

**CITY OF NAPLES  
PURCHASING DIVISION  
CITY HALL, 735 8<sup>TH</sup> STREET SOUTH  
NAPLES, FLORIDA 34102  
PH: 239-213-7100    FX: 239-213-7105**

**ADDENDUM NUMBER 2**

NOTIFICATION DATE:	BID TITLE:	BID NUMBER:	BID OPENING DATE & TIME:
<b>07/22/13</b>	<b>PORT ROYAL CANAL DREDGING PROJECT</b>	<b>045-13</b>	<b>07/26/13 2:00PM</b>

**THE FOLLOWING INFORMATION IS HEREBY INCORPORATED INTO,  
AND MADE AN OFFICIAL PART OF THE ABOVE REFERENCED BID.**

**NOTE: The bid opening date for this Invitation to Bid has been revised and pushed back to Wednesday, July 31, 2013. Your sealed bid documents are due on that day by 2:00 PM local time at:**

**City of Naples  
Purchasing Division  
735 8<sup>th</sup> Street South  
Naples, Florida 34102**

**The mailing envelope should be sealed and marked with:**

**BID Number  
BID Title  
BID Opening Date**

The Purchasing Division has high resolution CD's available of project technical and construction specifications. These CD's are available free of charge upon written request to:

[purchasing@naplesgov.com](mailto:purchasing@naplesgov.com)

Please include your mailing address in the request.

**PERTAINING TO THE BID DOCUMENTS:**

- Replace page 20 of 40 of the Invitation to Bid (Section 1) with the attached revised bid form (2 pages). **EXHIBIT A (This new Bid Schedule must be included with your sealed bid documents.)**
- A third bid option was added to the Bid Form to allow the Contractor to dispose or use the dredged and dewatered material at an alternate location. A dredged sediment severance fee in the amount of \$2.25/CY would likely be required to be paid by the Contractor to the State of Florida dependent upon the disposal location and use of the material. A waiver of the severance fee payment is typically authorized by FDEP when (a) the sediment is being placed on public property and used for public purposes; or (b) it is affirmatively demonstrated that the dredge material has no economic value. A waiver of the severance fee has only been

obtained by the City for final disposal at the City Yard dewatering site and/or Collier County Landfill (Bid Alternates A and B). If bidding on Bid Option 'C', Contractors shall include the \$2.25/CY severance fee in their bid unit price and total. Proof of Contractor payment or State waiver of the severance fee is required.

- Bidder's are required to bid Options A and B in order to be considered responsive. Submitting a bid for Option C is optional.
- The contract will be awarded to the responsive and responsible bidder submitting the lowest total base bid plus City selected bid option(s) provided the bid is reasonable and is in the best interest of the City to accept.
- The Bidder shall indicate on the bid form if he is willing to provide private dredging services to the residents of the Port Royal Association. The Contractor shall not be obligated to provide such services to submit a bid; however, the City may consider the willingness of the Bidder to provide such services in their award determination.
- The City has applied for the required authorizations from FDEP and USACE for the private dredge work. Attached is a copy of the exemption issued by FDEP. **EXHIBIT B** The authorization from USACE is still pending. The Contractor is also required to procure City approval for each property prior to conducting private dredge activities. City approval includes an aerial of the property, boundaries of the private dock dredging and volume of material to be removed. The City will require contractors to confirm in writing the volume of material removed from each private dock dredge after work is finished. **EXHIBIT C**
- Work is anticipated to commence on or about September 2, 2013.
- Construction drawing sheets 2, 3 and 12A have been revised to show an expanded area available to the contractor for dewatering and/or staging. The total area of land now available to the Contractor for these activities is 4+ acres. The Contractor shall contain the dewatering efforts within the overall site boundary work limits; however, the final layout and size of the dewatering pond(s) shall be at the discretion of the Contractor and subject to approval by the Engineer and City. **EXHIBIT D**
- An existing stockpile of fill material at the City Yard is available to the Contractor for use in creating the dewatering pond berms. The stockpile is estimated at 3,700 CY, with an additional 3,000 CY of material estimated to be available from the top six inches of soil over the 4-acre dewatering area.

## **PERTAINING TO THE SPECIFICATIONS:**

### Supplemental Standard Special Provisions

Add the following:

**SC-10.8 Rain Days.** The City, through the Engineer's recommendation, shall approve and grant reasonable time extensions for above average rain days which inhibit the drying of sediment at the dewatering site. The Contractor shall provide a written request for such time extensions within forty-eight hours of event occurrence with a description of the rain event and the impacts on the project's schedule. The Contractor's request for a time extension associated with a rain delay will be evaluated in accordance with SC-17.6 and SC-17.7.

## **PERTAINING TO THE SUBMITTED WRITTEN QUESTIONS:**

- 1) Even though the Island is not being built this project has 4.5 miles of pipeline to install and remove. 180 days is not long enough for this project. The 270 days listed previously is much more realistic. The only other choice is to raise my bid price by \$1450/day for 90 days.

**Answer:** The contract time shall be 180 days plus any authorized time extensions. A Bidder may submit an alternate bid per General Condition 34 to describe the savings to the City based upon an increase in prescribed contract times. The application, if any, of liquidated damages will be consistent with Florida Department of Transportation policies and procedures and IS NOT as simplistic as applying the liquidated damage rate to the number of days late (as you suggest). Please refer to FDOT Standard Specifications for Road & Bridge Construction for more details.

- 2) Under 4.2 Progress Surveys. During canal excavation operations, the Contractor shall conduct Progress surveys not less than once daily to ensure compliance with the regulatory permits and Contract Documents. The results of the surveys shall be reported on the Daily QC" is this to be performed by the license surveyor?

**Answer:** No, the progress surveys referred to in Technical Specification 4.2 do not require a licensed surveyor.

- 3) We intend to bid this project as per specs. We're also struggling with a comfort level that will allow us to submit an Alternative Bid that we feel will be legitimately considered. The current language in the specifications makes it awfully prohibitive for an Alternate Bid to be reviewed and ultimately accepted, which is very discouraging to a contractor that may have a viable solution. We anticipate the Alternative bid will be within the allotted budget and our intention is to offer a solution to the project scope of work in hopes of circumventing the previous path of few bidders and over budget bids. The consideration of a minor adjustment to the Alternative Bid spec language would be very much appreciated and advantageous to the City and Port Royal homeowners. Will the city re-work/ modify the Alternative Bid language (below) provided in the specifications to be more Alternative Bid friendly?

