Flagler County Board of County Commissioners
Consent: BOCC Departments / Agenda Item 7.d.

Meeting Date:	November 16, 2026
Department Contact:	Hamid Tabassian, County Engineer, Brian Eichinger, OMB Manager, Richard Zion, Assistant County Engineer
Subject:	**Approval of Malacompra Canal Restoration and Resilience Project Budget Transfer and CRAS Work Authorization.**

Overview/Summary:
Staff is seeking approval of a budget transfer from General Fund Restricted Reserves and the approval of Work Authorization 2 (WA-2) for consulting services to complete the design and permitting phase of the Malacompra Canal Restoration and Resilience project.
On April 1, 2024, the Board approved to adopt the Stormwater Master Plan (SMP) and to obligate $2,289,108.00 of ARPA funding toward the implementation of the SMP top five (5) Stormwater Capital Improvement Projects. The Malacompra Road Canal Restoration and Resilience project was one of the listed and approved SMP priority projects. In a following regular meeting on December 2, 2024, the Board approved Work Authorization No. 012Q-WA-14 under Request for Statement of Qualifications (RSQ) 21-012Q to England-Thims & Miller (ETM) in the Amount of $495,000 utilizing ARPA funding for the design and permitting of the Malacompra Canal Restoration and Resilience Project. ARPA funding expires on December 31, 2026, and any qualifying billing activity for the Malacompra Canal Restoration and Resilience project that is to be reimbursed through the program will require completed payment processing by the end of the year deadline. As of October 31st, 2026, the consultant has billed a total of $404,303.45 for the design and permitting services. Since the project permitting phase will not be completed until summer of 2027, ARPA funding will not be available to cover the remaining project balance. General fund restricted reserves from the Hammock Dunes CDD DRI are available for use toward eligible Malacompra canal infrastructure improvements.

Staff is requesting a budget transfer of $90,697 from restricted General Fund Reserves for the purposes of completing the Malacompra Canal drainage improvements associated with the project near A1A and Bings Landing to cover the difference of the ARPA shortfall.
Additionally, during the course of the Malacompra Canal Restoration and Resilience project design and permitting development, the County received comments from the Florida Department of Environmental Protection (FDEP) on behalf of the Florida Communities Trust (FCT). A portion of the Malacompra Canal Restoration and Improvements project is located on a portion of the property that has limiting conditions of use and development. The FDEP is requiring the County to perform a Cultural Resources Assessment Survey (CRAS) within a limited area of the project limits to meet the conditions of the deed restrictions. A Work Authorization has been developed under Continuing Contract for Professional Services 25-RFP-039 with Terracon Consultants, Inc. to complete the additional required CRAS services for the Not to Exceed (NTE)

amount of $9,950.

Strategic Plan:
Focus Area: Growth and Infrastructure
Goal 1 – Provide quality fundamental infrastructure and assets.
Objective GI1.1: Ensure public safety through continuous planning for future needs and adequate evacuation capacity.
Measure GI 1.1.3: Coordinate with municipalities and FDOT to obtain grants to study traffic safety issues.

Objective GI 1.2: Expand and improve infrastructure to support commercial/ industrial and residential growth.
Measure GI 1.2.2: Make surface transportation improvements.

Funding Information:
Funding from General Fund Restricted Reserves in the amount of $100,647 will be transferred for the remaining balance of the improvements and the required CRAS.

Recommendations:
Staff recommends that the Board: 1) Approve the Budget Transfer in the total amount of $100,657; and 2) Approve Work Authorization WA-2 under 25-RFP-039 to Terracon Consultants, Inc., in the not to exceed amount of $9,950 for Cultural Resources Assessment Survey (CRAS) services for the Malacompra Canal Restoration and Resilience project as approved to form by the County Attorney.

Attachments:
1. CN - Malacompra Canal - 1) Terracon CRAS - WA
2. CN - Malacompra Canal - 2) BTR

FLAGLER COUNTY CONTRACT NO.: 25-RFP-039
CONTINUING PROFESSIONAL SERVICES FOR
Cultural Resource Assessment Survey (CRAS)
Work Authorization No. 2

This Work Authorization No. 2 establishes the Scope of Services and Compensation for specific work to be performed by Terracon Consultants, Inc. ("Consultant") under FLAGLER COUNTY Contract No. 25-RFP-039.

The Scope of Services to be provided by the Consultant consists of the following and as described in the Consultant's proposal (Exhibit "A"):

I. Specific Scope of Services – Cultural Resources Assessment Survey (CRAS) Services as described within Exhibit "A", attached hereto and incorporated herein.

II. Compensation Amount: not to exceed $9,950.00.

III. Project Deliverables: Consultant will provide all project records, photos and reports meeting the CRAS and related permitting requirements for the Malacompra Canal Restoration and Resilience project.

