

1 Introduced by Council Member Ferraro:
2

3 **ORDINANCE 2021-718**

4 AN ORDINANCE AUTHORIZING THE MAYOR AND
5 CORPORATION SECRETARY TO EXECUTE A THIRD
6 AMENDMENT TO THE CONTRACT WITH JACKSONVILLE
7 UNIVERSITY TO RENEW THE CONTRACT FOR A THIRD
8 ADDITIONAL YEAR FOR THE CONTINUING MANATEE
9 PROTECTION STUDIES FOR FISCAL YEAR 2021-2022,
10 INCLUDING THE CONTINUING TASK FOR A BOATER SPEED
11 ZONE COMPLIANCE STUDY, SUBJECT TO APPROPRIATION
12 BY CITY COUNCIL; PROVIDING AN EFFECTIVE DATE.
13

14 **WHEREAS**, the City of Jacksonville has engaged Jacksonville
15 University to provide marine science support, particularly in
16 developing and refining the City's Manatee Protection Plan; and

17 **WHEREAS**, the University's A. Quinton White, Ph.D., a highly
18 regarded expert on marine mammals, especially manatees, has been the
19 principal scientist under the contract with Jacksonville University;
20 and

21 **WHEREAS**, conflict, such as the differing regulatory approaches
22 to manatee protection and the debate over the status of the manatee,
23 indicates the continuing need for marine science support; and

24 **WHEREAS**, the City Council authorized the contract with Dr. White
25 through Ordinance 2018-540-E, which invoked Section 126.107(g),
26 *Ordinance Code*, to waive competitive solicitation and bidding due to
27 Dr. White's expertise; and

28 **WHEREAS**, Ordinance 2018-540-E provided for four (4) one-year
29 renewals to the contract; and

30 **WHEREAS**, the City has exercised renewal options in Ordinances
31 2019-645-E and 2020-588-E and now desires to enter into a third

1 renewal; and

2 **WHEREAS**, a revised Task 8 for a Boater Speed Zone Compliance
3 Study (the "Study") was outlined in the first amendment to the
4 contract, which was to be completed within Fiscal Year 2019/2020 for
5 the amount of \$90,000.00; and

6 **WHEREAS**, due to lengthy discussions with the Florida Fish and
7 Wildlife Conservation Commission regarding the scope of work for the
8 Study as required by the City of Jacksonville Manatee Protection
9 Plan, 4th Edition, dated November 2017, and delays brought on by
10 COVID-19 which disrupted the University's ability to perform the data
11 collection for the Study, the Study was initiated in Fiscal Year
12 2019/2021, but not completed and the funds for the Study were carried
13 over to Fiscal Year 2020/2021; and

14 **WHEREAS**, the collection of data for the Study was conducted in
15 Fiscal Year 2020/2021, but the Study was not completed, because the
16 funding is obligated, the funds will carry over to Fiscal Year
17 2021/2022, no additional funds will be needed for the Study in Fiscal
18 Year 2021/2022, which will bring the total contract amount to \$450,000
19 (\$90,000.00 for the original contract (Fiscal Year 2018/2019)+
20 \$90,000.00 for the first renewal (Fiscal Year 2019/2020) + \$90,000.00
21 for the Boater Speed Zone Compliance Study + \$90,000 for the second
22 renewal (Fiscal Year 2020/2021) + \$90,000 for the third renewal
23 (Fiscal Year 2021/2022)); and

24 **WHEREAS**, at its September 15, 2021 meeting, the Waterways
25 Commission voted to recommend approval of the proposed contract
26 renewal, including the completion of the Study; and

27 **WHEREAS**, the Council would like to exercise the third extension
28 to renew the contract for an additional one-year renewal to September
29 30, 2022, and to include the continuation of work on the Study to its
30 completion; now therefore

31 **BE IT ORDAINED** by the Council of the City of Jacksonville:

1 **Section 1. Authorizing the Mayor and Corporation Secretary to**
2 **Execute a Third Amendment to the Contract for Continuing Manatee**
3 **Protection Studies, dated October 4, 2018.** Subject to appropriation
4 by the City Council, the Mayor, or his designee, and Corporation
5 Secretary are authorized to execute a Third Amendment to the contract
6 with Jacksonville University to exercise the third one (1) year
7 renewal of the contract term for the services of Dr. A. Quinton White
8 and Dr. Gerard Pinto for continuing manatee protection studies in
9 substantially the same form as contained in the document attached
10 hereto as **Exhibit 1.**

11 **Section 2. Effective Date.** This Ordinance shall become
12 effective upon signature by the Mayor or upon becoming effective
13 without the Mayor's signature.

14
15 Form Approved:

16
17 /s/ Kealey A. West

18 Office of General Counsel

19 Legislation Prepared By: Kealey A. West

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