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DEP CONTRACT NO. SP411. AMENDMENT NO. 1

THIS CONTRACT as entered into on the 29th day of January, 1997, between the FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (hereinafter referred to as the "Department") and the TOWN OF LONGBOAT KEY (hereinafter referred to as the "Contractor") is hereby amended.

WHEREAS, the Department has received funding in the amount of \$225,000 from the U.S. Fish and Wildlife Service (under the Coastal Wetlands, Planning, Protection and Restoration Act, CFDA 15.614) to support the restoration of shallow water habitats and wetlands, remove exotic vegetation, restore upland habitats, and construct a boardwalk and Nature trail/boardwalk at property in close proximity to Durante Park and on/surrounding Quick Point; and,

WHEREAS, this Contract serves to provide services for restoration projects at Joan M. Durante Park, Quick Point Nature Preserve and Sister Keys; and,

WHEREAS, the parties hereto agree that the additional scope of services should be included under this Contract.

NOW, THEREFORE, the parties hereto agree that the Contract shall be amended as follows:

- All references in the Contract to Attachment A are hereby amended to read "Attachments A and A-1.
- The first subparagraph under paragraph 5 is hereby revised to increase the compensation amount of the Contract from \$195,000 to \$420,000 (an increase of \$225,000) and to read as follows:

"As consideration for the services rendered by the Contractor under the terms of this Contract, the Department shall pay the Contractor on a cost reimbursement basis for subcontracted services as outlined in Attachments A and A-1. Maximum compensation under this Contract shall not exceed \$420,000 (\$195,000 for the work described in Attachment A and \$225,000 for the work described in Attachment A-1). The total estimated cost for this project is \$775,000 (\$450,000 for the work described in Attachment A and \$325,000 for the work described in Attachment A-1). The Contractor is responsible for providing the additional \$355,000 (as applicable to each Scope of Services) in non-Federal funds needed to complete this project. It is understood and agreed that the additional non-Federal funds may be provided by the Contractor as follows: through non-Federal funds provided by the Contractor; through in-kind services provided by the Contractor; through non-Federal funding from other sources, or through in-kind services available to the Contractor from other non-Federal sources."

• The Contractor shall perform the additional Scope of Services described in Attachment A-1, attached hereto and made a part hereof.

In all other respects, the Contract of which this is an Amendment, 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.

TOWN OF LONGBOAT KEY	FLORIDA DEPARTMENT OF
	ENVIRONMENTAL PROTECTION
4/2/201	
By Toll Desible	By: / Sur Jining 5/2//99
Mayor	Secretary or designee
Date: 7-9-99	Date: 5/21/99
Tatrina L. Chends	Huerra. Hodger
Attested to by Town Clerk	DEP Contracts Administrator
(W/ X///)	Approved as to form and legality:
Approved by Town Attorney	Museum GD -
Approved by Town Accoracy	
	DEP Attorney
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List of attachments/exhibits included as part of this Amendment:

Specify

Letter/

Type

Number

Description (include number of pages)

Attachment

A-1

Additional Scope of Services (6 pages)

ATTACHMENT A-1 ADDITIONAL SCOPE OF SERVICES

The Florida Department of Environmental Protection (Department) and Town of Longboat Key (Contractor) in cooperation with the Sarasota Bay National Estuary Program and with a supporting grant (6G635) from the U.S. Fish and Wildlife Service's Coastal Wetland Conservation Program, hereby agree that the objectives of this project are:

To preserve, enhance and create a diversity of natural habitats while protecting the unique natural resources of Joan M. Durante Park and Quick Point Nature Preserve.

To control exotic vegetation, to restore and enhance natural and man-altered mangrove wetlands, to restore beach strand communities, and to restore seagrass beds at Joan M. Durante Park and Quick Point and within the adjoining waters of Sarasota Bay.

To provide opportunities for environmental education and public access.

To construct tidal lagoons through the interior of Joan M. Durante Park to enhance fisheries and wildlife habitats.

To restore seagrass beds by placing additional clean sand into an existing channel offshore from Joan M. Durante Park between the Intracoastal Waterway and the existing basin.

To use excess fill material at Joan M. Durante Park for building mounds for coastal strand vegetation.

To provide boardwalks, trails, trail improvements and interpretive signage for public access and education.

To develop and implement a long-term management plan to protect natural habitats.

Scope Detail

- 1. The Department shall approve the project plans and participate in project design, permitting and construction management. The Department and the Contractor shall jointly review and discuss all matters related to the restoration project including construction plans, surveys, construction methodology, biowaste management, sediment size analysis and settling rates from core samples taken where hydraulic pumping is planned, construction bid documents, and revegetation plans.
- 2. The Contractor shall be responsible for the final project plans and project implementation. Bid documents shall be submitted to the Department for written approval prior to bidding the project. Selection criteria should be established to insure that contractors selected have the expertise in hydraulically pumping sand and performing wetland restoration work.

