

CONTRACT, LEASE, AGREEMENT CONTROL FORM

Date: 05/03/2022

Contract/Lease Control #: C18-2692-TDD

Procurement#: NA

Contract/Lease Type: AGREEMENT

Award To/Lessee: GEORGE GRAY

Owner/Lessor: OKALOOSA COUNTY

Effective Date: 04/20/2022

Expiration Date: 04/19/2023

Description of: ENDANGERED SPECIES TURTLE SURVEY SERVICE

Department: TDD

Department Monitor: ADAMS

Monitor's Telephone #: 850-609-5387

Monitor's FAX # or E-mail: JADAMS@MYOKALOOSA.COM

Closed:

Cc: BCC RECORDS

**PROCUREMENT/CONTRACT/LEASE
INTERNAL COORDINATION SHEET**

Procurement/Contract/Lease Number: C18-2962-TRP Tracking Number: 4567-22
Procurement/Contractor/Lessee Name: George W. Org Grant Funded: YES ___ NO X
Purpose: renewal / amendment # 2
Date/Term: 4-19-2023
Department #: _____
Account #: 53411
Amount: \$ 36,000.00
Department: Adams Dept. Monitor Name: TOO

1. GREATER THAN \$100,000
2. GREATER THAN \$50,000
3. \$50,000 OR LESS

Purchasing Review
Procurement or Contract/Lease requirements are met:
DeRita Mason Date: 4-5-2022
Purchasing Manager or designee Jeff Hyde, DeRita Mason, J...a Darr, Angela Etheridge

2CFR Compliance Review (if applicable)
Approved as written: no Federal m... Date: _____
Grants Coordinator Suzanne Ulloa

Risk Management Review
Approved as written: see email attached Date: 4-5-22
Risk Manager or designee Kristina LoFria

County Attorney Review
Approved as written: see email attached Date: 4-18-22
County Attorney Lynn Hoshihara, Kerry Parsons or Designee

Department Funding Review
Approved as written: _____ Date: _____

IT Review (if applicable)
Approved as written: _____ Date: _____

DeRita Mason

From: Kerry Parsons
Sent: Monday, April 18, 2022 1:54 PM
To: DeRita Mason; Lynn Hoshihara
Cc: Kristina LoFria
Subject: Re: Gray Renewal & Amendment 2

This is approved for legal purposes.

Kerry A. Parsons
Chief Assistant County Attorney
Okaloosa County, Florida

From: DeRita Mason
Sent: Tuesday, April 5, 2022 9:08:04 AM
To: Lynn Hoshihara
Cc: Kerry Parsons; Kristina LoFria
Subject: FW: Gray Renewal & Amendment 2

Good morning,
Please review and approve the attached.
Thank you,

DeRita Mason



DeRita Mason, CFPB, NIGP-CFP
Senior Contracts and Lease Coordinator
Okaloosa County Purchasing Department
5479A Old Bethel Road
Crestview, Florida 32633
(850) 689-5960
dmason@myokaloosa.com

"Please note: Due to Florida's very broad public records laws, most written communications to or from County employees regarding County business are public records, available to the public and media upon request. Therefore, this written e-mail communication, including your e-mail address, may be subject to public disclosure."

DeRita Mason

From: Kristina LoFria
Sent: Tuesday, April 5, 2022 10:12 AM
To: DeRita Mason
Subject: RE: Gray Renewal & Amendment 2

DeRita,

Good morning, This is approved by Risk, no insurance element.

Thank You

Kristy LoFria

Okaloosa County BOCC-Risk Management
Public Records & Contract Specialist
302 N Wilson St Suite 301
Crestview, Florida 32536
klofria@myokaloosa.com
850-689-5979



For all things Wellness please visit:

<http://www.myokaloosa.com/wellness>

"When the winds of adversity blow against your boat, just adjust your sail."

"Don't aim for success if you want it; just do what you love and believe in, and it will come naturally." David Frost

Please note: Due to Florida's very broad public records laws, most written communications to or from county employees regarding county business are public records, available to the public and media upon request. Therefore, this written e-mail communication, including your e-mail address, may be subject to public disclosure.

From: DeRita Mason <dmason@myokaloosa.com>
Sent: Tuesday, April 5, 2022 9:08 AM
To: Lynn Hoshihara <lhoshihara@myokaloosa.com>
Cc: Kerry Parsons <kparsons@myokaloosa.com>; Kristina LoFria <klofria@myokaloosa.com>
Subject: FW: Gray Renewal & Amendment 2

Good morning,
Please review and approve the attached.

**RENEWAL & AMENDMENT NO. 2 TO AGREEMENT FOR
ENDANGERED SPECIES TURTLE SURVEY SERVICE**

CONTRACT # C18-2692-TDD

This Renewal and Amendment No. 2 hereby renews and amends the Contract effective April 20, 2018, by and between Okaloosa County, Florida ("County") and George W. Gray ("Contractor"), also known as County Contract No. C18-2692-TDD.

