



Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

February 2, 2009

John A. Crawford, Ex-Officio Clerk
Nassau County Board of County Commissioners
76347 Veterans Way, Suite 456
Yulee, Florida 32097

Re: Olsen Associates Contract DC644, Amendment 4

Dear Mr. Crawford:

Enclosed is Nassau County's fully executed original of contract DC644, Amendment 4, between the Nassau County Board of County Commissioners, the Florida Department of Environmental Protection and Olsen Associates of Jacksonville, Florida.

If you have any questions or problems concerning this contract please don't hesitate to call me at 850-488-5090.

Sincerely,

Marshall W. Flake, Coastal Project Coordinator
Bureau of Natural and Cultural Resources
Division of Recreation and Parks

DEP CONTRACT No. DC664
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

AMENDMENT No. 04

THIS AGREEMENT was entered into on the 27th day of June 2006, and amended on the 30th day of August 2006, the 22nd day of August 2007 and the 30th day of June 2008, by and between the Department of Environmental Protection with headquarters at 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, a state agency ("Department"), the Nassau County Board of County Commissioners as the governing body of the South Amelia Island Shore Stabilization Municipal Service Benefit Unit, a political subdivision of the State of Florida, whose address is Post Office Box 1010, Fernandina Beach, Florida 32035 ("County"), and Olsen Associates, Inc., with headquarters at 4438 Herschel St., Jacksonville, Florida 32210 ("Consultant").

WHEREAS THE Department selected the Consultant to provide professional engineering services for the post construction monitoring, mitigation and maintenance of the South Amelia Island Shoreline Stabilization Project, according to the Consultants Competitive Negotiations Act, Chapter 287.055 Florida Statutes. The Request for Statement of Qualifications No. RFSOQBDC 07 05/06 and the Consultant's response are included herein by reference: and

WHEREAS THE Agreement was intended to be periodically amended to that end; and

WHEREAS an error was made in Paragraph #3 of Amendment #02 and carried over into Paragraph #3 of Amendment #03.

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

1. The Consultant shall conduct an Engineering Analysis, an Environmental Assessment, and complete the Permit Formulation and Submittal for the development of a sand source borrow site for storm mitigation and/or maintenance of the South Amelia Island Shoreline Stabilization Project, as described in the Consultant's Statement of Work attached herein as Attachment A.
2. Attachment B of the original contract is amended to include the Consultant's Statement of Work for borrow site development and permitting,
3. The parties now agree to increase the total contract amount by \$230,000.00 from \$603,900.00, to \$833,900.00 to compensate the Consultant for the services described herein. The Department agrees to pay 36.17% of this increase, or \$83,191.00, and the County agrees to pay 63.83%, or \$146,809.00, the remainder of the sum.
4. The County shall maintain the public beach access sites and public parking spaces, as identified in the Funding Eligibility statement for beach use throughout the life of the Project. If at any time the County fails to maintain the subject beach access sites and

public parking for use by the general public on an equal basis, the County agrees to reimburse the Department all funds provided by the Department associated with any beach access site, or associated public parking space for which maintenance is discontinued. Additionally, the Department and County agree to maintain public beach access signs that are clearly visible from the highway for the life of the Project. The Department will be responsible for maintaining access, parking and signs at State owned access points. And the County will maintain access, parking and signs for the Amelia Island Shoreline Association access points.

5. Paragraph 3 of Amendment #02 shall be corrected to read: The parties agree to increase the total contract amount by \$325,800.00, from \$133,530.00 to \$459,330.00, to compensate the Consultant for the services described herein. The Department agrees to pay 32.22% of this new total, or \$147,997.00, and the County agrees to pay 67.78%, or \$311,333.00, the remainder of the sum.
6. Paragraph 3 of Amendment #03 shall be corrected to read: The parties agree to increase the total contract amount by \$144,570.00, from \$459,330.00, to \$603,900, to compensate the Consultant for the services described herein. The Department agrees to pay 32.22% of this increase, or \$46,580.00, and the County agrees to pay 67.78%, or \$97,990.00, the remainder of the sum.
7. Attachments.

Attachment A included as part of this Amendment.

Supplemental Scope of Work & Cost Sheet: 2 pages

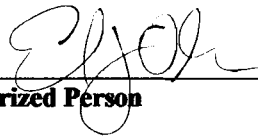
IN ALL OTHER RESPECTS, the Agreement of which this is an Amendment, and attachments relative thereto, shall remain in full force and effect.


REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF the parties have caused this Agreement to be formally executed effective the date signed on behalf of the Department of Environmental Protection.

