

**AGENDA
TOWN OF JUPITER ISLAND
BEACH PROTECTION DISTRICT MEETING
TUESDAY, SEPTEMBER 10, 2024
ISLAND ROOM – TOWN HALL – 2 BRIDGE ROAD
(DIRECTLY FOLLOWING 10AM SMRU BOARD MEETING - APPROX. 11:30AM)**

1. Consent Agenda

Category A- To be reviewed and approved (as is or as edited) by the Town Commission

a. Minutes of the July 16, 2024, Beach Protection District Meeting

2. Resolution No. 916 - Beach Restoration Project

3. Resolution No. 922 - FY 2025/2026 Local Government Funding Request (LGFR)

4. ITB # 2024-07 - Annual Beach & Dune Services

5. ITB # 2024-11 - Turbidity Monitoring Services

6. Beach Status*

7. Other Items*

** No advanced materials provided*

Town Commission

Penny Townsend, Mayor
Marshall Field, VI, Vice Mayor
Anne Scott, Commissioner
Patricia Warner, Commissioner
Joseph Taddeo, Commissioner

Town Staff

Town Manager, Robert Garlo
Town Attorney, Thomas J. Baird
Town Clerk, Kimberly Kogos

STATE MANDATED STATEMENT

If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Town prior to the meeting. Please contact the Town Hall, 2 Bridge Road, Hobe Sound, FL 33455, telephone (772) 545-0103.

**MINUTES
TOWN OF JUPITER ISLAND
BEACH PROTECTION DISTRICT MEETING
TUESDAY, JULY 16, 2024**

TIME: Tuesday, July 16, 2024 – 11:30 AM
PLACE: Town Hall Island Room – 2 Bridge Rd., Hobe Sound, FL
PRESENT: Present were Mayor Penny Townsend, Vice Mayor Marshall Field VI, and Commissioners Anne Scott, Patricia Warner and Joseph Taddeo. Also present were Town Manager Robert Garlo, Town Clerk Kimberly Kogos, Town Attorney Thomas Baird and IT Director Bill Sutton.

Mayor Townsend called the meeting to order at 12:38pm.

1. Consent Agenda

Category A- To be reviewed and approved (as is or as edited) by the Town Commission

- a. Minutes of the June 11, 2024, Beach Protection District Meeting

There were no revisions to the minutes and were approved as presented.

MOTION: *Commissioner Scott/Commissioner Warner moved to approve the minutes of the June 11, 2024, Beach Protection District Meeting.*

ACTION: *Motion Passed 5-0*

2. Beach Restoration Project Bid Award

Director Duchock explained that the Town began a bid solicitation process for beach restoration on May 10, 2024, and held a bid opening at Town Hall on June 14th. Bids were received by Weeks marine and Great Lake Dredge and Dock. He stated that the low bidder was Weeks Marine, Inc. He compared the previous beach nourishment project bid in 2020 and highlighted the key cost changes. Director Duchock recommended awarding a contract to Weeks Marine, Inc. for the bid amount of \$28,565,000. If awarded, a prepared contract and associated Resolution will come forward at the September meeting.

Commissioner Scott asked if there are enough dredges to complete all the projects going on. Director Duchock stated that he does not foresee an issue.

Town Manager Garlo noted that the Queen Conch is now on the endangered species list for protection. Director Duchock explained that a Queen Conch has not been spotted within the Town's area. He noted that projects in other areas have been postponed in order to relocate any found species. At this time, the Town's Beach Project is not in jeopardy, as there is no evidence of this species within the Town's project area.

MOTION: *Commissioner Taddeo/Vice Mayor Field moved to approve awarding a contract to Weeks Marine, Inc. for the bid amount of \$28,565,000.*

ACTION: *Motion Passed 5-0*

3. Beach District Budget Update

Director Duchock explained that at the June 12, 2024, Town Commission meeting, the Commission and staff reviewed the Beach Protection District proposed budget and approved a maximum ad valorem millage tax rate of .9593 mills for FY 2024-2025. He noted that two updates have occurred since that approval:

- the Beach District received bids for the FY 2025 Beach Restoration Project, and
- the Town received the Preliminary Taxable Values from the property appraiser on June 21.

He explained that the Beach District budget had been updated to reflect those changes. He added that although the updates increase the budget, staff continues to recommend setting the proposed maximum ad valorem millage tax rate to .9593 mills which represents a 8.57% increase over the rolled back rate of .8836 and is the same millage rate as the current year's rate.

