

OLD.
2006-0276

**INTRODUCED BY: ALBERT D. LAQUE, PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING/CZM SECTION)**

ORDINANCE NO. 06-9-6

An ordinance to approve and authorize DNR Cooperative Agreement #2503-05-13 Amendment #2, in the additional amount of \$18,000.00, which makes the total contract amount \$54,000.00.

WHEREAS, St. Charles Parish has been a leader in the "Parish Coastal Wetland Restoration Program"; and,

WHEREAS, the Parish's Christmas Tree Program is always a positive and popular way for the citizens of St. Charles Parish to participate in.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. The St. Charles Parish Council approves and authorizes DNR Cooperative Agreement #2503-05-13 Amendment #2, in the additional amount of \$18,000.00, which makes the total contract amount \$54,000.00.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: FAUCHEUX, HILAIRE, FABRE, RAMCHANDRAN, WALLS, BLACK, DUHE

NAYS: NONE

ABSENT: MARINO, MINNICH

And the ordinance was declared adopted this 18th day of September, 2006, to become effective five (5) days after publication in the Official Journal.

Amend 2 Wetland Restoration

CHAIRMAN: *Brian C. Fal*

SECRETARY: *Barbara Jean Tucker*

DLVD/PARISH PRESIDENT: *September 19, 2006*

APPROVED: DISAPPROVED:

PARISH PRESIDENT: *Albert D. Laque*

RETD/SECRETARY: *September 20, 2006*

AT: *9:45 am* RECD BY: *lgt*

DNR COOPERATIVE AGREEMENT NO. 2503-05-13
AMENDMENT NO. 2

Approved Under DNR Delegated Authority

DIMS# 617732

Karen L. Lewis

AMENDMENT TO THE
COOPERATIVE AGREEMENT
STATE OF LOUISIANA
DEPARTMENT OF NATURAL RESOURCES
(Hereinafter referred to as "Department")

AND

ST. CHARLES PARISH COUNCIL
(Hereinafter referred to as "Contracting Party")

The Parties have agreed to fix the maximum fee paid Contracting Party under this contract at Fifty-Four Thousand and 00/100 Dollars (\$54,000.00), an increase of Eighteen Thousand and 00/100 Dollars (\$18,000.00) over the existing contractual fee, and to that end Article 3 entitled Project Scope and Funding is amended to read in its entirety as follows:

The Contracting Party shall utilize the funds provided by the Department under this Cooperative Agreement to complete the Project as described in the Scope of Services and Budget specified in Appendix A, Addendum to Appendix A, and Addendum II to Appendix A, attached hereto and made a part hereof. The Department shall pay to the Contracting Party Fifty-Four Thousand and 00/100 Dollars (\$54,000.00). Under no circumstances shall the Department or the State of Louisiana have any obligation to the Contracting Party or to any third person, association, partnership or corporation for any additional sum or contribution. Expenditures incurred by the Contracting Party in excess of the amount specified above will be borne by the Contracting Party. The Contracting Party may be reimbursed for expenditures in excess of the original amount specified above only upon approval of the Department and after execution and approval of a formal amendment to this Cooperative Agreement.

FURTHER, by mutual consent of both parties to this agreement, Article 13 entitled Reports and Payment is amended to read in its entirety as follows:

The following reports shall be received by the Department Project Manager prior to issuance of incremental and final payments:

1. A progress report shall be submitted by the Contracting Party with each invoice for payment on Form DNR-PR (Appendix B).
2. A final summary report shall be submitted by the Contracting Party on Form DNR-PR (Appendix B) with the final invoice for payment.

Payment to the Contracting Party shall be made according to the following:

Year 1:

Task 1	\$1,000.00	Task 3	\$4,000.00
Task 2	\$4,000.00	Task 4	\$9,000.00

Year 2 will be paid in accordance with Addendum to Appendix A.

Year 3 will be paid in accordance with Addendum II to Appendix A.

