

**AMENDMENT NO. 2  
TO AGREEMENT NO. 19LE2  
BETWEEN  
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
AND  
LEE COUNTY**

This Amendment to Agreement No. 19LE2, as previously amended, (Agreement) is made by and between the Department of Environmental Protection (Department), an agency of the State of Florida, and Lee County, 1500 Monroe Street, Fort Myers, Florida 33901 (Grantee), on the date last signed below.

WHEREAS, the Department entered into the Agreement with the Grantee for Estero Barriers Regional Inlet Management Study effective May 24, 2019; and

WHEREAS, the grantee has requested an extension to the agreement and the Department has agreed; and

WHEREAS, the parties wish to amend the Agreement as set forth herein.

NOW THEREFORE, the parties agree as follows:

- 1) The Agreement is extended for a 7 month period to begin August 1, 2022, and remain in effect until March 1, 2023. 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-A, Revised Grant Work Plan, is hereby deleted in its entirety and replaced with Attachment 3-B, Second 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-B, Second Revised Grant Work Plan.
- 3) All other terms and conditions of the Agreement remain in effect. If and to the extent that any inconsistencies may appear between the Agreement and this Amendment, the provisions of this Amendment shall control.

The parties agree to the terms and conditions of this Amendment and have duly authorized their respective representatives to sign it on the dates indicated below.

Lee County

By:  \_\_\_\_\_

Date: 5/9/22

Florida Department of  
Environmental Protection

By:  \_\_\_\_\_  
Secretary or Designee Alex Reed, Director,  
Office of Resilience and Coastal Protection

Date: 5/10/2022

**LIST OF ATTACHMENTS/EXHIBITS INCLUDED AS PART OF THIS AMENDMENT:**

<u>Specify Type</u>	<u>Letter/Number</u>	<u>Description</u>
Attachment	3-B	Second Revised Grant Work Plan (3 pages)

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## ORCP Additional Signatures

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Bashia L.  
Marks

Digitally signed by Bashia L.  
Marks  
Date: 2022.05.10 09:21:39  
-04'00'

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DEP Grant Manager

Andrea Sheffield

Digitally signed by Andrea Sheffield  
Date: 2022.05.10 09:31:34 -04'00'

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DEP QC Reviewer

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Local Sponsor may add additional signatures if needed below.

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**ATTACHMENT 3-B  
SECOND REVISED GRANT WORK PLAN**

**PROJECT TITLE:** Estero Barriers Regional Inlet Management Study

**PROJECT LOCATION:** The Project is located between Department of Environmental Protection (Department or DEP) reference monuments R209 and R227 along the Gulf of Mexico in Lee County, Florida.

**PROJECT BACKGROUND:** The Project focus of this regional inlet management study will be to develop sediment budgets for three inlets within Lee County: Big Carlos Pass, New Pass and Big Hickory Pass.

**PROJECT DESCRIPTION:** The Project consists of feasibility (regional inlet management study) in Lee County.

**PROJECT ELIGIBILITY:** The Department has determined that 100 percent of the non-federal Project cost is eligible for state cost sharing. Therefore, the Department's financial obligation shall not exceed 75 percent for Task 1.1 or 50 percent for Task 1.2 of the non-federal Project cost, if applicable, for the specific Estimated Eligible Project Cost tasks listed below, and shall not exceed the sum of \$400,955 for this Project. Any indicated federal cost sharing percentage is an estimate and shall not affect the cost sharing percentages of the non-federal share. The parties agree that eligibility for cost sharing purposes will be maintained pursuant to 62B-36, Florida Administrative Code (F.A.C.).

The Local Sponsor will be responsible for auditing all travel reimbursement expenses based on the travel limits established in Section 112.061, Florida Statute (F.S.).

Pursuant to Sections 161.091 - 161.161, F.S., the Department provides financial assistance to eligible governmental entities for beach erosion control and inlet management activities under the Florida Beach Management Funding Assistance Program.

Pursuant to 62B-36.005(2)(d), F.A.C., the Local Sponsor has resolved to support and serve as local sponsor, has demonstrated a financial commitment, and has demonstrated the ability to perform the tasks associated with the beach erosion control project as described herein.

The Project shall be conducted in accordance with the terms and conditions set forth under this Agreement, all applicable Department permits and the eligible Project task items established below. All data collection and processing, and the resulting product deliverables, shall comply with the standards and technical specifications contained in the Department's Monitoring Standards for Beach Erosion Control Projects (2014) and all associated state and federal permits, unless otherwise specified in the approved scope of work for an eligible Project item. The monitoring standards may be found at:

<https://floridadep.gov/sites/default/files/PhysicalMonitoringStandards.pdf>

One (1) electronic copy of all written reports developed under this Agreement shall be forwarded to the Department, unless otherwise specified.

Acronyms:

DEP – Florida Department of Environmental Protection

F.S. – Florida Statutes  
 F.A.C. – Florida Administrative Code

**TASKS and DELIVERABLES:**

The Local Sponsor will provide detailed scopes of work or a letter requesting advance payment if authorized by Attachment 2, for all tasks identified below, which shall include a narrative description of work to be completed, a corresponding cost estimate and a proposed schedule of completion for the proposed work and associated deliverables. Each scope of work shall be approved in writing by the DEP Project Manager to be included into this work plan for reimbursement.

**Task 1: Feasibility**

**Task Description:** The Local Sponsor will acquire professional services for activities necessary to determine the feasibility of the proposed Project or Project-related improvements necessary to accomplish Department-approved goals and strategies.

**Deliverable:** Certification of Completion including documentation of submittal affirming that the final feasibility report was completed and submitted to the Department. For interim payment requests, a Task Summary Report signed by the Local Sponsor must be submitted detailing work progress during the payment request period. The Task Summary Report must include the dates and descriptions of all activities, surveys and reports completed or in progress during the time period of the interim payment request.

**Performance Standard:** The DEP Project Manager will review the task deliverable and any associated work products as necessary to verify they meet the specifications in the Grant Work Plan and this task description.

**Payment Request Schedule:** Payment requests may be submitted after the deliverable is received and accepted and may be submitted no more frequently than quarterly.

Estimated Eligible Project Cost

Task #	Eligible Project Tasks	State Cost Share (%)	Federal Estimated Project Costs	DEP	Local	Total
1.1	Feasibility	75.00%		\$316,947.00	\$105,649.00	\$422,596.00
1.2	Feasibility	50.00%		\$84,008.00	\$84,008.00	\$168,016.00
	<b>COSTS</b>			<b>\$400,955.00</b>	<b>\$189,657.00</b>	<b>\$590,612.00</b>

**PROJECT TIMELINE & BUDGET DETAIL:** The tasks must be completed by, and all deliverables received by, the corresponding deliverable due date.

<b>Task No.</b>	<b>Task Title</b>	<b>Budget Category</b>	<b>Budget Amount</b>	<b>Task Start Date</b>	<b>Deliverable Due Date</b>
1	Feasibility	Contractual Services	\$400,955	06/01/19	11/31/2022
Total:			\$400,955		