

**DEP AGREEMENT NO. CM309
AMENDMENT NO. 1**

THE DEP AGREEMENT No. CM309 entered into on the 3rd day of January 2013, between the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (hereinafter referred to as the "Department") and the CITY OF FORT LAUDERDALE (hereinafter referred to as "Grantee") is hereby amended as follows:

WHEREAS, due to late execution, the Grantee determines that it is necessary to extend the project period ending date to December 31, 2013, amend Section (3C) of the grant Agreement and amend the Related Tasks and Deliverables, as shown in Attachment A to the Agreement; and

WHEREAS, the Department, acting as the Florida Coastal Management Program, agrees with the Grantee that the amendment is needed.

NOW, THEREFORE, DEP Agreement No. CM309 is hereby amended as follows:

1. Section (2) of the Agreement is revised to change the ending date of the Agreement from June 28, 2013, to December 31, 2013.
2. Section (3C) of the original Agreement is hereby deleted in its entirety and replaced with:
 - C. The Grantee shall submit a properly completed Attachment C, Payment Request Summary Form, upon the completion, submittal, and acceptance by the Department, of each deliverable identified in Attachment A. In addition to the Payment Request Form, the Grantee must provide a completed **Exhibit I**, Schedule of Expenditures; Exhibit II, Schedule of Match; copies of canceled checks; copies of invoices and a completed **Attachment B, Quarterly Progress Report**, for the period up to the completion of the deliverable. All bills for amounts due under this Agreement shall be submitted in detail sufficient for a proper pre-audit and post-audit thereof. All requests for reimbursement of travel expenses shall be in accordance with Section 112.061, Florida Statutes (hereinafter "F.S."). Failure to provide Attachment B shall result in a delay in processing the payment until such time as the appropriate information is provided to the Department. A final payment request must be submitted to the Department no later than **January 10, 2014**, to assure the availability of funds for payment. The final payment will not be processed until the match requirement has been met.) Failure to comply with these reporting requirements will result in non-payment or termination of this Agreement. To be eligible for reimbursement, costs must be in accordance with the requirements of 15 CFR Parts 14 and 24, as applicable.
3. The Related Tasks and Deliverables in Attachment A is hereby deleted in its entirety and replaced with the Revised Related Tasks and Deliverables attached hereto as Attachment A-1 and made part hereof. Any reference to these sections of Attachment A shall be replaced by reference to the corresponding sections of Attachment A-1.

In all other respects, DEP Agreement No. CM309 and attachments relative thereto, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Amendment to be duly executed the day and year last written below.

CITY OF FORT LAUDERDALE

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: _____
Lee R. Feldman, City Manager

By: _____
Sally B. Mann, Director
Intergovernmental Programs

Date: _____

Date: _____

Dornecia Allen
DEP Grants Manager

APPROVED as to form and legality:



DEP Coastal Management Program Attorney

ATTACHMENT A-1
PROJECT WORK PLAN

DEP Agreement # CM309

Project Title: Sailboat Bend Preserve Canal Head Restoration Plan

Grantee

Organization Name: City of Fort Lauderdale
Chief Elected Official or Agency Head: Lee R. Feldman, ICMA-CM
Title: City Manager
Address: 100 North Andrews Avenue
City: Fort Lauderdale
Zip Code: 33301
Area Code and Telephone Number: (954) 828-5013
Area Code and Facsimile Machine Telephone Number: (954) 828-5021
E-Mail Address: Lfeldman@fortlauderdale.gov

Project Manager

Organization Name: City of Fort Lauderdale
Name: Thomas White
Address: 1350 West Broward Blvd.
City: Fort Lauderdale
Zip Code: 33312
Area Code and Telephone Number: (954) 828-5350
Area Code and Facsimile Machine Telephone Number: (954) 828-5650
E-Mail Address: thwhite@fortlauderdale.gov

Fiscal Agent

Organization Name: City of Fort Lauderdale
Name: Douglas Wood
Address: 100 North Andrews Avenue
City: Fort Lauderdale
Zip Code: 33301
Area Code and Telephone Number: (954) 828-5164
Area Code and Facsimile Machine Telephone Number: (954) 828-5576
E-Mail Address: Dwood@fortlauderdale.gov

Mailing Address for Warrant (if other than the Grantee address):

FEID No.: 59-6000319

DUNS No.: 035054381

Project Location: Identify the location of the project and include the county/counties involved in the project area. If this project affects water, include the watershed and hydrologic unit code.

Site address: 1400 Argyle Drive, Fort Lauderdale, FL 33312
Section, Township, Range: 095042
Sailboat Bend Preserve, 1401 SW 2 Ct, Fort Lauderdale, FL 33312
Section, Township, Range: 095042

GPS Coordinates Lat 26.1207777, Long -80.160429

Watershed: Everglades Watershed, Hydrologic Unit 03090202

County in which project is located: Broward

Scope of Work: Provide a summary of the project and the justification supporting the need for the Florida Department of Environmental Protection to fund the project. Provide a detailed description of the work to be performed for the project. Project descriptions should include specific tasks and deliverables.