IV. Project Schedule: Services shall continue through completion and closeout of the project construction contract. The anticipated scheduled is detailed in Exhibit "A" attached.

V. The provisions of this Work Authorization No. 2 are subject to all terms and conditions of the above-referenced contract.

[SIGNATURE PAGES TO FOLLOW]

In WITNESS WHEREOF, the undersigned have executed this Work Authorization on the day and year set forth below.

FLAGLER COUNTY

_____
Leann Pennington, Chair

_____
(Date Signed)

RECOMMENDED:

_____
HAMID TABASSIAN, P.E., COUNTY ENGINEER

_____
(Date Signed)

APPROVED–AS-TO-FORM

Sean S. Moylan Digitally signed by Sean S. Moylan Date: 2026.11.03 15:02:17 -05'00'
_____
SEAN S. MOYLAN, DEPUTY COUNTY ATTORNEY

[SIGNATURE PAGE TO FOLLOW]

ATTEST:

_____
(Signature)

_____
(Print Name, Title)

CONSULTANT: TERRACON CONSULTANTS, INC.

_____
(Signature)

_____
(Print Name, Title)

_____
(Date)

[EXHIBIT A TO FOLLOW]

EXHIBIT A

8001 Baymeadows Way, Ste 1
Jacksonville, FL 32256
P (904) 900-6494
F (904) 268-5255
Terracon.com

October 7, 2026

Flagler County Board of Commissioners
1769 E Moody Blvd., Bldg. 2
Bunnell, FL 32110

Attn: Mr. Richard Zion
Email: Rzion@flaglercounty.gov

RE: Proposal for a Cultural Resource Assessment Survey
Malacompra Canal Resilience and Restoration Project Corridor
Flagler County, Florida
Terracon Proposal No. 1000065158

Dear Mr. Zion,

Terracon Consultants, Inc. (Terracon) appreciates the opportunity to submit this proposal to the Flagler County Board of Commissioners (Client) to provide a cultural resources assessment survey for the Malacompra Canal Resilience and Restoration Project Corridor in Flagler County, Florida. This proposal outlines our understanding of the project, our planned work scope and associated fee, and our terms and conditions associated with the performance of this work.

If this proposal meets with your approval, work may be initiated by returning a fully executed copy of the attached Agreement for Services. Please provide site contact information with the signed agreement. The terms, conditions, and limitations stated in the Agreement for Services and sections of this proposal incorporated therein, shall constitute the exclusive terms and conditions and services to be performed for this project.

Terracon appreciates the opportunity to support Flagler County Board of Commissioners on this project and looks forward to providing cultural resources guidance to assist with site evaluation, project planning, and future environmental review considerations. Please contact us with any questions regarding this proposal or the proposed scope of services.

Sincerely,

Terracon Consultants, Inc.

Blue Nelson, RPA
Principal Investigator
Blue.Nelson@Terracon.com

Ryan Sipe, RPA
Authorized Project Reviewer
Ryan.Sipe@Terracon.com

Attachments: Detailed Scope of Services
Agreement for Services

DETAILED SCOPE OF SERVICES

1.0 PROJECT INFORMATION

The Proposed Malacompra Canal Resilience and Restoration Project Corridor is approximately 25 meters in width and 0.8 mile in length, extending from a portion of the Bing's Landing Flagler County Park east along approximately 0.68-mile of Mala Compra Road in Flagler County, Florida (**Figure 1**). Bing's Landing is located within the former lands of the historic Mala Compra Plantation (8FL26), which was the former plantation of Joseph Martin Hernandez, one of Florida's most prominent early territorial figures and the first Hispanic representative to the U.S. Congress. The plantation operated from approximately 1816 until its destruction during the Second Seminole War. The Mala Compra Plantation (8FL26) was listed on the National Register of Historic Places (NRHP) March 5, 2004. Terracon understands that the Florida Communities Trust (FCT) has requested a Cultural Resource Assessment Survey, conducted in compliance with Article 13 of Section V of the Warranty Deed associated with the project area west of A1A.



Figure 1. The Proposed Malacompra Canal Resilience and Restoration Project Corridor.

2.0 SCOPE OF SERVICES

2.1 Cultural Resource Services

Cultural Resources Task 1: Baseline Cultural Resource Assessment Survey

Work will be completed in accordance with Secretary of the Interior's *Standards and Guidelines for Archaeology* and Florida Division of Historical Resources *Module Three: Guidelines for Use by Historic Preservation Professionals*. Terracon will complete a baseline Phase I Cultural Resource Assessment Survey (CRAS). The goal of a CRAS is to locate and identify significant archaeological and historic resources (i.e., historic properties) within the Area of Potential Effects (APE) of the project, assess their potential significance based on the information obtained during the survey, and provide recommendations regarding NRHP eligibility or the need for additional evaluation, as appropriate.