*34. ALTERNATIVE BIDS: Bidders offering service delivery methods other than those permitted by the scope of work may submit a separate envelope clearly marked "ALTERNATIVE BID". Alternative bids will be deemed non-responsive and will not be considered for award. All such responses will, however, be examined prior to award. Such examination may result in cancellation of all bids received to permit rewriting the scope of work to include the alternative method, or the alternative method may be considered for future requirements of the City of Naples.*

*34a. ALTERNATIVE BIDS: Bidders offering service delivery methods other than those permitted by the scope of work may submit a separate envelope clearly marked "ALTERNATIVE BID." All such responses will, however, be examined prior to award.*

**Answer:** This project has already been publicly advertised and bid once as a habitat island project. Significant public discussion has been had at numerous Council meetings, prebid meetings, bid openings, etc. The change to a conventional dredge project was done with much thought and with significant input from a large number of private dredging companies. While City staff is open to receiving Alternative Bids with substantial detail describing the alternative, we believe the existing bid specifications allow the City to proceed in the best

interest of the City. No change will be made to the existing specifications regarding alternative bids.

4) Can turbidity monitoring be performed by the contractor?

Answer: Technical Provision 8.4 requires the contractor to perform turbidity monitoring.

5) Can surveys be performed every 50 ft. instead of 100 ft.?

Answer: Yes

6) The Alternate Bid options are presented to provide a savings to the city. Can the contractor dispose of the material at an alternate site as long as it does not violate the permit or any other regulations and provides a savings to the city?

Answer: Bid Option C has been added to allow the Contractor to dispose or use the dredged and dewatered material at an alternate location. A dredged sediment severance fee in the amount of \$2.25/CY would likely be required to be paid by the Contractor to the State of Florida dependent upon the disposal location and use of the material. A waiver of the severance fee payment is typically authorized by FDEP when (a) the sediment is being placed on public property and used for public purposes; or (b) it is affirmatively demonstrated that the dredge material has no economic value. A waiver of the severance fee has only been obtained by the City for final disposal at the City Yard dewatering site and/or Collier County Landfill (Bid Alternates A and B). If bidding on Bid Option 'C', Contractors shall include the \$2.25/CY severance fee in their bid unit price and total. Proof of Contractor payment or State waiver of the severance fee is required.

7) I see no analysis for heavy metals. I know this was tested in preparing the permit application. Could you please provide this information?

Answer: The permitting agencies did not require chemical sediment testing; however, the Collier County landfill will require such testing prior to disposal. The Engineer will collect sediment samples (for metals and other constituents) at the dewatering site and have them tested in accordance with the landfill's requirements prior to hauling to the landfill.

8) What's the engineering firm's estimated cost for this project?

Answer: \$1.39M for bid Option A, \$1M for bid Option B.

9) I understanding the demographic of the Port Royal Association would it be reasonable to say during construction eye appeal will be taken into consideration?

Answer: The Contractor will be inspected daily by the Construction Engineering Inspector and/or City staff to ensure that he is operating according to the specifications and plans. The City's Harbor Master will be monitoring the contractor's activities on the water as well. Residents in Port Royal expect a dredge project, are prepared for a dredge project, and generally understand the construction process.

10) Most dredging projects in Florida require the prime contractor to perform most of the work with his own crews. This was deemed necessary because there was a contractor 25 years ago that bid and subcontracted most of the work. This usually meant 2 or 3 dredging subcontractors were used before the job was eventually completed. Given your recent experience on the first go around on this project may I suggest eliminating the use of major subcontractors General Specification Section 2.0 on page 2 of 25.

**Answer: Your suggestion is noted, however, the bid specifications remain as is.**

11) The spoil site containment dikes show a 3/1 slope on both sides. Since a liner is required may I suggest a 2/1 slope on the inside slope. This will be more than adequate.

**Answer: See Technical Specification 1.3 which states that the Contractor shall contain the dewatering efforts within the overall boundaries as shown on the Construction Drawings; however, the final layout of the dewatering pond(s) is at the discretion of the Contractor subject to approval by the Engineer and City. The Contractor shall devise a dewatering plan based on his investigations of the site and proposed construction means, methods and sequencing. The Contractor shall submit as part of the dewatering plan all dewatering calculations, anticipated dredge production rates and associated settling times, slope stability, polymer selection (if applicable) and shop drawings for the proposed dewatering pond(s).**

## **EXHIBITS**

**EXHIBIT A - REVISED BID FORM / SCHEDULE (2 PAGES) (This new Bid Schedule must be included with your sealed bid documents.)**

**EXHIBIT B - EXEMPTION ISSUED BY FDEP**

**EXHIBIT C - PRIVATE DOCK DREDGING MAPS**

**EXHIBIT D - CONSTRUCTION DRAWING SHEETS 2, 3 AND 12A**

**EXHIBIT E – PRE-BID ATTENDEES LIST**

**PORT ROYAL CANAL DREDGING PROJECT  
BID SCHEDULE**

Item No.	Description of Item	Unit	Est. Quantity	Unit Price	Total
1	Mobilization	LS	1		
2	Layout and Post-Construction Surveys	LS	1		
3	<i>Canal Excavation and Conveyance</i>				
3a	Canal Excavation and Conveyance (Design Depth)	CY	16,795		
3b	Canal Excavation and Conveyance (Four Inch Overdredge Allowance)	CY	3,615		
4	Dewatering	LS	1		
5	Environmental Compliance, Turbidity Control and Testing	LS	1		
6	Site Restoration of City Yard (Dewatering Site)	LS	1		
7	Demobilization	LS	1		
<b>Base Bid Sub-Total (Items 1-7)</b>					
8	Base Bid Unforeseen Conditions (5% of Sub-Total Above)	LS	1	5%	
<b>Base Bid Total (Items 1-8)</b>					
Bid Option	Description of Item	Unit	Est. Quantity	Unit Price	Total
	<i>Hauling and Disposal of Excavated Sediment</i>				
A	Hauling and Disposal of Excavated Sediment at the Collier County Landfill	CY	20,410		
<b>BID OPTION 'A' TOTAL (Base Bid Total 1-8 + A)</b>					
Bid Option	Description of Item	Unit	Est. Quantity	Unit Price	Total
	<i>Stockpile Excavated Sediment at the City Yard/Dewatering Site</i>				
B	Create Stockpile(s), Grade and Protect from Erosion for Storage	CY	20,410		
<b>BID OPTION 'B' TOTAL (Base Bid Total 1-8 + B)</b>					

