

FIRST AMENDMENT TO AGREEMENT FOR LEE COUNTY MARSH MAINTENANCE

THIS FIRST AMENDMENT TO AGREEMENT FOR LEE COUNTY MARSH MAINTENANCE, made and entered into by and between the Lee County Board of County Commissioners, a political subdivision of the State of Florida ("County") and Woods and Wetlands, Inc., ("Vendor"), collectively, the "Parties."

WHEREAS, the County entered into an Agreement, through Solicitation No. B220148JJB, for marsh maintenance services with Vendor on the 19th day of May, 2022 ("Agreement"); and,

WHEREAS, after execution of the Agreement, the County determined that an additional location, the Yellow Fever Creek Preserve, needed to be added to the Agreement; and,

WHEREAS, County and Vendor desire to enter into this First Amendment to add the Yellow Fever Creek Preserve location to the Attachment 9.1 – LEE COUNTY MARSH MAINTENANCE SCOPE OF WORK to Solicitation No. B220148JJB, the Yellow Fever Creek Preserve location map to the Attachment 9.2 to Solicitation No. B220148JJB and the accompanying pricing to the Exhibit B. Fee Schedule.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING AND THE MUTUAL COVENANTS CONTAINED HEREIN, IT IS AGREED AS FOLLOWS:

1. Effective March 21, 2022, Attachment 9.1 – LEE COUNTY MARSH MAINTENANCE SCOPE OF WORK to Solicitation No. B220148JJB shall be superseded by the following:

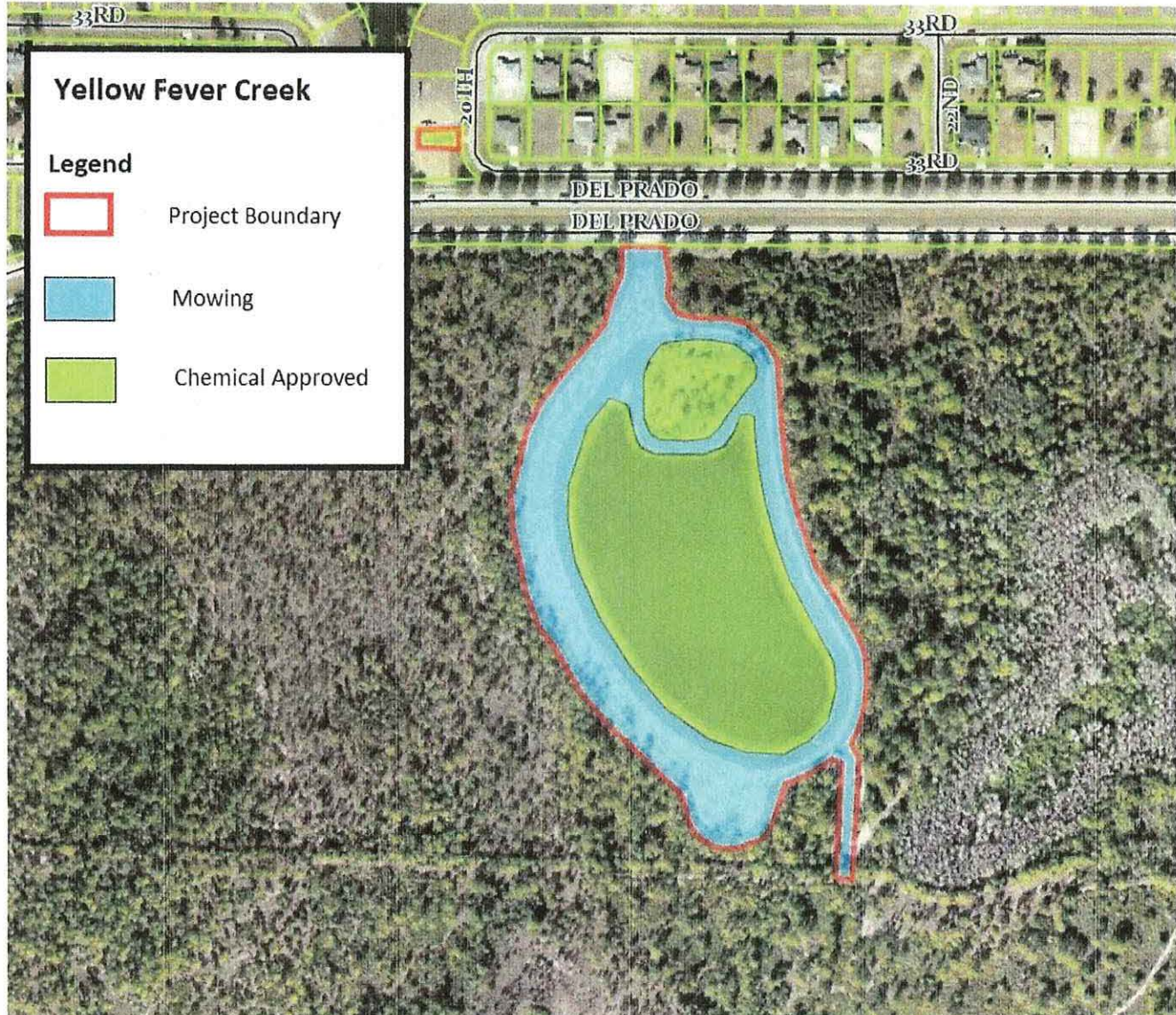
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Project Site Name	Project Area (Acre)	Site Specific Detail
6 Mile	9.75	N/A
10 Mile Canal (D)	8	<ul style="list-style-type: none"> Avoid clearing/removing vegetation on railroad property and maintenance berm slope adjacent to property, however trimming back vegetation on top of berm is permitted to allow vehicle travel. (Lead Trees have a habit of growing across top of berm from railroad property)
Briarcliff	15	<ul style="list-style-type: none"> Intake to project area at Briarcliff Canal has turbidity curtains to help mitigate alligator weed into treatment cells, contractor will ensure curtains are free of vegetation
Fichter's Creek	28.6	<ul style="list-style-type: none"> Contractor will coordinate with Parks to close trails when treating
Gator Slough	21.6	<ul style="list-style-type: none"> All grassy & bushy vegetation along the riprap slope on the north/south banks shall be flush cut, treated with an approved herbicide and removed from the site. All the remaining grass slopes shall be mowed. Care should be taken not to damage the root structure of the existing emergent aquatic vegetation. Willows will be trimmed as needed if they are low lying and potentially obstructing flow
Halfway Creek	0.25	N/A
Lakes Park Filter Marsh	79.6	<ul style="list-style-type: none"> Weed eat, rake, remove, and treat torpedo grass. Exercise due care in vicinity of planted vegetation. (West Lake, Reflection Lake, East Lake) The treatment area includes the lake banks associated with the treatment area. This includes all cattail stands south of the boardwalk. Any leaning or fallen trees that are still alive shall be re-staked to vertical. (Littoral Islands) Remove all vegetation (native or nonnative) from within lake interconnect leading to of the East to West lake control structure. (See map for location) No weekend work permitted, take caution when actively working as this park is the most used park in the County. Coordinate with Parks to spray Contractor will stay on designated access paths.
Nalle Grade	75	<ul style="list-style-type: none"> The southern area of the park is an archery range run by the Lee County Archers. Anytime personnel will be south of the fence line, coordination with the Archers must take place. Chick Richards is president and can be reached at 239-247-3499. Wetland within the berm will be kept to no more than 5% coverage of willows. Any willows above the 5% coverage will be cut, treated, and removed. Swale located on the outside/south end of wetland near the outfall ditch shall be maintained.
Palmona Park	2.6	<ul style="list-style-type: none"> Ditch limits are top of bank to top of bank and may require a ROW permit from LDOT depending on how work is performed. All vegetation overhanging the ditch is to be cut back to the far top of bank to a height of 6' as measured from the top of bank.
Popash Creek	31.8	<ul style="list-style-type: none"> Gopher Tortoise present on site. Contractor will take adequate precautions to keep heavy equipment away from known and visibly apparent burrows, and tortoises that may be above ground.
Powell Creek	31.5	<ul style="list-style-type: none"> Remove all vegetation (native or nonnative) within the canal between the two signs on the bank and from the bank to the west side of the peaked intake grate. Gopher Tortoise present on site. Contractor will take adequate precautions to keep heavy equipment away from known and visibly apparent burrows, and tortoises that may be above ground.
Prairie Pines	197	<ul style="list-style-type: none"> Gopher Tortoise present on site. Contractor will take adequate precautions to keep heavy equipment away from known and visibly apparent burrows, and tortoises that may be above ground. Contractor will not treat or mow the southern berm. Maintain as need to prevent erosion.
Yellow Fever Creek	1.1	N/A
Yellow Fever Creek Preserve	15.1	N/A

