



V I L L A G E O F K E Y B I S C A I Y N E

Office of the Village Manager

MEMORANDUM

Village Council
Mayra P. Lindsay, *Mayor*
Franklin H. Caplan, *Vice Mayor*
Luis F de la Cruz
Theodore Holloway
Michael E. Kelly
Edward London
James S. Taintor

DATE: December 1, 2015
TO: Honorable Mayor and Council Members
FROM: John C. Gilbert, Village Manager
RE: Mashta Flats Vessel Exclusion Project

Village Manager
John C. Gilbert

RECOMMENDATION

It is recommended that the Village Council authorize the Village Manager to enter into an Agreement with Dock and Marine Construction for the installation of ten (10) uniform waterway markers.

BACKGROUND

The project to install ten (10) uniform waterway markers in the Mashta Flats area was initially bid on March 25, 2015. Due to a delay in receiving the environmental regulatory permits the bids expired and were re-bid on September 18, 2015. The Village received only two (2) bids and not the minimum three (3) bids required. The project was therefore re-bid on October 7, 2015 and a total of three (3) bids were received, see attached Exhibit A-1 Bid Tabulation. Coastal Systems International, Inc. has evaluated the bids and has determined that Dock and Marine Construction (see attached Exhibit A) is the lowest, most responsive bidder at a cost not to exceed \$86,800. See attached Class I Construction Permit as Exhibit B.

This project will be funded by the Capital Improvement Fund.

Reviewed by Mr. Chad Friedman from Weiss Serota Helfman Cole & Bierman as to form and legal sufficiency.

RESOLUTION NO. 2015-

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, SELECTING DOCK AND MARINE CONSTRUCTION CORPORATION FOR THE INSTALLATION OF TEN UNIFORM WATERWAY MARKERS; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village of Key Biscayne, Florida (the “Village”) engaged the services of Coastal Systems International, Inc. (“Coastal Systems”), to review bids for the Mashta Flats Vessel Exclusion Area Project (the “Project”); and

WHEREAS, after review and consideration of the proposals submitted, Coastal Systems has determined that the most cost effective and responsive bidder amongst all the bids received was Dock and Marine Construction Corporation (“Dock and Marine”); and

WHEREAS, the Village Counsel desires to select Dock and Marine for the installation of ten (10) uniform waterway markers and authorizes the Village Manager to enter into an agreement with Dock and Marine, consistent with the proposal attached hereto as Exhibit “A;” and

WHEREAS, the Village Council finds that this Resolution is in the best interest and welfare of the residents of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. Each of the above stated recitals are hereby adopted, confirmed and incorporated herein.

Section 2. Selection of Dock and Marine. The Village Council hereby selects Dock and Marine for the installation of ten (10) uniform waterway markers in an amount not to exceed \$86,800.00 as further provided in the proposal attached hereto as Exhibit “A.”

Section 3. Village Manager Authorized. The Village Manager is hereby authorized to execute an agreement with Dock and Marine for the installation of ten (10) uniform waterway markers in an amount not to exceed \$86,800.00 consistent with the proposal, attached hereto as Exhibit "A," subject to the Village Attorney's approval as to form, content and legal sufficiency.

Section 4. Effective Date. This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 1st day of December, 2015.

MAYOR MAYRA PEÑA LINDSAY

ATTEST:

CONCHITA H. ALVAREZ, MMC, VILLAGE CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

VILLAGE ATTORNEY

Exhibit A

Line: 2

Description: **Installation of 10 single pile signs at Mashta Flats Vessel Exclusion Zone on Key Biscayne per the attached specifications and supplemental documents. Pricing shall be in the form as below, and shall include all labor, supervision, equipment, materials, supplies, and any other items and/or incidentals identified by the City.**

Category: Specialty Trade- Marine Services

Supply the following in accordance with the specifications:

1. Mobilization			
Unit of Measure: Lump Sum			
Unit Price: \$ <u>6400</u>	Number of Units: 1	Total: \$	<u>6400</u>
2. Furnish and Install Support Piles and Signs			
Unit of Measure: Each Unit			
Unit Price: \$ <u>7840</u>	Number of Units: 10	Total: \$	<u>78,400</u>
3. Demobilization			
Unit of Measure: Lump Sum			
Unit Price: \$ <u>2000</u>	Number of Units: 1	Total: \$	<u>2000</u>

Anticipated Notice to Proceed: October 26, 2015

Delivery Time from Notice to Proceed (Calendar Days): 30

Certification Statement

Please quote on this form, if applicable, net prices for the item(s) listed. Return signed original and retain a copy for your files. Prices should include all costs, including transportation to destination. The Village reserves the right to accept or reject all or any part of this submission. Prices should be firm for a minimum of 180 days following the time set for closing of the submissions.