Bid Option	Description of Item	Unit	Est. Quantity	Unit Price	Total
	Private Disposal of Excavated Sediment				
C	Hauling and Disposal at a Contractor Selected Alternate Site (Must Include \$2.25/CY State Severance Fee)	CY	20,410		
<b>BID OPTION 'C' TOTAL (Base Bid Total 1-8 + C)</b>					

Attached is a map of property locations in Port Royal who's owners are interested in private dock dredging. Based on the locations where canal dredging will occur AND the locations of property owners desiring boat dock dredging, **please indicate the percentage of property owners you WILL contact to offer your company's services to dredge private boat docks at some negotiated cost:** \_\_\_\_\_ . Private dock dredging arrangements are strictly between the Contractor and Property Owner.

**Please check the dredging methodology:**

HYDRAULIC \_\_\_\_\_ MECHANICAL \_\_\_\_\_ BOTH (hydraulic/mechanical) \_\_\_\_\_ OTHER \_\_\_\_\_

SUBMITTED ON \_\_\_\_\_, 2013

Name of Bidder \_\_\_\_\_

Signature \_\_\_\_\_

Name (typed) \_\_\_\_\_

Title \_\_\_\_\_

# EXHIBIT B

## VIA ELECTRONIC MAIL

June 26, 2013

City of Naples  
c/o Karyn Erickson  
7201 Delainey Court  
Sarasota FL 3240  
[christin@ericksonconsultingengineers.com](mailto:christin@ericksonconsultingengineers.com)

Re: Collier County - ERP  
File No. 11-0319153-001

Dear Mr. Strakaluse:

Thank you for your application to spot dredge to a depth of no more than 5 feet below mean low water or to the original design specifications within the Port Royal Subdivision and associated canals, Class III Waters, Section 15, 21, 22, Township 50 South, Range 25 East, Collier County. This type of activity may require authorization for construction and operation of the project (regulatory authorization), unless otherwise exempt by statute or rule, authorization to use state-owned submerged lands (proprietary authorization), and federal authorization for works in waters of the United States through the State Programmatic General Permit (SPGP) program (SPGP IV-R1). Your request has been reviewed for all three authorizations.

The authorizations you have been granted are listed below. Please read each section carefully. Your project **MAY NOT** have qualified for all three authorizations. If your project did not qualify for one or more of the authorizations, then that specific section will advise you how to obtain it. You may **NOT** commence your project without all three authorizations. **If you change the project from what you submitted, the authorizations(s) granted may no longer be valid at the time of commencement of the project. Please contact the Department prior to beginning your project if you wish to make any changes.**

## REGULATORY REVIEW - VERIFIED

Based on the information you sent to us, we have determined that **your project is exempt from the need for an Environmental Resource Permit (ERP)**. You must



comply with the criteria and limiting conditions in accordance with Rule 40E-4.051(2)(a), Florida Administrative Code (F.A.C.)

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification will expire after one year, and will not be valid at any other time if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. However, the activity may still be conducted without further notification to or verification from the Department after the one-year expiration of this verification, provided: 1) the project design does not change; 2) site conditions do not materially change; and 3) there are no changes to the statutes or rules governing the exempt activity. In the event you need to re-verify the exempt status for the activity after the one-year expiration of this verification, a new application and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review, as changes may result in a permit being required.

#### **PROPRIETARY REVIEW - GRANTED**

In addition, your project qualifies for *consent by rule* under 18-21.005(1)(b) and Section 253.77, F.S., to construct and use the activity on the specified sovereign submerged lands, as long as the work performed is located within the boundaries as described herein and is consistent with the terms and conditions herein. No further application is required for this *consent by rule*. This consent is conditioned upon acceptance of and compliance with the attached General Consent Conditions.

#### **SPGP (FEDERAL) REVIEW - NOT APPROVED**

A copy of your notice was sent to the U.S. Army Corps of Engineers (Corps) for review. The Corps determined that your proposed activity as outlined in your application is **NOT in compliance with the Corps State Programmatic General Permit (SPGP IV-R1) effective July 25, 2011**. The Corps may require a separate permit. **Failure to obtain this authorization prior to construction could subject you to enforcement action by that agency**. For further information you should contact the Corps at 239-334-1975.

Authority for review – an agreement with the U.S. Army Corps of Engineers entitled “Coordination Agreement between the U.S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection State Programmatic General Permit, Section 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act.”

This notice constitutes final agency action and is subject to the provisions of Chapter 120, F.S., which **does not** apply to the SPGP IV-R1 review.

### **NOTICE OF RIGHTS OF SUBSTANTIALLY AFFECTED PERSONS**

This letter acknowledges that the proposed activity is exempt from environmental resource permitting requirements under Rule 40E-4.051(2)(a), F.A.C., and qualifies for authorization to use sovereign submerged lands pursuant to Chapter 253, F.S., and Chapter 18-21, F.A.C. This determination is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., as provided below. If a sufficient petition for an administrative hearing is timely filed, this determination automatically becomes only proposed agency action subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions, filed by any persons other than the applicant and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;

- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

The petition must contain the information set forth above and must be filed (received by the clerk) in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. The petitioner shall mail a copy of the petition to the applicant at the applicant's address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing or pursue mediation as provided below within the appropriate time period shall constitute a waiver of those rights.

Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Because an administrative hearing may result in the reversal or substantial modification of this action, the applicant is advised not to commence construction or other activities until the deadlines noted below for filing a petition for an administrative hearing or

request for an extension of time have expired and until the exemption(s) has(have) been executed and delivered.

This letter acknowledging that the proposed activity is exempt from environmental resource permitting requirements under Rule 40E-4.051(2)(a), F.A.C., and qualifies for authorization to use sovereign submerged lands pursuant to Chapter 253, F.S., and Chapter 18-21, F.A.C., constitutes an order of the Department. Subject to the provisions of Section 120.68(7)(a), F.S., which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under Section 120.68, F.S., by the filing of a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the order is filed with the Clerk of the Department. The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of the order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when the order is filed with the Clerk of the Department.

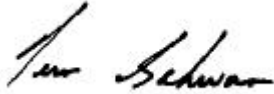
Mediation is not available.

Complete copies of all documents relating to this determination of exemption are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, at Florida Department of Environmental Protection, South District Office, 2295 Victoria Avenue, Fort Myers, FL 33901.

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Thank you for applying to the Submerged Lands and Environmental Resource Program. If you have any questions, please contact Tim Schwan by telephone at (239) 344-5692 or by e-mail at [Timothy.Schwan@dep.state.fl.us](mailto:Timothy.Schwan@dep.state.fl.us) When referring to this project, please reference the file number listed above.

Sincerely,



Tim Schwan  
Environmental Specialist  
Submerged Lands and  
Environmental Resource Program

TS/mv

Enclosures:

1 drawing(s)  
State Lands General Consent conditions

cc: U.S. Army Corps of Engineers, Fort Myers, Permit No SAJ 1956-222

#### CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document, including all copies, was mailed before the close of business on June 26, 2013, to the above listed person(s).

#### FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52(7), F.S., with the designated Department clerk, receipt of which is hereby acknowledged.

*Marie Vidrine*

June 26, 2013

\_\_\_\_\_  
Clerk

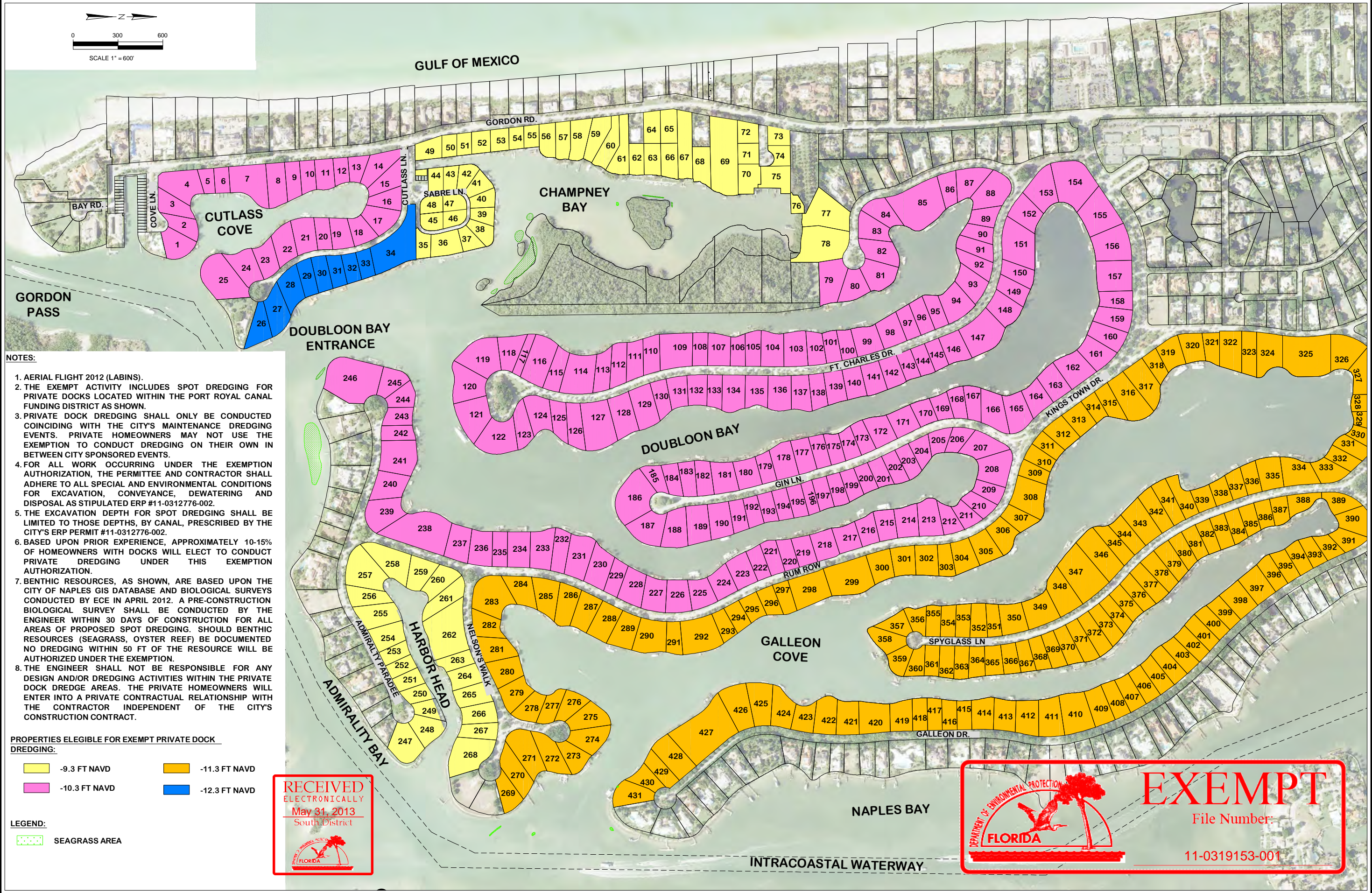
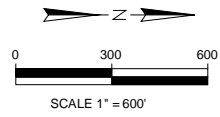
\_\_\_\_\_  
Date

Project No: 11-0319153-001

Rule 18-21.004(7), Florida Administrative Code (F.A.C.), provides that all authorizations granted by rule or in writing under Rule 18-21.005, F.A.C., except those for aquaculture activities and geophysical testing, shall be subject to the general conditions as set forth in paragraphs (a) through (i) below. The general conditions shall be part of all authorizations under this chapter, shall be binding upon the grantee, and shall be enforceable under Chapter 253 or Chapter 258, Part II, Florida Statutes, (F.S.).