Payments shall be made by the Department within approximately thirty days after receipt of an original and two copies of a proper invoice rendered according to the payment schedule and reports as prescribed above and which has been first approved for payment by the Department's Coastal Restoration Division.

FURTHER, by mutual consent of both parties to this agreement, Article 24 entitled Subcontractors is amended to read in its entirety as follows:

The Contracting Party agrees to obtain written Department approval prior to subcontracting any part of the services specified in Appendix A, Addendum to Appendix A, and Addendum II to Appendix A. The Contracting Party shall include, in any subcontract, the provisions contained in this contract. The Contracting Party shall submit requests for approval, accompanied by copies of proposed subcontracts, to the Department Project Manager. The Contracting Party further agrees to guarantee and be liable to the State (Department) for all services performed under any such subcontract.

DNR COOPERATIVE AGREEMENT NO. 2503-05-13

All other terms and conditions of the agreement shall remain the same.

This amendment entered into this 28th day of September, 2000 at Baton Rouge, Louisiana.

WITNESSES:

Karen G. Lewis

Barbara Joseph Tucker

SCOTT A. ANGELLE, SECRETARY
DEPARTMENT OF NATURAL RESOURCES

[Signature]

Albert D. Logan
St. Charles Parish President

PARISH COASTAL WETLANDS RESTORATION PROGRAM
SCOPE OF SERVICES
2006-2007

INTRODUCTION

The Louisiana Department of Natural Resources/Coastal Engineering Division (DNR/CED) is responsible for developing and implementing erosion control, restoration, and marsh creation projects to help offset the acute wetland loss problem in coastal Louisiana. Through this cooperative agreement, the DNR/CED and each participating coastal zone parish shall develop, implement, and manage their Parish Coastal Wetlands Restoration Program (PCWRP) projects.

PROGRAM OBJECTIVES

The projects implemented through this cooperative agreement will achieve some or all of the following objectives: (1) enhance the deposition of suspended sediment and the formation of submerged aquatic plant beds and/or submergent marsh; (2) reduce marsh erosion; (3) protect existing or created shoreline and wetlands; and (4) increase primary productivity in vegetated coastal wetlands.

PROGRAM DESCRIPTION

The 2006-2007 PCWRP will involve the continued refurbishing and maintenance of all existing brush fences, and any other structures constructed under this program, to optimal structural and functional conditions. The type of project to be implemented shall be determined by the conditions of the existing brush fences.

The parish shall be responsible for the overall development, implementation, and management of the PCWRP projects. The DNR/CED Project Manager shall be available for consultation and technical support. The parish shall be reimbursed upon completion of program tasks.

PROJECT TYPES

The PCWRP includes Christmas tree brush fences, vegetative plantings, and shoreline stabilization projects. All existing brush fences in the Parish must be in optimal structural and functional condition as inspected and evaluated by the DNR/CED Project Manager (See Revised Attachments A and B) prior to building and filling new brush fences, installing vegetative plantings, or building shoreline protection projects. Project type(s) and location(s) must be approved by the DNR/CED Project Manager prior to project initiation.

Prior to project initiation, the parish shall submit copies of all designs, plans, and specifications for brush fence repairs, new construction, and/or vegetative plantings to the DNR/CED Project Manager

for approval (Task 1). No changes in project type, location, designs, plans, or specifications may be made without prior written approval from the DNR/CED Project Manager.

EXISTING BRUSH FENCE EVALUATION

The DNR/CED Project Manager, or his representative, shall accompany a parish official to all existing brush fence sites and to any other PCWRP project areas, for evaluation of existing conditions. All existing structures must be of optimal structural and functional condition prior to any new construction or planting.