Vice Mayor Field stated that he is concerned about dipping into reserves on an on-going basis. Director Duchock noted the concern.

4. Annual Physical Monitoring Report (Gahagan & Bryant)*

The Contractor was not able to attend today so this item is postponed to a future meeting.

5. Beach Status*

Director Duchock noted the sea turtle nest count as of 7/13/24:

353 Leatherback nests

5591 Loggerhead nests

546 Green Turtle nests

Director Duchock explained that beach conditions were mostly stable over the past month due to calm sea conditions. He noted no escarpments or active hotspots with a few potential hotspots that he will continue to monitor. He provided aerial views of the beach, noting various conditions along the shore and dune line.

6. Other Items

a. Beach Protection District Goals and Objectives

Director Duchock explained that HB7013 will require the Beach Protection District establish and publish goals and objectives for the District, including performance measures, and to report on those annually.

He stated that the first annual report is required to be published on the Town's website by December 1, 2025. He noted that staff has provided additional information detailing the District's current goals and objectives and is seeking discussion and recommendations from the Commission.

Mayor Townsend asked if there are other Beach Districts who are doing this as well. Director Duchock stated that he is reaching out to the Sebastian Inlet and Jupiter Inlet Districts on this task. He explained the district program can be broken into program elements including 1) Beach Renourishment, 2) District Funding, 3) Other District Activities, and 4) St. Lucie Inlet. Mayor Townsend suggested adding the Coastal Element (the protection of natural resources from the impacts of development and for protection

of the residents from natural disaster and sea level rise). She also suggested adding the following tasks:

- Protect wildlife habitat
- Protect natural functions of and enhance coastal barrier, beaches and dunes
- Preserve existing dune vegetation

Discussion ensued regarding the potential of purchasing a dredging company such as Weeks Marine. The Commission asked Director Duchock to provide preliminary information.

b. Other Items*

There were no other items.

Mayor Townsend adjourned the meeting at 1:16pm.

Respectfully Submitted,

Kimberly Kogos, Town Clerk

TOWN OF JUPITER ISLAND

MEMORANDUM

TO: Mayor & Town Commission

THROUGH: Robert Garlo, Town Manager *RG*

CC: Kimberly Kogos, Town Clerk

FROM: John Duchock, Asst. Town Manager/Beach District Director

RE: Agenda Item 2.: Resolution No. 916 Contract Award to Weeks Marine, Inc.

DATE: 8/22/2024

Background:

The Town began the bid solicitation process for beach renourishment (RFP#2024-04) on May 10, 2024. The Town held a bid opening at Town Hall on June 14th at 3:00 PM. The low bidder was Weeks Marine, Inc. and during the July 16th meeting the Town Commission approved moving forward with a contract subject to meeting all bond, insurance and submittal requirements of the Town. Weeks Marine has subsequently provided all requested documentation to the satisfaction of Town staff and the contract has been executed.

The contract award is for \$28,565,000 to Weeks Marine, Inc. A \$1,000,000 contingency is not included in the contract but has been budgeted for FY21. A resolution has been drafted reflecting the contract cost and the contingency, establishing a project budget of \$29,565,000.

Recommendation:

As an affirmation of the contract award and budgeted contingency, Town staff is seeking Commission approval of Resolution No. 916, establishing a contract price of \$28,565,000 and an overall project budget of \$29,565,000.

RESOLUTION NO. 916

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, AWARDED A CONTRACT FOR \$28,565,000 TO WEEKS MARINE, INC., FOR THE CONSTRUCTION OF THE 2024/25 BEACH RESTORATION PROJECT (ITB#2024-04), ESTABLISHING A CONSTRUCTION PHASE BUDGET OF \$29,565,000 FOR SAID PROJECT, AND AUTHORIZING THE TOWN MANAGER TO EXECUTE THE PURCHASE ORDER AND TAKE ACTION NECESSARY TO EFFECTUATE COMPLETION OF THE PROJECT.

WHEREAS, the Town Commission (Town) approved advancing a contract agreement for construction of the 2024/2025 beach restoration project with Weeks Marine, Inc. (Contractor); and,

WHEREAS, the Town has received all supporting documentation necessary to advance a contract agreement.

NOW, THEREFORE, be it resolved by the Town Commission as follows:

Section 1. The Town Commission of the Town of Jupiter Island hereby awards a contract to Weeks Marine, Inc., in an amount of \$28,565,000 for construction of the 2024/25 Beach Restoration Project (ITB#2024-04), and establishes a construction phase budget of \$29,565,000.