- (a) Authorizations are valid only for the specified activity or use. Any unauthorized deviation from the specified activity or use the conditions for undertaking that activity or use shall constitute a violation. Violation of the authorization shall result in suspension or revocation of the grantee's use of the sovereignty submerged land unless cured to the satisfaction of the Board.
- (b) Authorizations convey no title to sovereignty submerged land or water column, nor do they constitute recognition or acknowledgment of any other person's title to such land or water.
- (c) Authorizations may be modified, suspended or revoked in accordance with their terms or the remedies provided in Sections 253.04 and 258.46, F.S., or Chapter 18-14, F.A.C.
- (d) Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.
- (e) Construction, use, or operation of the structure or activity shall not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.
- (f) Structures or activities shall not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity shall be modified in accordance with the court's decision.
- (g) Structures or activities shall not create a navigational hazard.
- (h) Structures shall be maintained in a functional condition and shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional. This shall not be construed to prohibit the repair or replacement subject to the provisions of Rule 18-21.005, F.A.C., within one year, of a structure damaged in a discrete event such as a storm, flood, accident, or fire.
- (i) Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities authorized under Rule 18-21.004(1)(g), F.A.C., or any other applicable law.

Z:\CADD\_Graphics\US Projects\12-227\_Naples - Port Royal Canals\Permit\FDEP\Port Royal Canals Private Dredge\2\_Port Royal Private Dredge\_overall.dwg May 30, 2013 4:27pm



- NOTES:**
1. AERIAL FLIGHT 2012 (LABINS).
  2. THE EXEMPT ACTIVITY INCLUDES SPOT DREDGING FOR PRIVATE DOCKS LOCATED WITHIN THE PORT ROYAL CANAL FUNDING DISTRICT AS SHOWN.
  3. PRIVATE DOCK DREDGING SHALL ONLY BE CONDUCTED COINCIDING WITH THE CITY'S MAINTENANCE DREDGING EVENTS. PRIVATE HOMEOWNERS MAY NOT USE THE EXEMPTION TO CONDUCT DREDGING ON THEIR OWN IN BETWEEN CITY SPONSORED EVENTS.
  4. FOR ALL WORK OCCURRING UNDER THE EXEMPTION AUTHORIZATION, THE PERMITTEE AND CONTRACTOR SHALL ADHERE TO ALL SPECIAL AND ENVIRONMENTAL CONDITIONS FOR EXCAVATION, CONVEYANCE, DEWATERING AND DISPOSAL AS STIPULATED ERP #11-0312776-002.
  5. THE EXCAVATION DEPTH FOR SPOT DREDGING SHALL BE LIMITED TO THOSE DEPTHS, BY CANAL, PRESCRIBED BY THE CITY'S ERP PERMIT #11-0312776-002.
  6. BASED UPON PRIOR EXPERIENCE, APPROXIMATELY 10-15% OF HOMEOWNERS WITH DOCKS WILL ELECT TO CONDUCT PRIVATE DREDGING UNDER THIS EXEMPTION AUTHORIZATION.
  7. BENTHIC RESOURCES, AS SHOWN, ARE BASED UPON THE CITY OF NAPLES GIS DATABASE AND BIOLOGICAL SURVEYS CONDUCTED BY ECE IN APRIL 2012. A PRE-CONSTRUCTION BIOLOGICAL SURVEY SHALL BE CONDUCTED BY THE ENGINEER WITHIN 30 DAYS OF CONSTRUCTION FOR ALL AREAS OF PROPOSED SPOT DREDGING. SHOULD BENTHIC RESOURCES (SEAGRASS, OYSTER REEF) BE DOCUMENTED NO DREDGING WITHIN 50 FT OF THE RESOURCE WILL BE AUTHORIZED UNDER THE EXEMPTION.
  8. THE ENGINEER SHALL NOT BE RESPONSIBLE FOR ANY DESIGN AND/OR DREDGING ACTIVITIES WITHIN THE PRIVATE DOCK DREDGE AREAS. THE PRIVATE HOMEOWNERS WILL ENTER INTO A PRIVATE CONTRACTUAL RELATIONSHIP WITH THE CONTRACTOR INDEPENDENT OF THE CITY'S CONSTRUCTION CONTRACT.