The Sailboat Bend Preserve is a 1.3-acre live oak hammock located in Ft. Lauderdale in an urbanized area rapidly approaching build-out. The site includes access to the North Fork of the New River via the Argyle Canal. The site is located in a historic district designated by ordinance in 1992. Prehistoric Indians occupied all of the upland areas along the New River from about 500 B.C. until the end of the Spanish Conquest – an archaeological survey identified numerous important sites within the Historic District. The site was acquired through the Broward County Land Preservation Fund and contains habitat suitable for white ibis, a species of special concern and the Florida mastiff bat, an endangered species. The property has conservation values that both Broward County and the City of Fort Lauderdale desire to preserve and conserve for public benefit.

The City of Ft. Lauderdale requests financial assistance to provide needed public access to water. Specifically, FCMP funds will be used to support a portion of the construction of a canoe/kayak floating dock for non-motorized vessels. The City's Environmental Resource Supervisor has reviewed this project and advised that the floating dock will not have an adverse environmental impact, nor have any concerns been foreseen that would prevent or delay project start up. Matching funds include a portion of the costs of the floating dock as well as all of the costs of the project's related pervious parking area, and the FCMP/NOAA recognition signage.

Outcome Tasks: Enhance public access to the New River.

- 1) Construct pervious parking area.
- 2) Install NOAA/FCMP recognition signage.
- 3) Construct floating dock.

Deliverables

1. Photos of before/during/after construction of dock and parking area.
2. Photos of NOAA/FCMP recognition signage.
3. Design specifications for floating dock.

Project Description, Related Tasks and Deliverables: Provide detailed tasks for the completion of the project, deliverables specific to the tasks (required reports such as progress reports and final reports are not deliverables as they are required by all agreements and are not project specific), timeline for the completion of the tasks and submittal of the deliverables, the criteria that will be used to evaluate the successful completion of the task and deliverable budget information for each deliverable.

PAYMENT WILL BE BASED ON COMPLETION OF DELIVERABLES: Deliverables must be submitted and approved prior to payment. Deliverables must be quantifiable, measurable and verifiable. Each deliverable must be directly related to a task specified in the scope of work and must identify the minimum level of service to be performed.

Task 1 (\$14,200): Construct parking area.

Deliverable 1.1 (\$14,200): Photos of before/during/after construction

Performance Measures: Deliverable reviewed to ensure specifications in scope have been met.

Financial Consequences: No payment for unsatisfactory or incomplete work. In addition, agreement can be terminated for failure to perform.

Completion Date: December 31, 2013 (deliverables are due no later than 10 days after the completion date)

Budget Information: \$14,200 Match (provide the following information for each deliverable)

Contractual Services: \$14,200- construction of parking lot including grading and swale area.

Task 2 (\$800): Placement of sign at project location indicating NOAA/FCMP grant funding.

Deliverable 2.1 (\$800): Photo of installed funding acknowledgement sign that meets the requirements of the grant agreement.

Performance Measures: Deliverable reviewed to ensure specifications in scope have been met.

Financial Consequences: No payment for unsatisfactory or incomplete work. In addition, agreement can be terminated for failure to perform.

Completion Date: December 31, 2013 (deliverables are due no later than 10 days after the completion date)

Budget Information: \$800-Match

Contractual Services: \$800- construction of NOAA/FCMP recognition signage.

Task 3 (\$45,000): Construct a canoe/kayak floating dock for non-motorized vessels.

Deliverable 3.1 (\$45,000): Construction photos of the canoe/kayak floating dock for non-motorized vessels.

Performance Measures: Deliverable reviewed to ensure specifications in scope have been met.

Financial Consequences: No payment for unsatisfactory or incomplete work. In addition, agreement can be terminated for failure to perform.

Completion Date: December 31, 2013 (deliverables are due no later than 10 days after the completion date)

Budget Information: \$30,000- FCMP & \$15,000 -Match

Contractual Services: \$45,000 -Floating Dock System including dock, ADA ramp piling and anchoring system to seawall, also including accessories (cleats, trashbin, plastic cap)

Total Project Budget Schedule: Please type the total dollar amounts in all applicable categories and leave other categories blank. If your grant Agreement requires match, it must equal the FCMP funds requested, or one hundred percent (100%).

<u>Budget Category</u>	<u>FCMP Funds</u>	<u>MATCH Funds</u>
1. Salaries	_____	_____
2. Fringe Benefits	_____	_____
3. Travel	_____	_____
4. Equipment Purchases	_____	_____
5. Supplies	_____	_____
6. Contractual Services	<u>30,000</u>	<u>30,000</u>
7. Other Expenses	_____	_____
8. Indirect Charges	_____	_____
FCMP Total	<u>30,000</u>	
Match Total		<u>30,000</u>
NOAA Project Total	<u>60,000</u>	
Total Project Cost:	<u>\$330,000</u>	

(The total cost of the project should include all costs for the project provided by all funding sources. If this is a smaller component of a larger project please provide the total cost of the larger project)

Project Budget Narrative: Describe line items for each applicable budget category shown on the budget schedule. Provide sufficient detail to show cost relationship to project activities. Complete for both FCMP and match items, if applicable. If in-kind match is being provided by a third party, a letter from that party confirming the amount and type of that match must be included with this project work plan. **Note: Indirect costs are not allowed as match.**

FCMP Funds:

Contractual Services \$30,000: Construction of a canoe/kayak floating dock for non-motorized vessels.

Match Funds:

Contractual Services \$30,000:

Contract services include construction costs of the project's related pervious parking area (\$14,200), a portion of the costs of the floating dock (\$15,000) as well as the cost of the FCMP/NOAA recognition signage (\$800).