Section 2. The Town Manager is hereby authorized to execute a purchase order on behalf of the Town of Jupiter Island for construction of the 2024/25 Beach Restoration Project.

Section 3. The Town Manager, or his designee, is hereby authorized to take such further actions as may be necessary to effectuate the completion of the said project, including any necessary change order work as recommended by the Beach District Director.

PASSED AND ADOPTED by the Town Commission of the Town of Jupiter Island this 10th day of September 2024.

Attest:

TOWN OF JUPITER ISLAND

Kimberly Kogos, Town Clerk

Penelope Townsend, Mayor

**Approved as to form and
Legal Sufficiency:**

Marhsall Field VI, Vice-Mayor

Thomas J. Baird, Town Attorney

Anne Scott, Commissioner

Joseph Taddeo, Commissioner

Patricia Warner, Commissioner

JUPITER ISLAND BEACH RESTORATION PROJECT 2024

TOWN OF JUPITER ISLAND, FLORIDA

AGREEMENT

This Agreement for beach construction services, hereinafter called "Agreement", made and entered into on the 9th Day of September, 2024 by and between Weeks Marine, Inc., hereinafter called "Contractor" and the Town of Jupiter Island, hereinafter called "Owner".

WITNESSETH:

That Owner and Contractor in consideration of the mutual covenants hereinafter set forth, agree as follows:

1. **WORK.** The Contractor shall perform all work as described or indicated in the Agreement Documents for the completion of the project, generally described as follows: Jupiter Island Beach Restoration Project ITB#2024-04.
2. **ENGINEER.** The project has been designed by Applied Technology & Management, Inc., which will act as Engineer in connection with completion of the project in accordance with the Agreement documents.
3. **AGREEMENT PRICE.** Owner shall pay Contractor for faithful performance of the work in accordance with the Agreement Documents in current funds as follows:

Mobilization and Demobilization \$6,750,000.00, General Conditions \$150,000.00, Site Preparation/Staging Area Restoration \$50,000.00, Beach Tilling \$150,000.00, Sea Turtle Trawling (if required by regulatory agencies) \$165,000.00, and Beach Fill Required at \$17.75 per cubic yard measure for the bid requirement of 1,200,000 cubic yards is estimated to be \$21,300,000.00.

The maximum Agreement price shall not exceed \$28,565,000.00 without written amendment to this Agreement signed by both parties. The Owner is not obligated under this Agreement to guarantee the maximum Agreement price but shall compensate the Contractor for work agreed upon and completed in accordance with the Agreement Documents.

4. **PROGRESS AND FINAL PAYMENTS.** Owner shall make progress payments on account of the Agreement Price on the basis of Contractor's Applications for Payment, as approved by the Owner/Engineer, on a monthly basis during construction. Progress payments will be made in any amount equal to 95% of the work completed. The Town shall retain five percent (5%) of the amount of the payment until final completion and acceptance of the Agreement work. Final payment shall be made in accordance with Section 12(f) of the Agreement Specifications (p A-18).
5. **AGREEMENT.** The documents which comprise the Agreement between the Owner and Contractor are attached hereto and made a part hereof and consist of the following:
 - 5.1. Agreement Specifications (ITB#2024-04)
 - 5.2. Agreement Plans (Appendix C Project Drawings)

- 5.3. Bid Forms
- 5.4. This Agreement
- 5.5. Performance and Payment Bonds
- 5.6. Permits for the Work (Attachment A Project Permits)

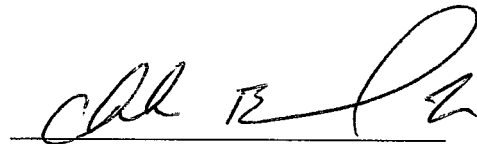
6. MISCELLANEOUS.

- 6.1. Neither Owner nor Contractor shall, without prior written consent of the other, assign, or sublet in whole or in part his interest under any of the Agreement Documents; and, specifically, Contractor shall not assign any monies due or to become due without prior written consent of Owner.
- 6.2. Owner and Contractor each binds himself, his partners, successors, assigns, and legal representatives to the other party hereto in respect to all covenants, agreements, and obligations contained in the Agreement Documents.
- 6.3. The Agreement Documents constitute the entire Agreement between Owner and Contractor and may only be altered, amended, or appealed by a duly executed written instrument.
- 6.4. This Agreement may be executed in counterparts, each of which may be executed and delivered via facsimile, PDF or email delivery with the same validity as if the agreement was an ink-signed document and each of which shall be effective and binding on the Parties as of the effective date. Each such counterpart shall be deemed an original and, when taken together with other signed counterparts, shall constitute one and the same Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

WEEKS MARINE, INC.