FOR THE CONSULTANT

FOR THE DEPARTMENT


Authorized Person


Michael Bullock, Director
Florida Division of Recreation and Parks
Or his Designee

Erik J. Olsen
Print Name

Assistant Director
Title

Pks
Title

1-26-09
Date

25 Nov 08
Date

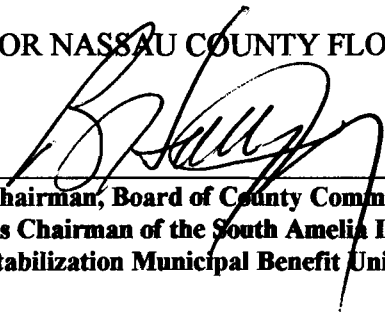
APPROVED AS TO FORM & LEGALITY

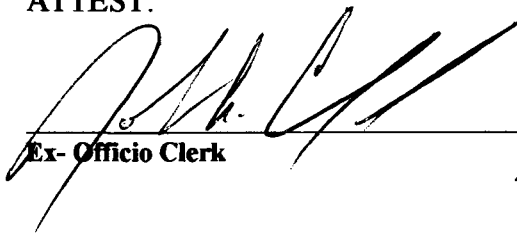
59-2223174
FEID Number


Department General Counsel

FOR NASSAU COUNTY FLORIDA

ATTEST:


Chairman, Board of County Commissioners,
As Chairman of the South Amelia Island Shore
Stabilization Municipal Benefit Unit


Ex-Officio Clerk EBK
11/2/09


Barry V. Holloway
Print Name

John A. Crawford
Print Name

Chairman
Title

APPROVED AS TO FORM AND LEGALITY

January 12, 2009
Date


Nassau County Attorney

59 186 3042
FEID Number

David A. Hallman
Print Name

Attachment A
Scope of Work

SOUTH AMELIA ISLAND SHORE STABILIZATION PROJECT
PHASE I & II – STRUCTURAL STABILIZATION
PERMITTING/ENGINEERING ANALYSES/E.A.

PURPOSE

The scope-of-work addressed herein shall be conducted on behalf of the two project sponsors and is intended to provide sufficient engineering and environmental assessments necessary to initiate the state and federal permitting process for a beach renourishment project tentatively scheduled for 2009 or 2010. The actual date for project reconstruction will depend upon existing project performance over the next 2 to 4 years. The subject non-federal shore stabilization project is eligible for FEMA Category "G" post-disaster financial assistance. Accordingly, the project sponsors have determined that it is highly desirable to have performed engineering and environmental analyses sufficient to acquire an emergency type permit after a major storm event for purposes of project reconstruction. Hence, borrow site redevelopment has been proceeding over the last 6 months, in order to facilitate that goal. The work addressed herein will allow for the initiation of State and Federal permits.

PRIOR OR ONGOING WORK

A Borrow Site Redevelopment task is underway (ref: Task 2, Contract DC664), which will provide the following items:

- A Sand Search (Vibracoring and geotechnical analyses) sufficient to expand or redevelop two (2) existing borrow areas previously utilized for beach fill construction.
- A detailed hydrographic survey of the proposed borrow area, and
- A Cultural Resources investigation of the proposed borrow area with submittal to the State Historic Preservation Officer (SHPO) for review and concurrence.

In order to further determine project feasibility necessary to perform the future pending maintenance of the South Amelia Island Shore Stabilization Project beach fill, the following tasks will be performed:

1. **Engineering Analysis** – The consultant shall perform sufficient design development and analyses; including numerical modeling of project borrow area alternatives, sufficient to select a preferred alternative. Of continuing interest will be alongshore changes in wave energy potentially associated with near shore borrow site dredging. Energy changes could result in modification to alongshore transport rates. Such effects and the influence of the Phase II structures and the subject shoreline potentially affected will be evaluated. All such results will be formulated into a document suitable for submittal during the permit process. Other engineering factors of interest include the bi-modal characteristics of the borrow area materials under consideration and the optimum use of sediment types in maximizing the future longevity of the beach nourishment project, as well as ensuring that the goals of

the Phase II Structural Stabilization Project continue to be met. Implicit in these requirements are the continued non-impact to certain resources located with Nassau Sound. The project design will be developed sufficient to make permit application.

2. ***Environmental Assessment*** – Subsequent to the selection of a preferred borrow site alternative, an environmental subconsultant shall perform an environmental assessment of the borrow area and the beach to be renourished. Reliance will be made on prior work related to the projects constructed in 1994 and 2002. Certain resources of interest such as grass beds, hard bottom, etc. are not known to exist within the areas affected by project construction.

3. ***Permit Formulation and Submittal*** – The consultant shall formulate a Joint Coastal Permit application in accordance with the requirements of the BB&CS addressing a beach renourishment project to be constructed within 5 years of permit issuance. All relevant background information – including long term monitoring results – will be codified by way of a comprehensive Application document. It is presently anticipated that all RAI efforts to be performed by the consultant will be addressed by the subsequent fiscal year scope-of-work.

DELIVERABLES

Contract deliverables will include:

- All engineering documentation and the results of borrow site numerical modeling investigation, suitable for distribution or as an attachment to the Project Permit application, and

- An Environmental Assessment report, and

- A comprehensive Permit Application with supporting materials to be submitted to the BB&CS. Note – Permit fees shall be the responsibility of the project sponsors.

COST

Subtask a. Engineering Analysis, design development, and documentation	\$120,000.00
Subtask b. Environmental Assessment	\$65,000.00
Subtask c. J.C. Permit Formulation/Documentation/Submittal	<u>\$45,000.00</u>
Total Cost	\$230,000.00

SCHEDULE

Subtask a. 8 months

Subtask b. 4 months

Subtask c. 4 months

Total Time to Complete

12 months from 'Execution'