In the event of errors in extension of totals, the unit prices shall govern in determining the quoted prices.

We (I) certify that we have read your solicitation, completed the necessary documents, and propose to furnish and deliver, **F.O.B. DESTINATION**, the items or services specified herein.

The undersigned hereby certifies that neither the contractual party nor any of its principal owners or personnel have been convicted of any of the violations, or debarred or suspended as set in section 18-107 or Ordinance No. 12271 for the City of Miami.

All exceptions to this submission have been documented in the section below (refer to paragraph and section).

EXCEPTIONS:

We (I) certify that any and all information contained in this submission is true; and we (I) further certify that this submission is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a submission for the same materials, supplies, equipment, or service, and is in all respects fair and without collusion or fraud. We (I) agree to abide by all terms and conditions of this solicitation and certify that I am authorized to sign this submission for the submitter. Please print the following and sign your name:

SUPPLIER NAME: Dock and Marine Construction
ADDRESS: 752 NE 79th St Miami, FL 33138
PHONE: 305-751-9911 FAX: 305-751-4825
EMAIL: glarson@dockandmarine.net BEEPER: _____
SIGNED BY: [Signature]
TITLE: Pres DATE: 10/12/15

FAILURE TO COMPLETE, SIGN, AND RETURN THIS FORM SHALL DISQUALIFY THIS BID.



Dock and Marine Construction

752 N.E. 79th Street

Miami FL 33138

O:(305)751-9911 F:(305)-751-4825 glarson@dockandmarine.net

Dock and Marine Construction Company Profile:

Dock and Marine is a 3rd generation family owned and operated business. Having been founded in the Early 1950's our knowledge of marine construction and working in difficult conditions, while maintaining harmony with the delicate environment is with no doubt our expertise. We have mastered working with today's strict environmental compliance requirements, and maintain a spotless record with the environmental agencies.

In the 1990's the Miami international boat show moved the Strictly Sail show to Watson Island. This was a turning point in the methods of construction. The requirements were becoming strict, and we saw a need to begin a transition from standard deep draft barges and tugs, to lightweight barges cranes and shallower draft tugs to meet the requirements of shallow draft environmental construction. In the years preceding we became known by most of the City and County marina operators, as well as our competitors as the ones that can get in and out of the tight spots. We are called in after the hurricanes to lift boats off shallow shoreline areas. We have been involved with the removal of derelict vessels from the bay and inland waterways.

In 2009 we came involved with more difficult jobs. During the FPL Venetian crossing HDD project, we provided all of the in water services for a drilling company and the pipe company. Part of this project involved cleaning up a "frack out" in an environmentally sensitive seagrass area, as well as running full time operations in environmentally sensitive areas. Through this project we were hired to cover an exposed power line pipe in another seagrass sensitive area. This was the beginning of our seagrass sediment tube use. In addition to the Venetian crossing FPL has asked us to return and do specialty work at their Fort Lauderdale Port Everglades power plant and the Lauderdale plant. We completed 2 complete trash skimming systems, under difficult ever changing conditions, on time with no conflicts. We have maintained a reputation as a provider with excellent service with FPL. Our most recent FPL project included the construction of a manatee heater at the Port Everglades Plant. The manatee heater was not a new system, we took out a failed system installed by another contractor, We proposed a modification to the system which in turn made it excessively efficient, so much so that the savings in energy to run the system would pay for the design improvement very quickly.

In recent years we have successfully completed three bay bottom restoration projects. The village of Key Biscayne restoration, The Addams Creek prop scar restoration, and the No Name Shoal restoration (within the National Park). These projects were done as a subcontractor to CSA. All of these projects required working in areas that at low tide would have a depth of as little as 6 inches. We recently qualified and completed a job with Seagrass Restoration to finalize the permit on a large 2+ acre bay bottom restoration here in Biscayne Bay. We used our construction yard located in North Miami to transfer the 50,000 sediment tubes to barges. The no name shoal required very shallow draft equipment with special turbidity measures, where we located the fill in propwash area centrally located in the shoal. This was done according to the tidea

We were a federally qualified Marine contractor for the national parks and have performed recent work such as the setup of the 2010 Bioblitz (National Geographic event) on Elliot key. We rebuilt the Oceanside boardwalk on Elliot key in 2009, and reconstructed the University dock near the northern end of the key. We are familiar with the National Park Service and their expectations, and have done other various tasks with them over the years.