2. Effective March 21, 2022, the Exhibit B. Fee Schedule shall be superseded by the following:

Lee County Marsh Maintenance					
Item	Description	Unit of Measure	Estimated Quantity	Unit Price	Extended Amount
1.1	6 Mile - Herbicide Treatment and Category 1 & 2 exotic and nuisance	LS	3	\$4,000.00	12,000.00
1.2	6 Mile - Mowing and Removing trash/debris	LS	3	\$500.00	\$1,500.00
1.3	6 Mile - General Maintenance	LS	3	\$200.00	\$600.00
2.1	10 Mile Canal (Daniels) - Herbicide Treatment and Category 1 & 2 exotic and nuisance	LS	3	\$6,000.00	18,000.00
2.2	10 Mile Canal (Daniels) - Mowing and Removing trash/debris	LS	3	\$1,000.00	\$3,000.00
2.3	10 Mile Canal (Daniels) - General Maintenance	LS	3	\$500.00	\$1,500.00
3.1	Briarcliff - Herbicide Treatment and Category 1 & 2 exotic and nuisance	LS	3	\$5,800.00	17,400.00
3.2	Briarcliff - Mowing and Removing trash/debris	LS	3	\$1,000.00	\$3,000.00
3.3	Briarcliff - General Maintenance	LS	3	\$500.00	\$1,500.00
4.1	Fichter's Creek - Herbicide Treatment and Category 1 & 2 exotic and nuisance	LS	3	\$9,000.00	27,000.00
4.2	Fichter's Creek - Mowing and Removing trash/debris	LS	3	\$1,000.00	\$3,000.00
4.3	Fichter's Creek - General Maintenance	LS	3	\$500.00	\$1,500.00
5.1	Gator Slough - Herbicide Treatment and Category 1 & 2 exotic and nuisance	LS	3	\$5,000.00	15,000.00
5.2	Gator Slough - Mowing and Removing trash/debris	LS	3	\$500.00	\$1,500.00
5.3	Gator Slough - General Maintenance	LS	3	\$500.00	\$1,500.00
6.1	Halfway Creek - Herbicide Treatment and Category 1 & 2 exotic and nuisance	LS	3	\$1,000.00	\$3,000.00
6.2	Halfway Creek - Mowing and Removing trash/debris	LS	3	\$500.00	\$1,500.00
6.3	Halfway Creek - General Maintenance	LS	3	\$500.00	\$1,500.00
7.1	Lake Park Filter Marsh - Herbicide Treatment and Category 1 & 2 exotic and nuisance	LS	3	\$22,000.00	\$66,000.00
7.2	Lake Park Filter Marsh - Mowing and Removing trash/debris	LS	3	\$1,000.00	\$3,000.00
7.3	Lake Park Filter Marsh - General Maintenance	LS	3	\$1,000.00	\$3,000.00
8.1	Nalle Grade - Herbicide Treatment and Category 1 & 2 exotic and nuisance	LS	3	\$7,000.00	21,000.00
8.2	Nalle Grade - Mowing and Removing trash/debris	LS	3	\$1,000.00	\$3,000.00
8.3	Nalle Grade - General Maintenance	LS	3	\$1,000.00	\$3,000.00
9.1	Palmona Park - Herbicide Treatment and Category 1 & 2 exotic and nuisance	LS	3	\$5,000.00	\$15,000.00
9.2	Palmona Park - Mowing and Removing trash/debris	LS	3	\$1,000.00	\$3,000.00
9.3	Palmona Park - General Maintenance	LS	3	\$1,000.00	\$3,000.00
10.1	Popash Creek - Herbicide Treatment and Category 1 & 2 exotic and nuisance	LS	3	\$4,000.00	\$12,000.00
10.2	Popash Creek - Mowing and Removing trash/debris	LS	3	\$1,000.00	\$3,000.00
10.3	Popash Creek - General Maintenance	LS	3	\$4,000.00	12,000.00
11.1	Powell Creek Filter Marsh - Herbicide Treatment and Category 1 & 2 exotic and nuisance	LS	3	\$4,500.00	\$13,500.00
11.2	Powell Creek Filter Marsh - Mowing and Removing trash/debris	LS	3	\$500.00	\$1,500.00
11.3	Powell Creek Filter Marsh - General Maintenance	LS	3	\$500.00	\$1,500.00
12.1	Prairie Pines - Herbicide Treatment and Category 1 & 2 exotic and nuisance	LS	3	\$9,000.00	\$27,000.00
12.2	Prairie Pines - Mowing and Removing trash/debris	LS	3	\$1,500.00	\$4,500.00
12.3	Prairie Pines - General Maintenance	LS	3	\$500.00	\$1,500.00
13.1	Yellow Fever Creek - Herbicide Treatment and Category 1 & 2 exotic and nuisance	LS	3	\$1,500.00	\$4,500.00
13.2	Yellow Fever Creek - Mowing and Removing trash/debris	LS	3	\$500.00	\$1,500.00
13.3	Yellow Fever Creek - General Maintenance	LS	3	\$500.00	\$1,500.00
14.1	Yellow Fever Creek Preserve - Herbicide Treatment and Category 1 & 2 exotic and nuisance	LS	3	\$1,500.00	\$4,500.00
14.2	Yellow Fever Creek Preserve - Mowing and Removing trash/debris	LS	3	\$500.00	\$1,500.00
14.3	Yellow Fever Creek Preserve - General Maintenance	LS	3	\$500.00	\$1,500.00