**PROPERTIES ELEGIBLE FOR EXEMPT PRIVATE DOCK DREDGING:**

	-9.3 FT NAVD		-11.3 FT NAVD
	-10.3 FT NAVD		-12.3 FT NAVD

**LEGEND:**

SEAGRASS AREA



**EXEMPT**  
 File Number:  
 11-0319153-001

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 FLORIDA

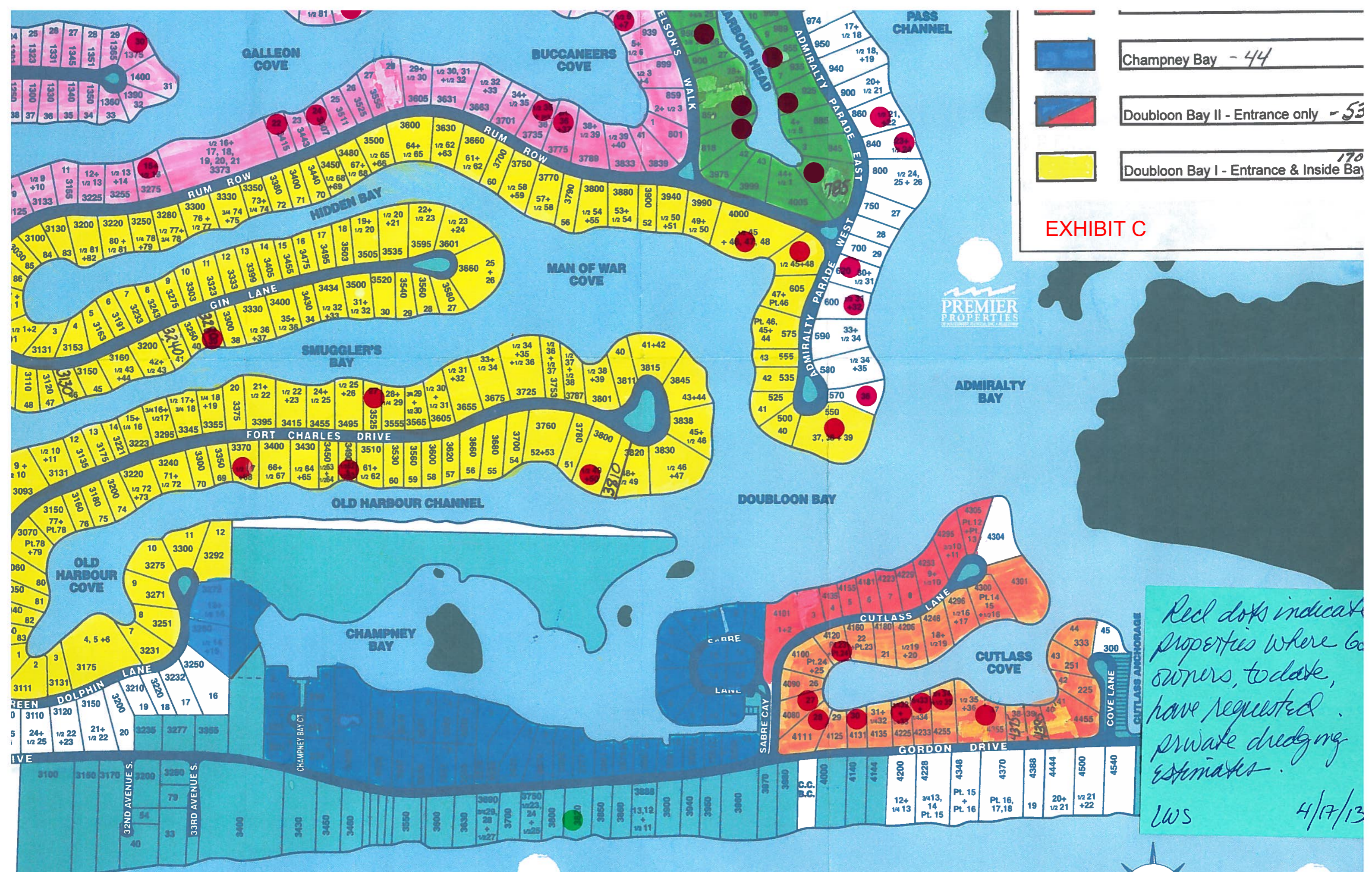
REVISIONS	NO.	DATE	BY	REMARKS
DESIGNED	CP	DATE: 05/28/13	SCALE: AS NOTED	
DRAWN	AS	JOB NO. 12-227		
CHECKED	CP			

**PORT ROYAL CANALS  
 CITY OF NAPLES, FLORIDA  
 EXEMPT PRIVATE DOCK  
 DREDGING AREAS**

Erickson Consulting Engineers, Inc.  
 7201 Delaney Court  
 Sarasota, FL 32420  
 (941) 373-6460

**ECI**  
 Environmental Consulting Engineers, Inc.

DRAWING NUMBER  
**1**  
 SHEET 1 OF 1



**EXHIBIT C**

- Doubleloon Bay I - Entrance & Inside Bay 170
- Champney Bay - 44
- Doubleloon Bay II - Entrance only - 53

*Red dots indicate properties where boat owners, to date, have requested private dredging estimates.*