TOWN OF JUPITER ISLAND



Charles Broussard Jr.
Vice President

Penelope Townsend
Mayor

Approved as to Legal Sufficiency:

ATTEST:

Thomas J. Baird, Esq.
Town Attorney

Kimberly Kogos
Town Clerk

TOWN OF JUPITER ISLAND

MEMORANDUM

TO: Mayor & Town Commission

THROUGH: Robert Garlo, Town Manager *RG*

CC: Kimberly Kogos, Town Clerk

FROM: John Duchock, Asst. Town Manager/Beach District Director

RE: Agenda Item 3.: Resolution No. 922 FY25/26 Local Government Funding Request

DATE: 8/22/2024

Background:

Each year, the Town's Beach Protection District submits an application to the State of Florida in order to be considered for beach funding which is administered by the Florida Department of Environmental Protection through legislated funding each year. This year, the Town has applied for additional funds through the Local Government Funding Request 2025/26 funding application for permit-required monitoring costs (biological, physical, turbidity, and turtle). In order to acquire state funding, a resolution from the local sponsor (Town of Jupiter Island) must be passed which declares:

- Support from the Sponsor for the Proposed Project
- Willingness to serve as the Local Sponsor
- Ability to provide the full Local Cost Share
- And the source of the funding

Recommendation:

Resolution No. 922, supporting the Town's application for funding assistance under the Local Government Funding Request for fiscal year 2025/26, is presented for approval.

RESOLUTION NO. 922

A RESOLUTION OF THE TOWN OF JUPITER ISLAND BEACH PROTECTION DISTRICT, MARTIN COUNTY, FLORIDA, REQUESTING THAT THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION ACCEPT THE DISTRICT'S APPLICATION FOR PROGRAM PARTICIPATION IN THE DEPARTMENT'S BUDGET PLAN AND TO APPROVE THE REQUEST FOR FUNDS FOR THE RESTORATION OF THE TOWN'S BEACHES AS AUTHORIZED UNDER PROVISIONS OF CHAPTER 161, FLORIDA STATUTES, FLORIDA BEACH MANAGEMENT PROGRAM FOR THE FISCAL YEAR 2025-26.

WHEREAS, the Jupiter Island Beach Protection District is a Special District authorized by the Laws of Florida, Chapter 82-331, House Bill No. 709, to protect the beach and lands within the Town of Jupiter Island; and,

WHEREAS, the Town of Jupiter Island has suffered from continuing beach erosion, primarily due to its location south of the St. Lucie Inlet, the condition of which starves the beaches within the Town by intercepting the normal littoral drift sand moving along the coast; and,

WHEREAS, the Florida Department of Environmental Protection has adopted the St. Lucie Inlet Management Plan which identifies the Town's shoreline as being impacted by the St. Lucie Inlet; and,

WHEREAS, the Florida Department of Environmental Protection has listed the Town's beaches as critically eroding; and,

WHEREAS, the Town of Jupiter Island Beach Protection District is committed to preserving the sandy beach for storm protection, marine turtle nesting habitat, and environmental and recreational purposes; and,

WHEREAS, the Town of Jupiter Island Beach Protection District has levied local taxes to improve the health of the coastal system by mitigating erosion problems and is willing to serve as the local sponsor of the projects; and,

WHEREAS, a project is permitted, designed, and will be constructed in 2024/25 placing 1,200,000 cubic yards within the Town's permitted beach template at a cost of \$28,565,000; and,

WHEREAS, the Town's beaches were damaged due to the passage of Hurricanes Ian and Nicole, for which Federal and State disaster declarations were made and recovery funds have been obligated for construction of a recovery project; and,

WHEREAS, the beach restoration project will continue to be monitored as required by the permit authorizations granted and conditions required by the State and Federal government agencies; and,

WHEREAS, the beach restoration project meets the Department's guidelines for prioritizing projects for which state financial assistance has been sought pursuant to Chapter 161.161, Florida Statutes; and,

WHEREAS, the beach restoration project is consistent with the implementation plan for the St. Lucie Inlet, the Strategic Beach Management Plan, and is consistent with the Florida Department's objectives under Chapter 161, Florida Statutes; and,

WHEREAS, the beach restoration project is an element of the Town's long-range beach erosion control plan and the Town supports the Department's beach and coastal management programs; and,

WHEREAS, the long-range beach erosion control plan has been submitted in the application for participation in state financial assistance program pursuant to Sections 161.091, 161.101, and 161.161, Florida Statutes.

