address the FDEP permit-required mitigation of erosion losses at the Stump Pass Beach State Park attributed to just the impacts caused by the Erosion Control Project's excavation of the primary borrow area, as determined by the final design surveys. Based on the final plans and specifications, CEC will review the COUNTY's standard general conditions, instructions to bidders, etc... and prepare for review and approval by the COUNTY, supplemental conditions, bid forms, and other related documents for inclusion in the Bid Documents.

Task 4 – Permit Coordination

CEC will arrange and conduct one webinar conference with regulatory agency staff. CEC will invite staff from the (a) DEP Bureau of Beaches and Coastal Systems, (b) FDEP Parks and Recreation, (c) FDEP Aquatic Preserves, (d) FDEP Division of State Lands, (d) FFWCC, (e) USACE Ft. Myers office, and (f) USFWS. The purpose of the webinar will be to review the monitoring results and storm damage assessment, discuss the County's proposal to conduct the Post-Storm Recovery Project, identify agency concerns and issues, and define the submittal requirements for requesting a JCP Notice to Proceed for the Post-Storm Recovery Project.

Based upon the agency consultation and final plans and specifications, CEC will assemble the attachments and supporting documents and submit a request to the DEP and USACE for them to issue the authorization and Notice to Proceed with the Post-Storm Recovery Project.

Subsequent to the Request for Notice to Proceed submittal, CEC will serve as the COUNTY's agent for the permit process. CEC will proactively engage FDEP and USACE staffs to informally monitor the process, address staff questions, and facilitate agency consideration of the application. CEC will compile, clarify, and provide existing information as may be requested by FDEP and USACE staff. For the purposes of this scope, it is expected that FDEP and USACE will make one (1) request for additional information (RAI) each. It is assumed that existing information will be sufficient to meet permit application requirements with minor adjustments, clarifications, or analysis. If FDEP mandates additional surveys, geotechnical data, modeling analyses, or studies beyond those identified herein, CEC will undertake these additional tasks under separate authorization as may subsequently be approved by the County.

In accordance with the Statewide Programmatic Biological Opinion for Beach Placement in Florida (SPBO), CEC shall assist the COUNTY with obtaining verification by the USFWS that the Post-Storm Recovery Project qualifies for the SPBO. This task includes up to two meetings with USFWS in Vero Beach.

CEC shall provide the COUNTY will technical support in addressing the project components specific to DEP Parks and Recreation.

Charlotte County 10-Year Beach and Inlet Management Plan – Addendum No. 1
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Task 5 – Bid Process

CEC shall assist the COUNTY in coordinating a one-time bid process. These services will include attending one meeting as requested by the COUNTY, e.g., pre-bid meeting; assisting the COUNTY issue addenda as appropriate to interpret, clarify or expand the Bid Documents; assisting the COUNTY in obtaining bids from dredging contractors; assisting the COUNTY in evaluating the bids; and making a recommendation for award to the lowest responsive bidder.

Task 6 – Project Administration

Throughout the progress of work under the above tasks, CEC will manage and coordinate the Project team's internal efforts and maintain informal contact with the COUNTY.

Task 7 – Contingencies

It is recognized that additional work components may be necessary throughout the project, including but not limited to additional meetings, surveys, and agency coordination. Upon request from the County, CEC shall prepare a work plan, fee estimate, and schedule for contingency tasks and upon authorization to proceed from the County, will conduct the authorized work.

The attached worksheet presents CEC's fees for the work components detailed above. The fees shall be billed on a Fixed Fee Basis according to the Contract Fee Schedule. If additional tasks are requested that are not included in this Scope of Work, CEC shall prepare an addendum to assist the COUNTY accordingly.

Construction administration services are not included herein, and can be provided under a separate addendum.

Charlotte County 10-Year Beach and Inlet Management Plan

Tropical Storm Debby Post-Storm Damage Assessment: Addendum No. 1

Detailed Summary of Estimated Fees

August 28, 2012

August 28, 2012																
Coastal Engineering Consultants																
	Principal	Principal	Principal	Senior	Senior	Coastal	Managing	Project	Coastal	Senior	Project	Total	Direct Costs		Subtask	Task
Task Description	Geologist	Engineer	Surveyor	Engineer	Scientist	Modeler	Consultant	Engineer	Planner	Technician	Coordination	Fees	Amount	Description	Total	Total
1 Damage Assessment																
A Damage Assessment	2	12	4	2		16				12	2	\$7,104			\$7,104	\$23,670
2 Project Coordination																
A Project Coordination	2	40	4	24	24	16			16	24	8	\$23,270	\$400	Tvl, Reimb, Rprdrctn	\$23,670	\$10,578
3 Construction Plans and Specifications																
A Construction Plans and Specifications	2	4	4	8		8		20		40	8	\$10,378	\$200	Rprdrctn	\$10,578	\$16,474
4 Permit Coordination																
A Permit Coordination	2	12	4	12	40	4	20		8		4	\$16,374	\$100	Tvl, Reimb, Rprdrctn	\$16,474	\$5,680
5 Bid Process																
A Bid Process	2	10		12		4		4			4	\$5,580	\$100	Tvl, Reimb, Rprdrctn	\$5,680	\$4,580
6 Project Administration																
A Project Administration	2	10				12					8	\$4,480	\$100	Tvl, Reimb, Rprdrctn	\$4,580	\$6,152
7 Contingencies																
A Contingencies		16		4		8				8	8	\$6,052	\$100	Tvl, Reimb, Rprdrctn	\$6,152	
Total Hours :	12	104	16	62	64	68	20	24	24	84	42	520				
Total Costs:	\$2,460	\$20,488	\$2,800	\$10,230	\$10,560	\$9,180	\$2,700	\$2,640	\$2,520	\$7,140	\$2,520	\$73,238	\$1,000		\$74,238	

Charlotte County 10-Year Beach and Inlet Management Plan
Tropical Storm Debby Post-Storm Damage Assessment: Addendum No. 1
Detailed Summary of Estimated Fees

August 28, 2012

Coastal Technology Corporation													
Task Description	Principal Engineer \$200	Senior Engineer \$170	Senior Scientist/Estimator \$165	Managing Geologist/Env Spec. \$135	Project Engineer \$110	Coastal Planner/Ecologist \$105	Senior Technician \$90	Project Coordinator \$65	Total Fees	Direct Costs Amount	Description	Subtask Total	Task Total
1 Damage Assessment													
A. Damage Assessment	2	8						4	\$2,020			\$2,020	\$3,600
2 Project Coordination													
A. Project Coordination	2	4		16				4	\$3,500	\$100		\$3,600	\$1,890
3 Construction Plans and Specifications													
A. Construction Plans and Specifications	2	8						2	\$1,890			\$1,890	\$12,740
4 Permit Coordination													
A. Permit Coordination	2	4		40		40	16	8	\$12,640	\$100		\$12,740	\$340
5 Bid Process													
A. Bid Process		2							\$340			\$340	\$1,750
6 Project Administration													
A. Project Administration		8						6	\$1,750			\$1,750	\$2,350
7 Contingencies													
A. Contingencies	2	4				4	2	2	\$2,350				
Total Hours :	10	38	0	60	0	44	18	26	196				
Total Costs:	\$2,000	\$6,460	\$0	\$8,100	\$0	\$4,620	\$1,620	\$1,690	\$24,490	\$200		\$24,690	

Detailed Summary of Estimated Fees

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