With respects to Mooring systems, Dock and Marine along with American Underwater Contractors Inc. installed the new mooring field at Pelican Harbor, and more recently successfully completed the phase 1, 2, and 3 of the Sarasota mooring field, where we worked for the City of Sarasota and installed a complete mooring field with extremely difficult soil conditions where other contractors had failed.

We installed the Dade county waterway markers with American Underwater throughout Miami Dade County. This work required the use of special shallow draft equipment, to install marker piling, and Manatee speed zone and no entry signs throughout Miami Dade County.

In August this year we completed the Coconut Grove sailing club mooring field, this involved strict scheduling, as well as large amounts of underwater work, locating, identifying, and removing the old system, most of which was excellent reef material, and through the Artificial Reef staff at Miami Dade County DERM was deployed at the Julie Tuttle Reef Site

Dock and Marine is committed to servicing the Marine community using the best practices and procedures available. We are willing to work alongside anyone for any task. We have structured our business to utilize the methods and procedures set forth by the environmental agencies, and improvised on ways to improve those methods for 100% success.

If you have any additional questions or inquiries regarding our capabilities please let us know so that we may bring your confidence to the highest level.

We appreciate the opportunity to bid and look forward to working with The Village of Key Biscayne on this project.

Cordially,

A handwritten signature in blue ink, appearing to read 'Glen Larson', with a large, stylized initial 'G'.

**Glen Larson
Dock and Marine Construction
Serving South Florida for over 50 years**



Dock and Marine Construction Corp.

752 N.E. 79th Street

Miami FL 33138

O:(305)751-9911 F:(305)-751-4825 glarson@dockandmarine.net

Summary of Means/Method to Complete the Work

Your shoal marker project requires special equipment to drive piling, and access the piling to install the associated signage. Dock and Marine has a shallow draft barge with a fixed 20 ton crane that draws 16" loaded, as well as a drill barge that draws 10". With the combined use of this equipment, we can work to install the marker signs as the tide allows, and maintain the clearance from seagrasses that are present at the site. We have floating work platforms that draw merely 4 inches of water to work off of for sign installation. We have a fleet of 6 work skiffs that are also shallow draft and can be poled into position with no adverse impacts to the environment.

Village of Key Biscayne
88 West McIntyre Street, Suite 300
Key Biscayne, FL 33149

RE: Invitation for Quotation for Mashta Flats Vessel Exclusion Zone

Subject: Listing of Relevant Equipment owned / operated by Dock and Marine Highlighted equip will be directly utilized on site for your project

1. 2 - Link Belt 108B Cranes
2. Link Belt 98 Crane
3. Link Belt 98a Crane
4. Bycerus Erie 22b Crane
5. 2-37' Bertram tugs
6. 4-32' Custom Shallow draft tugs
7. 2-30'x80' steel crane spud barges
8. 2 24'x70' steel crane spud barges
9. 2 16'x45' steel spud materials barges
10. 6000 pound capacity Caterpillar forklift
11. 2- Bobcat 450s
12. 4-F250 ford trucks
13. 3 -Izuzu NPR trucks
14. 2 -Hydraulic 14 ton Rough Terrain Cranes
15. 2 -24' shallow draft work skiffs
16. 2 16' shallow draft work skiffs
17. 1-11' shallow draft work skiffs
18. 1- shallow draft jack up drill rig barge
19. 1 extreme shallow draft 36x18 aluminum materials barge

Glen Larson

Objective Provide information for Key Biscayne Bid

Experience 1989-Current Dock and Marine Construction Miami, FL

President

- Supervise all job sites
- Quote jobs
- Operate barge, crane, tug, on the job experience
- Diver, salvage, rescue, captain, firefighting, mechanical skills
- Derelict Vessel Removal for Dade County, DERM and DEP
- Engineering experience
- Family run business established in the late 40's
- Hands on skills
- Design, planning and development
- Auto CAD capable
- Environmental, biological background

Education 1993- 2000 FIU Miami, FL

- **Business Administration**

Interests

▪

- Diving
- Fishing

Hobbies

- Classic Car Restoration
- Hiking
- Motorcorss

References References are available on request.

