

**AMENDMENT NO. 1
TO AGREEMENT NO. LPA0029
BETWEEN
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
AND
NASSAU COUNTY**

This Amendment to Agreement No. LPA0029 (Agreement) is made by and between the Department of Environmental Protection (Department), an agency of the State of Florida, and Nassau County (Grantee), on the date last signed below.

WHEREAS, the Department entered into the Agreement with the Grantee for Nassau County American Beach Well and Septic Tank Phase Out effective April 23, 2020; and,

WHEREAS, the Grantee has requested a reallocation of the budget for the project, and an extension of the Agreement; an extension is needed due to unanticipated delays; and,

WHEREAS, certain provisions of the Agreement need revision.

NOW THEREFORE, the parties agree as follows:

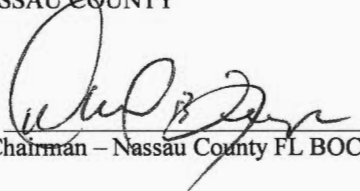
1. The Agreement is effective until November 30, 2021. The reimbursement period for this Agreement begins on July 1, 2019 and ends at the expiration of the Agreement. The Department and the Grantee shall continue to perform their respective duties during this extension period pursuant to the same terms and conditions provided in the Agreement.
2. **Attachment 3, Grant Work Plan**, is hereby deleted in its entirety and replaced with **Attachment 3-1, Revised Grant Work Plan**, as attached to this Amendment and hereby incorporated into the Agreement. All references in the Agreement to **Attachment 3** shall hereinafter refer to **Attachment 3-1, Revised Grant Work Plan**.
3. All other terms and conditions of the Agreement remain in effect. If and to the extent that any inconsistency may appear between the Agreement and this Amendment, the provisions of this Amendment shall control.

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IN WITNESS WHEREOF, the parties have caused this amendment to Agreement No. LPA0029 to be duly executed, the day and year last written below.

NASSAU COUNTY

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: 
Chairman - Nassau County FL BOCC

By: _____
Secretary or Designee

Honorable Daniel B. Leeper

Trina Vielhauer, Director

Date: September 30, 2020

Date: _____

Jillian Bates, DEP Grant Manager

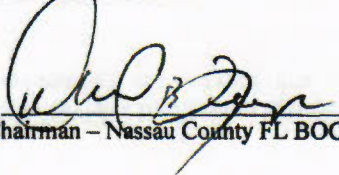
Sandra Waters, DEP QC Reviewer

List of attachments/exhibits included as part of this Amendment:

| Specify Type | Letter/ Number | Description (include number of pages) |
|--------------|-------------------|---------------------------------------|
| Attachment | 3-1 | Revised Grant Work Plan (4 Pages) |

IN WITNESS WHEREOF, the parties have caused this amendment to Agreement No. LPA0029 to be duly executed, the day and year last written below.

NASSAU COUNTY

By: 
Chairman – Nassau County FL BOCC

Honorable Daniel B. Leeper

Date: September 30, 2020

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: Trina Vielhauer Digitally signed by Trina Vielhauer
Date: 2020.09.30 15:23:02 -04'00'
Secretary or Designee

Trina Vielhauer, Director

Date: _____

Jillian Bates Digitally signed by Jillian Bates
Date: 2020.09.30 15:05:54 -04'00'
Jillian Bates, DEP Grant Manager

Sandra Waters Digitally signed by Sandra Waters
Date: 2020.09.30 15:09:06 -04'00'
Sandra Waters, DEP QC Reviewer

List of attachments/exhibits included as part of this Amendment:

| <u>Specify Type Attachment</u> | <u>Letter/ Number</u> | <u>Description (include number of pages)</u> |
|--------------------------------|-----------------------|--|
| | <u>3-1</u> | <u>Revised Grant Work Plan (4 Pages)</u> |

**ATTACHMENT 3-1
REVISED GRANT WORK PLAN**

PROJECT TITLE: Nassau County American Beach Well and Septic Tank Phase Out

PROJECT LOCATION: The Project will be located in American Beach, on Amelia Island, Nassau County; Lat/Long (30.574, -81.447). American Beach is immediately adjacent to the Atlantic Ocean and located between two Aquatic Preserves: Nassau River-St. Johns River Marshes Aquatic Preserve and Fort Clinch Aquatic Preserve. See Figure 1 for a location map.

PROJECT BACKGROUND: American Beach consists of approximately 323 lots, some of which contain occupied or vacant residential dwellings, and a hotel—the American Beach Villas. The Aquatic Preserve Act ensures that aquatic preserves' natural condition, their aesthetic, biological, and scientific values may endure for the enjoyment of future generations. The Nassau River-St. Johns River Marshes Aquatic Preserve was designated an aquatic preserve on November 24, 1969, to protect the Nassau Sound area marshes and associated waters.

The American Beach Well and Septic Tank Phase Out Project is part of a comprehensive effort to eliminate existing and future poor-quality well and wastewater discharging into the area surrounding Amelia Island. Nassau County, in conjunction with, Florida Governmental Utility Authority, is taking steps to mitigate impacts to both Aquatic Preserves by reducing the number of wells and on-site septic tank wastewater treatment and leaching fields in American Beach.

PROJECT DESCRIPTION: The Grantee will complete the planning document and provide a preliminary design of a new potable water and sewer system and to facilitate abandonment of wells and septic systems serving approximately 323 lots.

The Grantee does not anticipate that the funding under this Agreement will result in a fully completed project, so this Agreement will cover a portion of the work.

TASKS:

All documentation should be submitted electronically unless otherwise indicated.