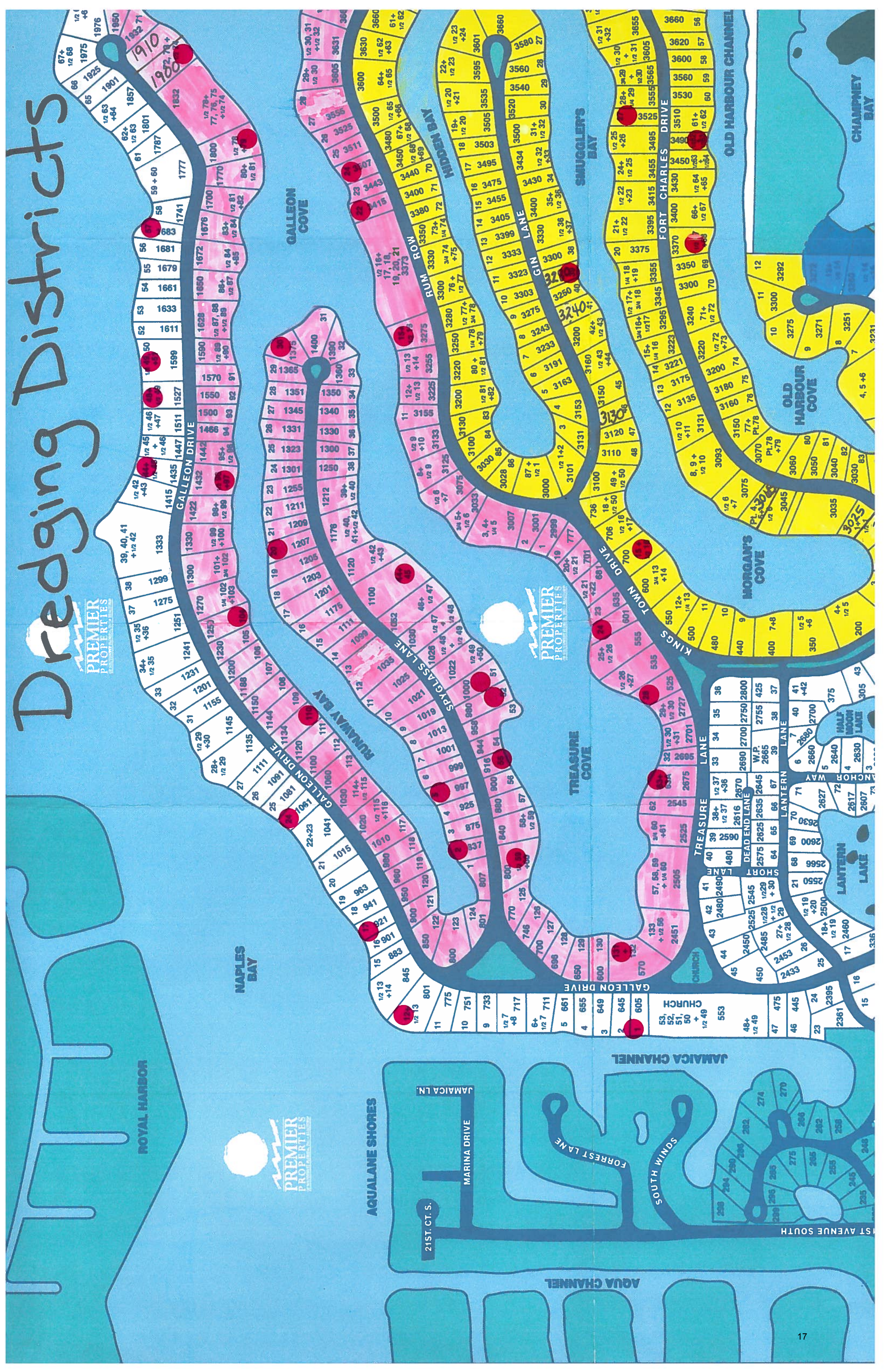
*LWS 4/17/13*

**GULF OF MEXICO**











# Dredging Districts



# Districts

## LEGEND PRPOA DREDGING

	Galleon - 162
	Harbour Head - 22
	Cutlass - 25
	Champney Bay - 44
	Doubloun Bay II - Entrance only - 53
	Doubloun Bay I - Entrance & Inside Bay - 170

*Red dots indicate Properties where boat owners, to date,*



# EXHIBIT D

Z:\CADD\_Graphics\US Projects\12-227\_Naples - Port Royal Canals\Construction\Port Royal Canal Dredge Project\_May\_2013\2-Overall Site Plan\_2013.07.16.dwg Jul 16, 2013--11:13am



**DEWATERING SITE**  
ADDRESS: 50 RIVERSIDE CIRCLE, NAPLES, FL.  
SCALE: 1" = 200'



**NOTE:**  
1. AERIAL FLIGHT 2012 (LABINS)

**LEGEND:**  
 PRIMARY DREDGE AREA  
 OPTIONAL DREDGE AREA

Canal ID	Design Dredge Depth	Permitted Dredge Depth (1 ft over dredge)				Base Dredge Volume	Max Pay Dredge Volume
		ft NAVD	ft MLW	ft NAVD	ft MLW		
Cutlass Cove	-9.3	-10.3	-8.6	-8.0	1,600	1,940	
Doublon Bay Entrance	-11.3	-12.3	-10.6	-10.0	1,530	1,790	
Harbor Head	-9.3	-10.3	-8.6	-8.0	3,520	4,325	
Harbor Head	-8.3	-9.3	-7.6	-7.0			
Galleon Cove	-10.3	-11.3	-9.6	-9.0	5,045	6,195	
Doublon Bay	-9.3	-10.3	-8.6	-8.0	5,000	6,100	
Champney Bay	-9.0	-9.3	-7.6	-7.0			
<b>Total</b>					<b>16,795</b>	<b>20,410</b>	

Notes: (1) Tidal datum based upon Naples - Gulf of Mexico (No. 872-5110) tide station. (2) Max pay dredge volumes include 4 inch over dredge.

Signature: KARIN M. ERICKSON, P.E.  
Professional Engineer # 41897

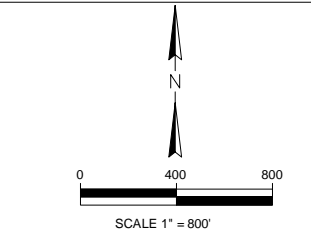
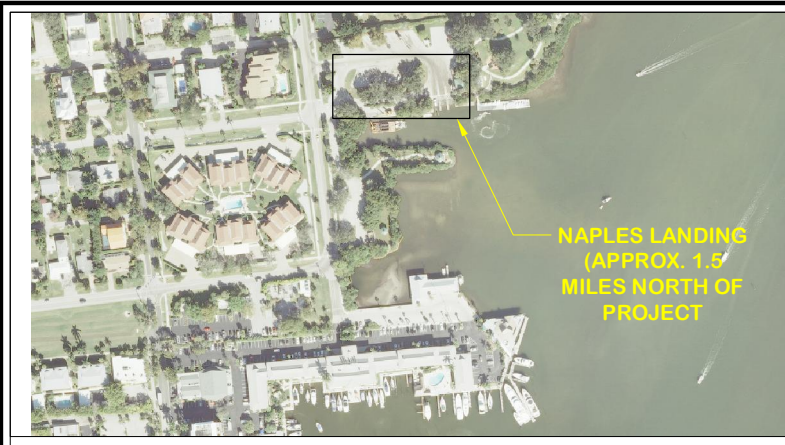
REV. No.	DATE	BY	CHKD BY	REMARKS
1	05/15/2013	AS	CP	ADDENDUM # 2

DESIGNED: BC  
DRAWN: AS  
CHECKED: CP  
DATE: 05/15/2013  
JOB NO.: 12-227  
SCALE: AS NOTED

**PORT ROYAL CANALS  
CITY OF NAPLES, FLORIDA  
OVERALL SITE PLAN  
AND SHEET KEY**

Erickson Consulting Engineers, Inc.  
7201 Delaney Court  
Sarasota, FL 32420  
(941) 373-6460

DRAWING NUMBER  
**2**  
SHEET 2 OF 37



**LEGEND:**  
 PRIMARY DREDGE AREA  
 OPTIONAL DREDGE AREA

- NOTES:**
1. POTENTIAL UPLAND ACCESS POINTS ARE AS SHOWN ON THIS PLAN.
  2. CONTRACTOR IS RESPONSIBLE FOR ALL FEES AND NECESSARY APPROVALS FOR USE BY FACILITY MANAGEMENT.
  3. ALTERNATE ACCESS POINTS MAY BE PROPOSED FOR APPROVAL BY THE ENGINEER AND THE CITY OF NAPLES.
  4. AERIAL FLIGHT 2012 (LABINS)