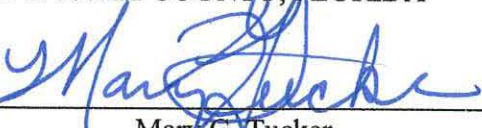
3. Effective April 4, 2023, Attachment 9.2 to Solicitation No. B220148JJB shall be supplemented by the following:




IN WITNESS WHEREOF this First Amendment of the Agreement has been signed and sealed, in duplicate, by the respective Parties hereto.

DATED this 11 day of April, 2023 by the Lee County Board of County Commissioners.

COUNTY: LEE COUNTY, FLORIDA

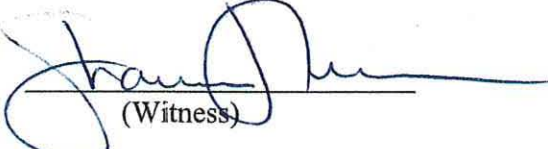
BY: 
Mary G. Tucker
Director of Procurement Management, on behalf of the Board of County Commissioners

APPROVED as to Form for the Reliance of Lee County Only

BY: 
County Attorney's Office

DATED this 22 day of February, 2023 by Woods and Wetlands, Inc.

ATTEST:


(Witness)

BY: 
Authorized Signature

DAVID J. Quinlan
Authorized Signature Printed Name

President
Authorized Signature Title