John Korvick

Objective Provide information for Key Biscayne Bid

Experience 2001-2008 Organic Fisheries Duette, FL

President / Owner / Operator

- Design and operation of all closed system recirculating systems
- Genetic selection for restricted species strain Improvement.
- Manage multiple Biological Filtration Systems & Aquatic Husbandry
- Implement and execute Aquaculture Best management plans.
- Provide genetic samples for pure gene line research programs.
- Aquatic Systems Engineering and Improvements
- Zero run off aquaculture system / Integrated Hydroponic System Management & Operation.
- Design, planning and development
- Teach Environmental, Biological Programs
- Environmental awareness programs
- Protect Florida's Aquifers awareness programs
- Coordination of environmental groups concerned with preserving Florida's Natural Resources.

2008-2013

Chief Operations Officer / Operator Organic Fisheries Centro America
Barucitu – Costa Rica

- Engineering, construction, and operation of all Aquaculture Systems
- Genetic selection for improved yield programs
- Organic System Management and Operation
- Implement and execute Aquaculture Best management plans.
- Organize and Operate Rainforest Conservation Programs
- Restore Damaged Rainforest Ecosystems
- Aquatic Systems Engineering and Improvements
- Teach sustainable aquaculture / Permaculture Programs
- Design, planning and development of Organic/Sustainable feed production
- Cultivation of Fresh Water Giant Clams
- Cultivation of Fresh Water Lobster
- Cultivation of Giant Prawns
- Cultivation of Catfish
- Cultivation Of Tilapia
- Cultivation Of Guapote
- Cultivation Of Machaca
- Design and Implement Organic native fruit planting programs
- Teach Environmental awareness programs.
- Teach Endangered Wildlife awareness programs
- Coordination of Anti-poaching groups in order to save protected species form illegal hunting.
- Tracking and Disbanding Poachers
- Teaching and operating Captive Parrot Release Program.
- Teaching estuarine organism awareness and conservation programs.

John Korvick

2013-Current

Chief Operations Officer /Operator Dock and Marine Construction Corp.
Miami, FL

- Project Design and Cultivation
- Personnel and Equipment Management
- Environmental Oversight
- Implement and execute Best management plans.
- Project Sales / Bidding/ and Appraisals
- 100 Ton merchant Marine Capitan
- Protected Species Awareness

Education

FIU

Miami, FL

- **International Relations**

Interests

- Surfing
- Diving
- Fishing

Hobbies

- Aquaculture
- Agriculture
- Motocross

References References are available on request.



COASTAL SYSTEMS INTERNATIONAL, INC.
464 South Dixie Highway • Coral Gables, Florida 33146
Tel: 305-661-3655 • Fax: 305-661-1914
www.coastalsystemsint.com

135040.13

November 1, 2015

Mr. John C. Gilbert
VILLAGE OF KEY BISCAYNE
88 West McIntyre Street, Suite 210
Key Biscayne, Florida 33149

RE: CONSULTING SERVICES FOR THE MASHTA FLATS VESSEL EXCLUSION AREA, VILLAGE OF KEY BISCAYNE, MIAMI-DADE COUNTY, FLORIDA

Dear Mr. Gilbert:

Enclosed for your review is the bid tabulation prepared by Coastal Systems International, Inc. (Coastal Systems) for the Mashta Flats Vessel Exclusion Area Project located on Mashta Flats in the Village of Key Biscayne, Miami-Dade County, Florida (Project). Coastal Systems has reviewed the bids received and has selected Dock and Marine Construction Corporation (Dock and Marine) as the lowest cost, most responsive bidder.

The Project was initially bid on March 25, 2015 and two (2) bids were received. As the environmental regulatory permits were not received with sufficient time, the bids expired after 60 days. The Project was rebid on September 18, 2015, in anticipation of receipt of all required environmental permits authorizing the Project. A total of two (2) bids were received; however, the Village of Key Biscayne requires a minimum of three (3) bidders. The Project was therefore bid a third time on October 7, 2015 and a total of three (3) bids were received. Coastal Systems has thoroughly evaluated the bids received in response to the active bid advertisement and has determined that Dock and Marine is the lowest cost, most responsive bidder.

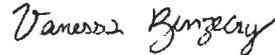
Dock and Marine has more than 50 years of experience in marine construction in Miami-Dade County. They are fully licensed, bonded, and insured, and they operate their own equipment. Dock and Marine has worked on a variety of projects within the Biscayne Bay Aquatic Preserve including the FPL Venetian Crossing, Village of Key Biscayne seagrass restoration, Pelican Harbor mooring field, Miami-Dade County waterway marker installation, and the Miami International Boat Show for over 20 years. Coastal Systems has extensive experience working with Dock and Marine on a variety of construction projects in sensitive marine environments and has determined that they are qualified to construct this Project.