WITNESSETH:

WHEREAS, the initial term of the Contract expired on April 19, 2021, and provides for two, one-year renewal options; and

WHEREAS, the first renewal option was exercised through April 19, 2022; and

WHEREAS, both parties desire to exercise the second renewal option through April 19, 2023; and

WHEREAS, the County desires to amend compensation and scope of services with respect to turtle surveys and educational activities.

NOW THEREFORE, in consideration of the mutual covenants herein and other good and valuable consideration, the parties hereby agree to amend the Contract as follows:

1. The Contract is hereby renewed for one year through April 19, 2023.
2. Section II. Scope of Work is hereby amended as follows: Contractor shall allow County staff to perform daily marine turtle tract and nesting surveys, marking and monitoring, and other conservation activities in accordance with the requirements of the Florida Fish and Wildlife Commission and its Marine Turtle Permit (Services).
3. Section II. Scope of Work Survey Area is hereby amended as follows: Contractor and County staff shall perform such Services along the entire shoreline area and related dry sand areas seaward of the primary dune system in the following areas.
4. Section IV. Payment is hereby amended as follows: The County shall pay the Contractor for the full and timely performance of its obligations hereunder, a total amount not to exceed ~~\$49,000.00~~ \$42,000 per calendar year to be paid in monthly installments. Contractor shall invoice the County in six (6) equal monthly amounts of ~~\$8,166.67~~ \$7,000. Payment shall be reduced by the amount of ~~\$266.30~~ \$228.26 for each day Okaloosa County staff is not permitted to attend turtle surveys and educational beach walks as scheduled due to Contractor's failure to timely respond or other negligence on behalf of the Contractor. Payment shall be reduced by the amount of \$100.00 for each day the Contractor begins turtle surveys later than twenty (20) minutes prior to sunrise.

CONTRACT: C18-2692-TDD
GEORGE GRAY
ENDANGERED SPECIES TURTLE SURVEY
SERVICES
EXPIRES: 04/19/2023

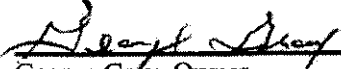
5. Section XVV. Survey Timing is hereby amended as follows: The Services are to be conducted each day, rain or shine, ~~as early as practicable~~ beginning no later than twenty (20) minutes prior to sunrise continuing until the Services are completed. Contractor and County staff will create weekly schedules for start times and locations in coordination with the predicted time of sunrise as outlined in the table below.

Week	Sunrise	Survey Start	Penalized After
1-May	6:01	5:31	5:41
8-May	5:56	5:26	5:36
15-May	5:51	5:21	5:31
22-May	5:47	5:17	5:27
29-May	5:45	5:15	5:25
5-Jun	5:43	5:13	5:23
12-Jun	5:43	5:13	5:23
19-Jun	5:44	5:14	5:24
26-Jun	5:46	5:16	5:26
3-Jul	5:49	5:19	5:29
10-Jul	5:52	5:22	5:32
17-Jul	5:56	5:26	5:36
24-Jul	6:00	5:30	5:40
31-Jul	6:04	5:34	5:44
7-Aug	6:08	5:38	5:48
14-Aug	6:13	5:43	5:53
21-Aug	6:17	5:47	5:57
28-Aug	6:21	5:51	6:01
4-Sep	6:25	5:55	6:05
11-Sep	6:29	5:59	6:09
18-Sep	6:32	6:02	6:12
25-Sep	6:36	6:06	6:16
2-Oct	6:40	6:10	6:20
9-Oct	6:45	6:15	6:25
16-Oct	6:49	6:19	6:29
23-Oct	6:54	6:24	6:34
30-Oct	6:59	6:29	6:39

6. Section XVVIII. Educational Activities is hereby deleted in its entirety. The County shall assume all educational activities previously conducted by the Contractor and the Contractor is relieved of all educational activity responsibilities.
7. This Renewal and Amendment No. 2 shall be effective upon execution by the County.
8. All other provisions of Contract # C18-2692-TDD shall remain in full force and effect throughout the duration of this renewal and amendment.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed on the last date herein written below.

GEORGE W. GRAY



George Gray, Owner

Date: 4-29-22

OKALOOSA COUNTY, FLORIDA

Faye Douglas Digitally signed by Faye Douglas
Date: 2022.05.03 07:22:12 -05'00'

Faye Douglas, OMB Director

Date: _____



Marine Turtle Permit

Florida Fish and Wildlife Conservation Commission
Imperiled Species Management Section-Tequesta Field Lab, 19100 SE Federal Highway
Tequesta, FL 33469
(561) 882-5975

Permittee: GEORGE GRAY Permit#: MTP-22-033
EMERALD COAST TURTLE WATCH Effective Date: 04/01/2022
P.O. BOX 5048 Expiration Date: 01/31/2023
DESTIN, FLORIDA 32540
UNITED STATES
Principal Officer: GEORGE GRAY
Qualified Individual: George Gray

Is Authorized to:

1. conduct nesting surveys;
2. relocate nests for conservation purposes - see Conditions;
3. conduct stranding/salvage activities;
4. outfit nests with restraining cage - when specifically approved by FWC on a case-by-case basis;
5. conduct public hatch success evaluations;
6. conduct hatch success evaluations;
7. recover & release disoriented hatchlings as outlined in Section 2 of the Handbook;
8. maintain & display preserved specimens; and
9. monitoring for mechanical beach cleaning.

