

1 Introduced by Council Member Ferraro and amended by the Neighborhoods,
2 Community Services, Public Health and Safety Committee:

3
4 **ORDINANCE 2021-718-E**

5 AN ORDINANCE AUTHORIZING THE MAYOR AND
6 CORPORATION SECRETARY TO EXECUTE A THIRD
7 AMENDMENT TO THE CONTRACT WITH JACKSONVILLE
8 UNIVERSITY TO RENEW THE CONTRACT FOR A THIRD
9 ADDITIONAL YEAR FOR THE CONTINUING MANATEE
10 PROTECTION STUDIES FOR FISCAL YEAR 2021-2022,
11 INCLUDING THE CONTINUING TASK FOR A BOATER SPEED
12 ZONE COMPLIANCE STUDY, SUBJECT TO APPROPRIATION
13 BY CITY COUNCIL; PROVIDING FOR OVERSIGHT BY THE
14 PLANNING AND DEVELOPMENT DEPARTMENT; PROVIDING
15 AN EFFECTIVE DATE.
16

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

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

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

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

31 **WHEREAS**, Ordinance 2018-540-E provided for four (4) one-year

1 renewals to the contract; and

2 **WHEREAS**, the City has exercised renewal options in Ordinances
3 2019-645-E and 2020-588-E and now desires to enter into a third
4 renewal; and

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

9 **WHEREAS**, due to lengthy discussions with the Florida Fish and
10 Wildlife Conservation Commission regarding the scope of work for the
11 Study as required by the City of Jacksonville Manatee Protection
12 Plan, 4th Edition, dated November 2017, and delays brought on by
13 COVID-19 which disrupted the University's ability to perform the data
14 collection for the Study, the Study was initiated in Fiscal Year
15 2019/2020, but not completed and the funds for the Study were carried
16 over to Fiscal Year 2020/2021; and

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

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

30 **WHEREAS**, the Council would like to exercise the third extension
31 to renew the contract for an additional one-year renewal to September

1 30, 2022, and to include the continuation of work on the Study to its
2 completion; now therefore

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

4 **Section 1. Authorizing the Mayor and Corporation Secretary**
5 **to Execute a Third Amendment to the Contract for Continuing Manatee**
6 **Protection Studies, dated October 4, 2018.** Subject to appropriation
7 by the City Council, the Mayor, or his designee, and Corporation
8 Secretary are authorized to execute a Third Amendment to the contract
9 with Jacksonville University to exercise the third one (1) year
10 renewal of the contract term for the services of Dr. A. Quinton White
11 and Dr. Gerard Pinto for continuing manatee protection studies in
12 substantially the same form as contained in the document attached
13 hereto as **Revised Exhibit 1** labeled as "**Revised Exhibit 1, Rev**
14 **Contract, October 18, 2021 - NCSPHS**".

15 **Section 2. Oversight.** The Planning and Development
16 Department shall oversee the Study described herein.

17 **Section 3. Effective Date.** This Ordinance shall become
18 effective upon signature by the Mayor or upon becoming effective
19 without the Mayor's signature.

20
21
22 Form Approved:

23
24 /s/ Paige H. Johnston

25 Office of General Counsel

26 Legislation Prepared By: Kealey A. West

27 *GC-#1462082-v1-2021-718-E.docx*