Coastal Systems recommends that the Village of Key Biscayne execute the attached contract proffered by Dock and Marine in the amount of \$86,800.00 for the installation of ten (10) uniform waterway markers.

135040.13
October 30, 2015
Page No. 2

Should you have any questions or need additional information, please contact Penny Cutt at (305) 669-6233 or pcutt@coastalsystemsint.com or me at (305) 667-3665 ext. 143 or vbenzecry@coastalsystemsint.com.

Sincerely,
COASTAL SYSTEMS INTERNATIONAL, INC.



Vanessa Benzecry, E.I.
Project Engineer

VB:pc

Enclosures



COASTAL SYSTEMS INTERNATIONAL, INC.
 464 South Dixie Highway • Coral Gables, Florida 33146
 Tel: 305-661-3655 • Fax: 305-661-1914
 www.coastalsystemsint.com

135040.13

BID TABULATION								
Results from Invitation for Quotation (IFQ) for Mashta Flats Vessels Exclusion Zone								
Village of Key Biscayne, 88 West McIntyre Street, Suite 310								
Bid due time and date: 4 pm on 10/15/15								
Item Description	Unit of Measure	Number of Units	Dock and Marine Construction		Kearns Construction Company		Shoreline Foundation	
			Unit Price	Total	Unit Price	Total	Unit Price	Total
1. Mobilization	lump sum	1	\$6,400.00	\$6,400.00	\$50,000.00	\$50,000.00	\$17,000.00	\$17,000.00
2. Furnish and Install Support piles and Signs	each unit	10	\$7,840.00	\$78,400.00	\$5,000.00	\$50,000.00	\$6,233.00	\$62,333.00
3. Demobilization	lump sum	1	\$2,000.00	\$2,000.00	\$2,800.00	\$2,800.00	\$14,500.00	\$14,500.00
Total Amount:				\$86,800.00		\$102,800.00		\$93,833.00

Coastal Systems International, Inc.





Department of Regulatory and Economic Resources
Coastal and Wetlands Resources Section
701 NW 1st Court, Suite 400
Miami, FL 33136-3912
305-372-6575

Class I Construction Permit

Permit Number: CLI-2014-0307 **Issue Date:** 11/17/2015
DERM Project Manager: Lourdes Barrelli **Expiration Date:** 11/17/2017

Permittee

Contractor

Village of Key Biscayne
c/o John C. Gilbert, Village Manager
88 West McIntyre Street
Key Biscayne, Florida 33149
Phone No. (305) 365-5514

To be Determined.

Bond

Engineer

Performance Bond: N/A
Mitigation Bond: \$810.00
BBEETF Contribution: N/A

Michael A. Antinelli, P.E., License No. 78513
Coastal Systems International, Inc.
Phone No. (305) 661-3655

THE ABOVE NAMED PERMITTEE IS HEREBY AUTHORIZED TO PERFORM THE WORK SHOWN ON THE APPLICATION AND APPROVED DRAWINGS, PLANS, AND OTHER DOCUMENTS ATTACHED HERETO OR ON FILE WITH THE DEPARTMENT AND MADE PART HEREOF, SUBJECT TO THE ATTACHED GENERAL AND SPECIFIC CONDITIONS.

Plans Entitled: VILLAGE OF KEY BISCAYNE
88 WEST McINTYRE STREET, SUITE 310
KEY BISCAYNE, FLORIDA
MASHTA FLATS VESSEL
EXCLUSION ZONE

Date Signed and Sealed: September 22, 2015

Project Location: Northwest of the Mashta Island shoreline (Mashta Flats) in Key Biscayne

**THIS PERMIT AND PLANS SHALL BE KEPT ON SITE
DURING ALL PHASES OF CONSTRUCTION**

Project Description:

- Installation of 10 vessel exclusion markers secured to wood piles located at the following coordinates:

SIGN ID	EASTING	NORTHING
S1	927640.5	493003.2
S2	927486.2	493110.1
S3	927290.8	493245.5
S4	920795.3	493380.9
S5	926899.9	493516.2
S6	926778.9	493270.5
S7	926657.9	493024.8
S8	926536.9	492779.1
S9	926415.9	492533.4
S10	926565.4	492543.5