Signature: MARYM ERICKSON P.E.  
 Date: \_\_\_\_\_  
 Professional Engineer # 41987

REV. No.	DATE	BY	CHKD. BY	REMARKS
1	08/15/13	AS	CP	ADDENDUM #2

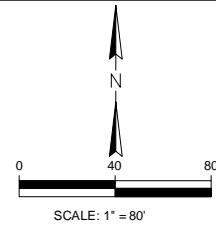
DESIGNED: BC	CHECKED: AS	DATE: 08/15/2013	JOB NO. 12-227	SCALE: AS NOTED
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**PORT ROYAL CANALS  
CITY OF NAPLES, FLORIDA  
CONSTRUCTION ACCESS  
AND STAGING**

Erickson Consulting Engineers, Inc.  
 7201 Delaney Court  
 Sarasota, FL 32420  
 (941) 373-6460

DRAWING NUMBER  
**3**  
 SHEET 3 OF 37

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**LEGEND:**

- DEWATERING BASIN AREA
- STAGING AND STORAGE AREA
- 15' MAINTAIN ACCESS (DIRT ROAD) TO ROW CLUB
- FLOATING TURBIDITY BARRIER
- APPROXIMATE PROPERTY BOUNDARY (COLLIER COUNTY PROPERTY APPRAISER)

**NOTES**

1. AERIAL FLIGHT 2012 (LABINS).
2. BENTHIC RESOURCES, AS SHOWN, ARE BASED ON CITY OF NAPLES DATA, BIOLOGICAL SURVEYS BY ECE (APRIL 2012) AND BIOLOGICAL SURVEYS BY ATKINS (MAY 2007 AND AUGUST 2007).
3. THE UPLAND DEWATERING SITE IS LOCATED AT 50 RIVERSIDE CIRCLE, NAPLES, FL.
4. PIPELINE CORRIDOR, AS SHOWN, IS APPROXIMATE. THE BOOSTER PUMP LOCATION(S) MAY BE EITHER WATER OR LAND BASED. FINAL PIPELINE PLAN TO BE PROVIDED TO BY THE CONTRACTOR A MINIMUM OF 30 DAYS PRIOR TO CONSTRUCTION FOR CITY OF NAPLES/ENGINEER APPROVAL.
5. PIPELINE SHALL BE SUBMERGED EXCEPT AT THE INTAKE, THE BOOSTER PUMP(S) AND AT THE OUTFALL.
6. THE CONTRACTOR SHALL CONTAIN THE DEWATERING EFFORTS WITHIN THE OVERALL SITE BOUNDARY AS SHOWN. THE FINAL LAYOUT AND SIZE OF THE DEWATERING POND(S) AND STORAGE/STAGING AREAS SHALL BE AT THE DISCRETION OF THE CONTRACTOR AND SUBJECT TO APPROVAL BY THE ENGINEER AND CITY.
7. THE CONTRACTOR SHALL MAINTAIN A 15 FT WIDE ACCESS PATHWAY TO THE ROW CLUB/ KAYAK LAUNCH FACILITY AS SHOWN.



Signature:   
 KARYNN ERICKSON, P.E.   
 Professional Engineer # 41987   
 Date: \_\_\_\_\_

REV. NO.	DATE	DRAWN BY	CHECKED BY	REMARKS
1	06/16/2013	AS	CP	ADDENDUM #2

DESIGNED BY	DRAWN BY	CHECKED BY	DATE	JOB NO.	SCALE
BC	AS	CP	06/16/2013	12-227	AS NOTED

**PORT ROYAL CANALS  
 CITY OF NAPLES, FLORIDA  
 DEWATERING PLAN VIEW**

Erickson Consulting Engineers, Inc.   
 7201 Delaney Court   
 Sarasota, FL 32420   
 (941) 373-6460

DRAWING NUMBER   
**12A**   
 SHEET 35 OF 37

**EXHIBIT E**

**City of Naples  
NON-MANDATORY PRE-BID MEETING  
Port Royal Canal Dredging Project  
BID #045-13  
July 10, 2013 10:00 AM Local Time**

Page 147

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City of Naples  
NON-MANDATORY PRE-BID MEETING  
Port Royal Canal Dredging Project  
BID #045-13  
July 10, 2013 10:00 AM Local Time

Page 2 of 7

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NAME Harry L. Hewett  
COMPANY Energy Resources INC.  
TELEPHONE 636-484-4206, 636-~~484~~<sup>532</sup>-9558  
E-MAIL www.er-dredging.com

City of Naples  
NON-MANDATORY PRE-BID MEETING  
Port Royal Canal Dredging Project  
BID #045-13  
July 10, 2013 10:00 AM Local Time

Page 3 of 7

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NAME Ron Mincey  
COMPANY Jahna DREDGING, Inc  
TELEPHONE 863-676-9431 office 863-557-0001 cell  
E-MAIL Rmincey@JAHNA.com



City of Naples  
NON-MANDATORY PRE-BID MEETING  
Port Royal Canal Dredging Project  
BID #045-13  
July 10, 2013 10:00 AM Local Time

Page 427

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NAME IKON LTR / ABBEY FILL  
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TELEPHONE 305 586 8925 , fax: 305 740 3305 ,  
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City of Naples  
NON-MANDATORY PRE-BID MEETING  
Port Royal Canal Dredging Project  
BID #045-13  
July 10, 2013 10:00 AM Local Time

Page 527

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NAME Javier Quevedo

COMPANY Centos Marine

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City of Naples  
NON-MANDATORY PRE-BID MEETING  
Port Royal Canal Dredging Project  
BID #045-13  
July 10, 2013 10:00 AM Local Time

Page 6 of 7

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**City of Naples**  
**NON-MANDATORY PRE-BID MEETING**  
**Port Royal Canal Dredging Project**  
**BID #045-13**  
**July 10, 2013 10:00 AM Local Time**

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