PROJECT DEVELOPMENT, IMPLEMENTATION AND MANAGEMENT

The parish shall complete the following tasks:

TASK 1

Work:

- Identify potential sites for Christmas tree brush fences, vegetation planting projects, and/or shoreline stabilization projects.
- Develop plans and specifications for approved project type and submit to the DNR/CED Project Manager for approval.
- Obtain all necessary easements, rights-of-way for project access, and/or permits.
- Submit a copy of easements, rights-of way for project access, permits, and a map showing project location to the DNR/CED Project Manager.

Deliverables:

- An outline of proposed scope of work;
- Site location map(s);
- Copy of plans, designs, and specifications;

and where applicable:

- Copies of signed easements, rights-of-way for project access, and/or permits.

TASK 2

Work:

- Advertise for bid the construction of brush fences, planting of vegetation and/or construction of shoreline protection structures and placement of Christmas trees for the project. The subcontractor awarded the work shall be

- responsible for obtaining all materials, supplies, labor, equipment and transportation necessary to implement the project; or
- At their discretion, the Parish shall be responsible for construction of brush fences, planting of vegetation and/or shoreline stabilization projects and the placement of Christmas trees (utilizing Parish employees); or
- Utilize volunteers to transport Christmas trees, fill brush fences with Christmas trees and/or plant vegetation, provided they are volunteering to work for the Parish.

Construction work shall be done by a subcontractor or Parish employees only and can not be performed by volunteers;

and, for Christmas tree brush fence projects,

- Collect, store and transport specified number of Christmas trees from Christmas tree collection source (i.e., parish recycling program, waste collection agency, etc.) to designated project storage site.

Deliverables:

- Provide DNR/CED a copy of contract or agreement between the parish and subcontractor (if subcontractor is utilized);
- Provide DNR/CED copies of documentation of any work to be performed by volunteers and/or Parish employees;

and, for Christmas tree brush fence projects,

- Delivery of specified quantity of Christmas trees from Christmas tree collection source (i.e., parish recycling program, waste collection agency, etc.) to designated project storage site.

TASK 3

Work:

- Construct brush fences and place Christmas trees, plant vegetation and/or construct shoreline stabilization projects for the specified project in accordance with specifications.
and, for Christmas tree brush fence projects,
- Transport Christmas trees from designated project storage site to refurbished and/or new project fences and place them within brush fences in accordance with brush fence specifications.
- Assess the reflectors on existing brush fences.
- Install new reflectors on new brush fences or replace missing or damaged existing reflectors in accordance with brush fence specifications

Deliverables:

- A minimum of twelve (12) labeled 35mm slides or digital photographs showing the following:
 1. Filling of refurbished brush fences and/or new brush fences with Christmas trees (Christmas tree fence projects only). Photographs shall be taken during filling and after completion, and/or
 2. Planting of vegetation and/or refurbishing of existing brush fences and/or construction of new brush fences. Photographs shall be taken during construction and after completion.
 3. Slides shall be labeled and dated or submitted with a separate sheet with brief descriptions of each slide.

and, for Christmas tree and wave-damping fence projects, also:

- Report on the number of existing reflectors replaced.
- Delivery of Christmas trees from designated project storage site to refurbished and/or new brush fences and placing them within brush fences in accordance with brush fence specifications.

TASK 4

Work:

- Participate in the final inspection of the project and approval with the DNR/CED Project Manager.

Deliverables:

- Provide DNR/CED with total number of Christmas trees used, lengths of both new and refurbished Christmas tree brush fences, numbers of plants used, length of vegetation plantings and/or length of shoreline stabilization projects.

Tasks 1, 2, 3, and 4 Due Date: December 31, 2007

2006-2007 PCWRP

BUDGET

Task 1.	1,000.00
Task 2.	4,000.00
Task 3.	4,000.00
Task 4.	<u>9,000.00</u>
	18,000.00

2006-2007 PCWRP

BUDGET

Task 1.	1,000.00
Task 2.	4,000.00
Task 3.	4,000.00
Task 4.	<u>9,000.00</u>
	18,000.00