**THIS PERMIT AND PLANS SHALL BE KEPT ON SITE
DURING ALL PHASES OF CONSTRUCTION**

CLI-2014-0307

Specific Conditions

1. **The name, address, telephone number, and license number of the contractor who will be performing the work must be submitted a minimum of 2 weeks prior to the commencement of work. Work authorized by this permit shall not commence until written acceptance of the contractor by DERM has been issued.**
2. **Due to shallow water depths at the project site, the contractor shall submit the information detailed below a minimum of 2 weeks prior to the proposed commencement of construction, including staging of the barge and any associated vessels and equipment on-site. Work shall not commence until DERM has verified that adequate water depth for the vessels and barge exist, and has provided written authorization to proceed.**
 - **Specifications of the barge and any associated vessels, including the dimensions and maximum draft when fully loaded.**
 - **Construction methodology indicating how adequate clearance will be maintained (e.g. temporary stage gauge, vessel/barge draft gauge).**
 - **Maximum reach of the barge based equipment that will be used to install the markers.**
 - **Construction schedule that includes the timeframes for commencement and completion of the work, and the estimated time required for the installation of individual markers, and the tide stages for each day work is proposed.**
3. **The contractor shall schedule a pre-construction meeting prior to the start of work and after submittal of the information requested in Specific Condition Number 1 above. Please contact the Coastal and Wetlands Resources Section at (305) 372-6575 a minimum of 48 hours (2 business days) prior to the proposed date of the meeting.**
4. **The permittee is responsible for maintaining the markers; there shall be no impacts to water quality or benthic resources due to the installation, maintenance, repair or replacement of the markers.**
5. **The permittee and the contractor shall ensure that divers are present during construction operations to verify that the installation of the markers and the operation of equipment, including the securing of vessels, will not result in impacts to benthic resources and that only barren bottom areas are utilized.**
6. **The contractor shall ensure that all vessels associated with the proposed work shall operate within waters of sufficient depth so as to preclude bottom scouring or prop dredging and shall maintain adequate and a minimum of 1 foot of clearance between any resources and the vessel bottom at all times. The contractor and permittee shall be held jointly liable for any unauthorized impacts to benthic resources. For any impacts caused by the construction operation, DERM shall require, at a minimum, restoration and mitigation.**
7. **Equipment, including vessels operating during installation of the markers, shall be secured in such a manner so as not to scrape or drag across the substrate and cause damage to benthic resources.**
8. **A turbidity curtain shall completely enclose the work area and shall not be removed until turbidity levels within the enclosed area return to background levels outside the curtain.**
9. **An as-built plan with a table indicating the latitude and longitude of the final positions of the markers is required and shall be submitted to DERM's Coastal and Wetlands Resources Section, Attn: Compliance Supervisor, 701 N.W. 1st Court, 6th Floor, Miami, FL 33136, within 30 days of completion of the installation.**
10. **The permittee shall be responsible for restoration and mitigation for any unauthorized adverse impacts to benthic resources caused by improper installation or maintenance of the markers.**
11. **A mitigation bond in the amount of \$810.00 shall be held to ensure compliance with conditions of this permit. Impacts to benthic resources may result in forfeiture or revocation of all or a portion of the mitigation bond without further notice.**

**THIS PERMIT AND PLANS SHALL BE KEPT ON SITE
DURING ALL PHASES OF CONSTRUCTION**

12. Please be advised that the federal government has designated all or part of the subject property as critical habitat for one or more endangered species. You are not authorized to commence any work or activities pursuant to this permit until you obtain any and all approvals or permits, if necessary, from the federal government pursuant to the Endangered Species Act and from the State of Florida pursuant to Florida law on endangered species. Please be advised that, even after work commences, if Miami-Dade County is advised by the federal government, the State of Florida, or a court that an activity on the subject property is in violation of the Endangered Species Act, in violation of Florida law on endangered species, or in violation of a permit or approval granted by the federal government pursuant to the Endangered Species Act, such violation may result in an immediate stop work order. You are strongly advised to consult with the United States Fish and Wildlife Service and any other necessary federal or state agencies before conducting any work or activities on the property. The Vero Beach office of the United States Fish and Wildlife Service may be reached at (772) 562-3909. Please be aware that the federal government may require certain actions or protections on the property, and this may result in the need to modify the plans for the property. Therefore, it is recommended that you consult with the United States Fish and Wildlife Service at an early stage in the process. In the event that the United States Fish and Wildlife Service advises that your plans for the subject property may result in a "take" of endangered or threatened species, you are strongly recommended to inform Miami-Dade County in writing at the earliest stage possible.

