



## Legislation Text

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**TO: Mayor and Commissioners**  
**FROM: Missie Barletto, Deputy Director of Program and Project Management**  
**THROUGH: Mark R. Lauzier, City Manager**  
**DATE: February 6, 2018**

CONTRACT RENEWAL WITH DB ECOLOGICAL SERVICES, INC. FOR MARINE TURTLE MONITORING SERVICES DURING THE 2018 SEA TURTLE NESTING SEASON

**Recommended Action:**

Motion to renew the marine turtle monitoring services contract with DB Ecological Services, Inc. in the amount of \$40,081 for the Marine Turtle Monitoring Services during the 2018 sea turtle nesting season; Project No. 2017-081.

**Background:**

The City of Delray Beach holds a Joint Coastal Permit (JCP), Permit No.0303553-001-JC, with the Florida Department of Environmental Protection (FDEP) and the United States Army Corps of Engineers (USACE) for sand nourishment of the beach front with offshore borrow areas. The JCP has conditions specific to the beach nourishment / construction activities, marine turtle and manatee protection, monitoring and reporting. The JCP marine turtle protection conditions include annual surveying for marine turtle nesting activity and egg relocations (as necessary) during the nesting season.

Additionally, the City of Delray Beach cleans the beaches with mechanical equipment (beach tilling) and, as such, marine turtle nesting surveys, staking and egg relocations are required for the protection of the species. The sea turtles that nest on Florida Beaches are either endangered or threatened and are protected under the Federal Endangered Species Act of 1973 and Florida's Marine Turtle Protection Act (379.2431, Florida Statutes).

The Florida Fish and Wildlife Conservation Commission (FWC), qualifies and issues marine turtle permits under authority granted to the state through a Cooperative Agreement with the U.S. Fish and Wildlife Service (USFWS). The turtle conservation program requires reporting on hatching and reproduction success rates; also involves inventory and excavation of nests on The City of Delray Beach's beach.

The City of Delray Beach Marine Turtle Conservation program began in 1984. The City's 2.8 mile long beach area begins just north of the Highland Beach/Delray Beach boundary to just south of the Ocean Ridge/Delray Beach City limit. The City of Delray Beach has participated in eight beach

nourishment projects from 1973 to 2012, with the most recent sand renourishment project completed in the fall of 2012 in response to damages incurred by Hurricane Sandy.

Prior to the 2015 marine turtle monitoring season; Delray Beach staff solicited bids for marine turtle monitoring (Bid No. 2015-02). The original contract period was for two years (2015 & 2016) with two additional one-year renewal options based on the same price and terms; \$40,081 per season renewable by City Commission. The City of Delray Beach renewed the agreement in March 2017 for the 2017 sea turtle nesting season. This renewal request is for the second and final renewal option to extend the contract through the 2018 sea turtle nesting season.

This recommendation complies with the City Code of Ordinances, Chapter 36, Section 36.07 (A)(3), "*Renewals*".

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

This project was approved during the budget adoption process as part of the Capital Improvement Program. Continuation of the turtle monitoring program is a requirement of State and Federal permitting. Failure to continue to provide this program will result in a permit violation and may jeopardize the City's qualification for Federal, State and Palm Beach County funding for beach renourishment projects. Funding is available from account number 332-41-363-572.34-90 (Beach Restoration Fund: Other Contractual Services).

**Timing of Request:**

This item is time sensitive. The City is required to begin sea turtle monitoring by March 1, 2018.