Task 1: Preconstruction Activities

Deliverables: The Grantee will complete required feasibility analysis related to development of a facility planning document complete with environmental studies, project schedules, permit requirements, financial review, evaluate capital finance plan requirements, overview of potential site evaluation, demographic information analysis (grant vs loan), regional development analysis (composition of stakeholders), public involvement plan, and an environmental report. The Grantee will also conduct a household survey in the project area to determine principle forgiveness eligibility with the State Revolving Fund Program; and the Grantee will complete the preliminary design of a new potable water and sewer system, and the abandonment of wells and septic systems serving approximately 323 lots, and identify all necessary permits for construction of the project.

Documentation: The Grantee will 1) submit a facility planning document, 2) submit a signed acceptance of the completed work by the Grantee and a summary of preliminary design activities to date, indicating the percentage of design completion of the time period covered in the payment request. For the final documentation, Grantee will also submit a copy of the preliminary design and a list of all required permits identifying issue dates and issuing authorities.

Performance Standard: The Department’s Grant Manager will review the documentation to verify that the deliverables are completed as described above. Upon review and written acceptance by the Department’s Grant Manager, the Grantee may proceed with payment request submittal.

Payment Request Schedule: The Grantee may submit a payment request for cost reimbursement no more frequently than monthly.

Task # 2: Project Management

Deliverables: The Grantee will perform overall project management, community engagement efforts, oversight of design professionals, efforts to form a special district in the project area and overall project coordination and supervision. The Grantee will also provide specialized staff and legal support to the special district to include special assessment and mandatory connection program development.

Documentation: The Grantee will submit a signed acceptance of the completed work by the Grantee and a summary of community meetings and management activities to date.

Performance Standard: The Department's Grant Manager will review the documentation to verify that the deliverables are completed as described above. Upon review and written acceptance by the Department's Grant Manager, the Grantee may proceed with payment request submittal.

Payment Request Schedule: The Grantee may submit a payment request for cost reimbursement no more frequently than monthly.

PROJECT TIMELINE & BUDGET DETAIL: The tasks must be completed by, and all documentation received by, the corresponding task end date.

| Task No. | Task Title | Budget Category | Budget Amount | Task Start Date | Task End Date |
|----------|----------------------------|----------------------|---------------|-----------------|---------------|
| 1 | Preconstruction Activities | Contractual Services | \$250,000.00 | 07/01/2019 | 05/31/2021 |
| 2 | Project Management | Salaries/Wages | \$6,500.00 | 07/01/2019 | 05/31/2021 |
| | | Fringe | \$3,500.00 | | |
| | | Contractual Services | \$140,000.00 | | |
| Total: | | | \$400,000.00 | | |

Note that, per paragraph 4 of the agreement, authorization for continuation and completion of work and any associated payments may be rescinded, with proper notice, at the discretion of the Department if the Legislature reduces or eliminates appropriations. Extending the contract end date carries the risk that funds for this project may become unavailable in the future. This should be a consideration for the Grantee with this and future requests for extension.

SALARY AND FRINGE BENEFITS BY TASK: Cost reimbursable funding or match hourly and fringe rate(s) by position may not exceed those indicated below.

| Position | Hourly Rate (Combined) | Hourly Rate (Base) | Hourly Fringe (Actual) |
|----------------------------|-----------------------------------|-------------------------------|-----------------------------------|
| PEO Director | \$ 74.10 | \$ 52.11 | \$ 21.99 |
| PEO Assistant Director | \$ 48.15 | \$ 37.50 | \$ 10.65 |
| Principal Planner | \$ 49.35 | \$ 38.62 | \$ 10.73 |
| Planner I | \$ 30.70 | \$ 22.81 | \$ 7.89 |
| Planner II | \$ 36.62 | \$ 27.82 | \$ 8.80 |
| County Attorney 67% | \$ 119.72 | \$ 87.01 | \$ 32.71 |
| Sr. Executive Legal Asst. | \$ 29.23 | \$ 25.13 | \$ 4.10 |
| Executive Legal Asst. | \$ 29.70 | \$ 22.28 | \$ 7.42 |
| County Manager 33% | \$ 60.89 | \$ 42.86 | \$ 18.03 |
| Asst. County Manager | \$ 92.28 | \$ 66.42 | \$ 25.86 |
| County Engineer | \$ 81.96 | \$ 58.67 | \$ 23.29 |
| Sr. Stormwater Engineer | \$ 59.09 | \$ 47.15 | \$ 11.94 |
| Construction Inspector | \$ 37.76 | \$ 28.69 | \$ 9.07 |
| NAU Superintendent | \$ 35.37 | \$ 30.42 | \$ 4.95 |
| OMB Director | \$ 78.04 | \$ 55.73 | \$ 22.31 |
| Contracts Manager | \$ 40.44 | \$ 31.52 | \$ 8.92 |
| Grants Specialist | \$ 28.67 | \$ 21.40 | \$ 7.27 |
| Admin. Specialist I (PEO) | \$ 19.86 | \$ 17.10 | \$ 2.76 |
| Admin. Specialist I (Eng) | \$ 28.69 | \$ 21.41 | \$ 7.28 |
| Admin. Specialist II (Eng) | \$ 27.66 | \$ 20.53 | \$ 7.13 |
| Admin. Specialist (NAU) | \$ 23.34 | \$ 16.71 | \$ 6.63 |
| Admin. Specialist I (OMB) | \$ 22.81 | \$ 16.36 | \$ 6.45 |

Figure 1: Location Map

FIGURE 1: LOCATION MAP (AMERICAN BEACH)