See General Permit Conditions.

**THIS PERMIT AND PLANS SHALL BE KEPT ON SITE
DURING ALL PHASES OF CONSTRUCTION**

CLI-2014-0307

Page: 4 of 8

General Permit Conditions

1. This permit must be kept on-site during all phases of construction.
2. All work shall be performed in accordance with the above referenced plans and in accordance with the attached specific and general permit conditions. If a General Condition(s) conflicts with a Specific Condition(s) in this permit document, the Specific Condition shall be the controlling condition for work authorized by this permit.
3. This permit only authorizes the work described in page 1 under Project Description. Any additional work in, on, over or upon tidal waters or coastal wetlands at the property shall require additional Class I approval.
4. Any deviation from the approved plans for this project shall be submitted in writing to, and approved by DERM prior to the commencement of this project. The contractor and the permittee shall take whatever remedial action is necessary to bring the project into compliance with the permit and approved plans upon determination by DERM that the structure is not in compliance with such.
5. DERM shall be notified no later than 48 hours and no earlier than 5 days prior to the commencement of the work authorized by this permit, unless otherwise noted herein. The permittee and/or contractor may notify DERM by calling (305) 372-6575 or by submitting the attached Notice of Commencement of Construction via hand delivery, U.S. Mail, or facsimile at (305) 372-6479.
6. Prior to performing any work, the contractor shall verify the location of all underground and overhead utility lines and verify that no utilities will be damaged by the work. Contact Sunshine State One-Call of Florida at 1-800-432-4770 or on the web at <http://www.callsunshine.com/corp/before/submitting.html> for locating underground utility lines.
7. The permittee and the contractor are hereby advised that under Florida law, no person shall commence any excavation, filling, construction, or other activity involving the use of sovereign or other lands of the State, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund or the Florida Department of Environmental Protection (FDEP), until such person has received the required authorization for the proposed use from the Board of Trustees or FDEP. If such work is done without consent, or if a person otherwise damages state land or products of state land, the Board of Trustees may levy administrative fines of up to \$10,000 per offense pursuant to the Florida Administrative Code.
8. The permittee and contractor shall obtain all required approvals from all local, state and federal agencies prior to performing the work authorized by this permit.
9. Trimming or alteration of mangroves, buttonwoods or wetland vegetation other than what is authorized by this permit is prohibited. Work not authorized by this permit shall require additional Class I approval.
10. All work authorized by this permit shall be performed by the contractor and/or subcontractor holding an applicable certificate of competency and shall be licensed in Miami-Dade County to perform such work. Any work which is subcontracted shall require that the permittee and contractor (i.e. the contractor who is listed on this permit) notify the project manager at DERM at (305) 372-6575 or by facsimile at (305) 372-6479 a minimum of 72 hours prior to the subcontractor performing any work. Notification shall include the name of the subcontractor performing the work, the subcontractor's Miami-Dade County license number or state general contractor license number, and scope of work. Failure to comply with this condition is a violation of the Class I permit and may result in enforcement action by the Department.
11. The contractor shall not store or place, even on a temporary basis, construction material or demolition debris in tidal waters and shall take all necessary precautions to prevent construction or demolition debris from falling into the water or adjacent wetlands. Any debris that falls into the water and/or adjacent wetlands shall be removed immediately. Construction and demolition debris shall be disposed of in accordance with all federal, state and local regulations.