- 3. The Contractor shall be responsible for off-site drainage requirements.
- 4. The Department shall provide assistance in flagging the limits of construction clearing, excavation, and filling. The Department shall be given the authority to make minor field adjustments in the project plan to protect established habitats, protect water quality, and improve implementation of the project; provided concurrence is obtained from the Contractor.
- 5. The Department shall be given the opportunity to inspect and provide written approval of the project layout based on field stakes and flagging prior to construction.
- 6. The Contractor shall notify the Department in writing of project start-up dates at least five days prior to commencing and shall keep the Department informed of subsequent changes in the schedule.
- 7. On-site meetings should be scheduled between the Department's and the Contractor's contract managers on a weekly or biweekly basis during active periods of construction.
- 8. The Contractor shall be responsible for properly disposing of waste and debris found on-site and/or generated as a result of this project. These activities shall be coordinated with the Department's contract manager.
- 9. The Contractor shall utilize proper turbidity control and sediment control measures to protect adjacent grass beds or mangrove wetlands and to insure compliance with state water quality standards. Such plans shall be reviewed and approved by the Department's contract manager prior to construction.
- 10. Hydraulic dredging operations, drainage activity and any dewatering plans shall be coordinated with and receive written approval from the Department's contract manager.
- 11. The Contractor shall provide quarterly progress reports documenting work completed and activities scheduled.
- 12. The Contractor shall submit a management plan to control exotic vegetation.
- 13. The Contractor shall document contributions, staff support and other in-kind services directly related to these environmental restoration projects, as required to meet the local match for the Federal Grant (6G635). The Grant Number (6G635) must be attached to all supporting documents and is retroactive to the starting day of the Grant which is October 1, 1998. Eligible land purchases can be considered as local match even prior to the Grant date. State EMRTF funds and state personnel directly involved with these projects will be documented towards the local match requirement.

The purpose of the additional scope of services described herein is to restore shallow water habitats and wetlands, remove exotic vegetation, restore upland habitats, and construct a

boardwalk and Nature trail/boardwalk. Habitat restoration will be centered on approximately 14 acres of land located south of the Durante Park. For the purposes of this project, this land shall hereinafter be referred to as the "Ansel South" parcel. The Town of Longboat Key intends to add the Ansel South parcel to the current property known as Durante Park. A map depicting the location of the Ansel South parcel is provided as page 5 of this attachment. In addition to the work being performed on the Ansel South parcel, work will also be performed on approximately 35 acres on and surrounding Quick Point. Natural areas will be carefully conserved. The two project sites are further described below.

Site #1: Ansel South Parcel (also referred to by the Contractor as Durante Park, Phase V, Sarasota Bay)

This project will focus on the south half of the park and enhance approximately fourteen (14) acres of beach strand, transitional wetlands and dense mangrove habitat. A series of small waterways will be constructed to improve fisheries habitats and tidal circulation and the herbicides Garlon 4 and Garlon 3A will be used to control exotics such as Brazilian pepper and Australian pine. A series of trails and boardwalks will lead visitors through dense mangroves, leather ferns, palmettos, cabbage palms, strangler figs, live oaks, southern red cedar and a variety of tropical vegetation.

Durante Park is approximately 32 acres in size and located on Sarasota Bay at the north end of Longboat Key. Initial improvements for public access and habitat restoration have been completed by the Town of Longboat Key. The Town began construction in September 1997 on a series of wetland lagoons with adjoining trails and boardwalks. The wetland restoration on the north half of the tract is being funded in part by a grant agreement from the U.S. Fish and Wildlife Service, C4-96-16.

Nearly one half of the park site consists of mangrove/marsh habitat. Most the fringing mangrove habitat is in excellent condition. However, exotic vegetation such as Australian pine and Brazilian pepper are crowding out wetland vegetation along shore and exotics are seriously impacting the native coastal strand and hammock vegetation.

The proposed project will provide improvement for the interior mangrove swamp by providing some tidal circulation and open shallow water pools for fisheries. The restoration plan will address the need to maintain low salinity and freshwater habitats which are necessary to sustain a diversity of wildlife and plant life. Natural habitats will be conserved and excess spoil material will be used to build ridges and revegetate as tropical coastal hammock. A system of trails and tidal creeks will be integrated with the north half of the park.

Restoration/enhancement area – approximately 12 acres of mixed mangrove, coastal strand and hammock.

Total estimated costs: \$200,000 (\$150,000 Department (U.S. Fish and Wildlife grant) and \$50,000 Town of Longboat Key)

Site,#2: Quick Point Preserve

This project, Quick Point (Phase III), will involve expanding exotic control efforts over 34 acres of beach strand, transitional wetlands and mangrove habitat, containing numerous spoil deposits from previous mosquito ditching operations. (A map depicting the areas to be restored is identified on the map provided as page 6 of this attachment.) Some of the larger Australian pines will be retained for shading and wildlife management purposes. Brazilian peeper, exotic fig trees, carrotwood, and small Australian pins will be the exotic plants targeted. Emphasis will also be placed on controlling all exotics in transitional wetland sites to restore herbaceous marsh and release suppressed mangroves. Experimental plots of seagrasses will be placed throughout the tidal lagoon system recently constructed, and along the shoals and regraded shore of New Pass.

Quick Point is an ecologically diverse 34-acre site located on the southeastern tip of Longboat Key just north of New Pass. Significant habitats include Australian pins dominated spoil sites, disturbed uplands, mangrove forests, tidal creeks and lagoons, oyster bars, high marsh and tropical beach strands. Past dredging activities have had adverse impacts on mangroves and other habitats at Quick Point.

In 1994, the Town of Longboat Key, owner of the site, along with the Florida Department of Environmental Protection, Manasota Basin Board, and the Sarasota Bay National Estuary Program restored and enhanced a portion of this site creating lagoons and upland hammocks. A series of creeks and bayous were connected to New Pass to restore/enhance tidal flushing and marine productivity. Pathways and a boardwalk provide visitors an opportunity to observe various habitats and marine life. These (pathways and boardwalk) will be extended in the new restoration areas of the site.

Restoration/enhancement area – approximately 30 acres wetlands; 5 acres seagrasses.

Total estimated costs: \$100,000 (\$75,000 Department (U.S. Fish and Wildlife grant) and \$25,000 Town of Longboat Key)

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