NOW, THEREFORE, that the Jupiter Island Beach Protection District requests the acceptance of this resolution and application for maximum level of financial assistance by the Florida Department of Environmental Protection and inclusion in the Department's Local Government Funding Request for FY2025-26 for beach erosion control projects and requests that the Department enter into a reimbursement agreement with the Town.

PASSED AND ADOPTED by the Town Commission of the Town of Jupiter Island this 10th day of September 2024.

Attest:

TOWN OF JUPITER ISLAND

Kimberly Kogos, Town Clerk

Penelope Townsend, Mayor

**Approved as to form and
Legal Sufficiency:**

Marhsall Field VI, Vice-Mayor

Thomas J. Baird, Town Attorney

Anne Scott, Commissioner

Joseph Taddeo, Commissioner

Patricia Warner, Commissioner

TOWN OF JUPITER ISLAND

MEMORANDUM

TO: Mayor & Town Commission

THROUGH: Robert Garlo, Town Manager *rw*

CC: Kimberly Kogos, Town Clerk

FROM: John Duchock, Asst. Town Manager/Beach District Director

RE: Agenda Item 4.: ITB#2024-07 Annual Beach & Dune Services

DATE: 8/27/2024

Background:

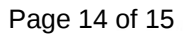
In an effort to be able to respond to smaller scale beach and dune restoration projects as either a planned project or in response to emergency conditions suffered during a storm, a multi-year contract for qualified contractors offering these services is desired. The Town solicited bids to provide annual beach and dune restoration services for the Beach Protection District and received three sealed responses on August 26, 2024.

Three companies (Eastman Aggregate Enterprises LLC, Dickerson Infrastructure Inc., and Ferreira Construction Company Inc.) provided complete responses. All companies are experienced and capable of providing construction services for beach and dune restoration as needed. If awarded, the length of a contract is an initial three-year period with optional single-year extensions for two additional years (maximum contract length of five years). Attached for reference is a bid summary table, including a preliminary cost estimate for a typical dune project in the 600 Block.

Requested Action

Town staff recommends approval and execution of contracts with all three bidders to provide Annual Beach and Dune Restoration Services as outlined in the bid documents. Retaining multiple contractors will provide the Town with the best options for future response. Work order requests will be solicited by staff from the lowest price respondent first with any expenditures exceeding \$35,000 being approved by the Town Commission in accordance with Town procurement policies.

Prepared by JD



TOWN OF JUPITER ISLAND

MEMORANDUM

TO: Mayor & Town Commission

THROUGH: Robert Garlo, Town Manager *RM*

CC: Kimberly Kogos, Town Clerk

FROM: John Duchock, Asst. Town Manager/Beach District Director

RE: Agenda Item 5.: ITB#2024-11 Turbidity Monitoring

DATE: 8/27/2024

Background:

The Joint Coastal Permit (JCP) issued by the Florida Department of Environmental Protection (FDEP) for the Town's beach nourishment program includes requirements to measure turbidity during construction. The Town solicited bids through an Invitation to Bid (ITB#2024-11) to provide turbidity monitoring services during the upcoming 2024/2025 beach nourishment project. Sealed responses were received and opened on August 26, 2024. Two companies responded to the solicitation: Grimdeeper LLC and Olin Hydrographic Solutions. The following table summarizes the results of the bids.

WORK ITEM	Grimdeeper LLC	Olin Hydrographic, Inc.
One-Time Mobilization Fee	\$3,000.00	\$0
Equipment and Materials Daily Rate	\$450.00	\$300.00
Labor Daily Active Construction Rate	\$825.00	\$500.00
Weekly Reporting	\$ (included)	\$700.00
Daily Standby Rate	\$600.00	\$300.00

In order to compare total pricing for the anticipated beach nourishment project, an assumed project duration of 60 days, including 8 weekly reports and 10 standby days (due to weather, etc.) was used to calculate and compare bid pricing. Based on those assumptions the bid results can be compared as follows: Olin Hydrographic (\$56,600), Grimdeeper LLC (\$82,500).

Requested Action

Town staff recommends approval and execution of a contract with Olin Hydrographic Solutions, Inc., subject to Town counsel review for legal sufficiency, to provide turbidity monitoring services. Prior to initiation of monitoring services during construction, Town staff will bring forward a work order for commission approval.