Authorized Nesting Survey

- Area:
1. Navarre Beach;
 2. Okaloosa County Island Beaches;
 3. Okaloosa County Beaches - Middle; and
 4. Okaloosa County Beaches - East.

Principal Officer Signature: George W Gray Date: 4/1/2022

Not valid unless signed by the Principal Officer. By signature, the Principal Officer confirms that all information provided to issue the permit is accurate and complete, and indicates acceptance and understanding of the provisions and conditions listed below. **Any false statements or misrepresentations when applying for this permit may result in felony charges and will result in revocation of this permit.**

By signature, I acknowledge that I have read and understand this permit. Signature of this permit indicates that I, the Qualified Individual and all authorized personnel listed below have read and agree to abide by all Florida Fish and Wildlife Conservation Commission (FWC) Marine Turtle Conservation Handbook sections that pertain to the authorized activity(s) listed on this Marine Turtle Permit. I understand that it is my responsibility to transmit all future information updates to all authorized personnel listed on my permit. Principal Officer must provide a signed copy of this permit to the FWC (address above or MTP@MyFWC.com) to activate this permit.

Authorized By: ROBBIN TRINDELL Authorized for: Eric Sutton, Executive Director

Authorizing Signature: _____ Date: 04/01/2022
Marine Turtle Permit

Authorized Research Projects: None.

Authorized Monitoring Projects:

1. Monitoring for East Pass and Destin Harbor Maintenance Dredging Project (DEP File No. 0288799-003-JC), authorized 2020.

Authorized Personnel:

Michael Sandler; Johnny Springfield; Michelle Pettis; Susan Calhoun; Natalie Dyson; Bob Blais; Sara Gray; Cathy Holmes; James Holmes; Cinnamon Tyler; Neil Gray; Pam Saxton; Paige Douglas; Ralph Agnew; Britt Dolan; Patti Sawyer.

PERMIT CONDITIONS AND PROVISIONS:

- 1 Permitted individuals must adhere to the FWC Marine Turtle Conservation Handbook developed under a Section 6 Cooperative Agreement between FWC and the U.S. Fish and Wildlife Service.
- 2 All transfers of possession of marine turtles or specimens into or out of the State of Florida must be accompanied by a specific consent permit from FWC.
- 3 See attached Marine Turtle Monitoring for beach restoration projects.
- 4 All Authorized Activities and interactions with marine turtles can only be conducted pursuant to the voluntary program created for and by the Commission and implemented at Commission staff's direction. When the Commission determines any Authorized Activities (in whole or in part), either conducted or requested, are not needed as part of the voluntary program, the permit application (in whole or in part) may be denied, the permit may not be renewed, or may be revoked at the discretion of the Commission pursuant to Rule 68E-1.004(19)(b), F.A.C.
- 5 Monitoring for any beach fill project must be approved by ISM and must be listed under the Authorized Monitoring section of this permit.
- 6 Nest relocation for conservation purposes is limited to:
 1. Nests deposited at or below the daily high tide line (not storm or spring tide lines);
 2. Nests that will be inundated every day by normal tidal fluctuations (not storm or spring tide fluctuations);
or
 3. Nests located seaward of a storm water outfall.

All relocated nests will be marked and the actual location of the clutch determined. A circle with a minimum radius of three (3) feet, centered at the clutch, shall be marked by stake and survey tape or string.

- 7 Nest inventories (i.e., hatch and emergence success evaluations) of loggerhead and green turtle nests may only be conducted no earlier than 72 hours after the first sign of emergence or 70 days after the eggs were deposited, whichever occurs first. Nest inventories of leatherback nests may be conducted no earlier than 72 hours after the first signs of emergence or 80 days after the eggs were deposited, whichever occurs first. A nest that has been subjected to inundation, excessive rainfall, shading, or cool fronts, should not be excavated until 80 days after egg deposition or 96 hours after the first emergence to allow all hatchlings to emerge naturally before excavating the nest.

If 10 or more live hatchlings are encountered during a hatch success evaluation, recover the egg chamber with moist sand and return the site to its original condition. Permittee and Authorized Personnel must wait at least 24 hours before attempting to excavate again. This process should be repeated until such time as <10 live hatchlings are encountered in the nest indicating that the mass emergence has already occurred and that hatchlings able to leave the nest on their own have done so.

Nests may not be evaluated earlier than outlined above for any reason without specific written approval from FWC prior to evaluation.

A person whose substantial interests are affected by FWC's action may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. A person seeking a hearing on FWC's action shall file a petition for hearing with the agency within 21 days of receipt of

written notice of the decision. The petition must contain the information and otherwise comply with section 120.569, Florida Statutes, and the uniform rules of the Florida Division of Administration, chapter 28-106, Florida Administrative Code. If the FWC receives a petition, FWC will notify the Permittee. The attached Explanation of Rights statement provides additional information as to the rights of parties whose substantial interests are or may be affected by this action.