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12. Turbidity controls (such as, but not limited to, turbidity curtains) shall be implemented whenever visible plumes are present to ensure compliance with the water quality standards stipulated in Section 24-42(3) of the Code of Miami-Dade County. Turbidity controls shall be employed and maintained in the most effective manner possible to prevent turbidity from extending beyond the control mechanism in place.
13. Turbidity may not exceed 0 Nephelometric Turbidity Units (NTU) within the Aquatic Preserve or 29 NTU outside of the Aquatic Preserve, above background beyond the turbidity control device or 50 feet from any point of discharge. Turbidity levels shall be monitored. If the turbidity levels exceed the above standards, all construction shall stop and additional turbidity controls shall be implemented. Work shall not resume until the contractor has implemented adequate turbidity control methods and has received authorization from DERM to recommence work. At DERM's discretion, turbidity samples may be required to be collected in accordance with Section 24-44.2(3) of the Code of Miami-Dade County.
14. If any work or activity associated with this project is to take place in navigable waters, the contractor shall instruct all personnel associated with the project of the potential presence of manatees and the need to avoid collision with manatees. All vessels associated with the project must operate at "Idle Speed/No Wake" at all times while in water where the draft of the vessel provides less than a 4 foot clearance from the bottom. Additionally, all vessels will follow routes of deep water whenever possible. All in-water construction activities shall cease upon the sighting of a manatee(s) within 50 feet of the project area and will not resume until the manatee(s) has departed the project area. Any collision with and/or injury to a manatee shall be reported immediately to the "Manatee Hotline" (1-888-404-FWCC), the U.S. Fish and Wildlife Service, Jacksonville Field Office (904) 791-2580, and DERM (305) 372-6864.
15. The contractor shall ensure that all vessels associated with the construction shall operate within waters of sufficient depth so as to preclude bottom scouring or prop dredging and shall maintain a minimum of 1 foot of water between the vessel bottom and submerged aquatic resources.
16. The contractor shall ensure that there are no impacts to seagrass, hard corals, or soft corals as a result of construction operations, such as, but not limited to, propeller scouring; and vessel or barge anchoring, grounding or spudding. The marine contractor and permittee shall be held jointly liable for any of these unauthorized impacts. For any impacts caused by the construction operation, DERM shall require, at a minimum, restoration and mitigation.
17. For the purposes of this permit, "vessel" is herein defined as any craft designed to float or navigate on water, including but not limited to: sailboats, powerboats, rowboats, boats, ships, skiffs, houseboats, personal watercraft and inflatable boats.
18. Pursuant to Section 24-48.10 of the Code of Miami-Dade County the work or structures authorized under this permit shall be privately maintained by the permittee, his successors and assigns. Whenever, in the opinion of the Director of the DERM, said work or structures are not maintained in such a manner so as to prevent deterioration to the extent that they become a hazard to the public or to navigation, or create an obstruction of flow, or prevent access for drainage maintenance purposes, or may damage adjacent property, then the owner is required to perform any necessary remedial work.
19. Unless otherwise authorized in this permit and pursuant to Sections 24-48.23 and 24-48.24 of the Code of Miami-Dade County, the installation or construction of non-water-dependent floating or fixed structures (e.g. covered structures, canopies, helicopter pads, commercial signs, etc.) is prohibited in, on, over or upon any of the tidal waters of Miami-Dade County and constitutes a violation of this permit. Failure to comply with this condition may subject the permittee to enforcement action without further warning.
20. The time allotted to complete the work for which this permit has been issued shall be limited to the period stipulated on the permit unless the permittee requests an extension of time from the Department in writing at least 30 days prior to the date of permit expiration. Applications for extensions of time that are not timely filed pursuant to Section 24-48.9(2)(b) of the Code of Miami-Dade County will be returned to the permittee.

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21. An application for Transfer of a Class I permit may be filed with DERM at any time prior to the transfer of property ownership up to 120 days after the date of transfer of fee simple ownership of the property that is the subject of the permit. The Application for Transfer must be signed by both the transferee and transferor. Applications for Transfer shall be filed in the form prescribed by DERM and shall not be processed if the filed Application for Transfer is not fully complete in all respects pursuant to Section 24-48.18, of the Code of Miami-Dade County within 120 days of the date of transfer of property ownership.
22. If the project involves construction, replacement, or repair of a seawall, the new seawall cap shall be a minimum of 6 inches above the final grade of the uplands immediately adjacent, and in order to prevent positive drainage of stormwater into the waterway, all uplands immediately adjacent to the new seawall shall be graded away from the waterway.
23. To further reduce the possibility of injuring or killing a manatee during construction, work within portions of the Biscayne Canal, Little River, and the Coral Gables Waterway shall be performed only between May 1 and November 15.
24. A minimum of 1 foot of clearance shall be maintained at all times between the submerged bottom, and any existing benthic resources, and any vessels moored at the property.
25. Adequate clearance shall be maintained at all times between the submerged bottom, and any existing benthic resources, and any vessels moored at the property, such that there are no impacts to benthic resources or the submerged bottom, including but not limited to bottom scouring or prop dredging.
26. If railing is required to be installed pursuant to this permit, it shall be installed within 30 days of completion of the permitted work, and prior to the use of the structure(s) authorized by this permit, including the mooring of vessels.
27. A performance and/or mitigation bond may be held to ensure compliance with the aforementioned conditions and the completion of any required mitigation. Failure to comply with any of these conditions may result in the revocation by Miami-Dade County of all or a portion of the bond without further notice.

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