The APE for archaeological resources will be confined to the limits of the project area boundaries and will involve pedestrian coverage of the APE and systematic shovel testing. Cultural resources identified within the project area will be recorded according to currently accepted regional typologies. The Principal Investigator for the project will meet the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61) and will be a Registered Professional Archaeologist (RPA).

Prior research in Florida has indicated that certain environmental factors such as proximity to a permanent freshwater source, topography, landform, landscape setting, and soil drainage characteristics are good indicators of precontact archaeological site locations. Precontact sites tend to occur on elevated, low slope areas having well drained soils that are within 300 meters of a permanent water source. Historic sites tend to be located on well drained soils near old roads, as well as those areas already indicated on historic maps. Based on these parameters, the project area will be divided into high, moderate, and low probability zones (HPZs, MPZs, and LPZs).

Shovel tests will be excavated on a 25-meter grid in HPZs, 50-meter grid in MPZs, and 100-meter grid in LPZs. If environmental conditions in the field dictate otherwise, the archaeological Field Director or the project Principal Investigator may determine reducing or increasing the testing intervals as necessary. Shovel tests will measure 50 cm in diameter and will be excavated to a depth of at least 100 cm, unless precluded by impenetrable strata or obstacles (such as bedrock, clay, or the water table, etc.). The soil removed from each shovel test will be screened through 0.635-centimeter (¼-inch) mesh hardware cloth for standardized recovery of cultural material. Shovel tests will be excavated by natural strata. Shovel tests will be documented as positive (artifact-bearing) or negative (non-artifact bearing). Shovel tests will be recorded on standardized forms, to include information such as observed inclusions or cultural features, the presence or absence of artifacts by level, depths of artifact recovery, stratigraphy, texture, and soil color. No shovel tests will be excavated within areas exhibiting pre-existing ground disturbance, such as: borrow pits, utility corridors, roads, etc.

Following the completion of fieldwork, the results will be compiled in a technical report. In accordance with the Florida State Historic Preservation Office (SHPO) standards, the report will detail information compiled during archival research, field data, pertinent findings, conclusions, and professional opinions related to the project area will be submitted following the completion of fieldwork. Recommendations for additional work will also be provided, as appropriate, in the cover letter and/or through oral communication with the client's representative.

This budget is for an archaeological survey and assumes that one archaeological site will be encountered and require documentation due to the proximity of the Mala Compra Plantation (8FL26) site (west of SR A1A). Terracon will inform you, and receive your concurrence to proceed, if we encounter circumstances that may cause this estimate to be exceeded. We will not exceed this lump sum fee without an extension of the scope of services. If an archaeological site is encountered, additional work will be required to document and determine the horizontal and vertical extents of the cultural deposits.

Based on the project information currently available, the proposed project is not anticipated to introduce permanent visual elements or lasting changes to the setting or viewshed of historic architectural resources. Accordingly, a broad viewshed-based architectural survey along the entire project corridor is not included in this scope. If project plans are revised to include permanent aboveground facilities, expanded clearing, new access roads, lighting, fencing, or other visible improvements, the architectural APE and survey scope may require reevaluation in coordination with the Client and applicable reviewing agencies.

Cultural Resources Task 2: Archaeological Site Delineation and Reporting (As-Needed, East of SR A1A)

The Florida Division of Historical Resources *Cultural Resource Management Standards & Operational Manual Module Three: Guidelines for Use by Historic Preservation Professionals* defines an archaeological site as the presence of three or more artifacts, not known to be distant from their original context, which fit into a hypothetical cylinder of 30 m in diameter. If an archaeological site other than 8FL26 is encountered within the project area east of SR A1A, additional closer interval shovel testing at 12.5-meter intervals will be required to delineate the horizontal and vertical extents of the archaeological deposits. It is estimated that archaeological sites will be of low to moderate density and not exceed one acre in size.

Recovered cultural material will be transported to the Terracon Jacksonville archaeology laboratory for initial processing and analysis following the completion of fieldwork. Materials will be processed, sorted, and cataloged according to standard protocols. Recovered artifacts will be returned to the landowner or curated at a repository for an additional fee.

Site excavation results and recommendations will be included in a technical report. This budget assumes the documentation and delineation of a maximum of one archaeological site and the completion of a technical report. Terracon will inform you, and receive your written concurrence to proceed, if we encounter circumstances that may cause this task to be exercised. We will not exceed this lump sum fee without a written extension of the scope of services.

Cultural Resources Scope and Report Limitations

This proposal does not include the excavation or analysis of human remains, if encountered. It also does not include formal cemetery delineation, geophysical survey, Phase II Evaluative Testing, Phase III Data Recovery Excavations/Mitigation, preparation of Agreement Documents, formal consultation with governmental agencies or the public, or any services not specifically enumerated in the proposal.

Please note that we do not warrant database or third-party information, or regulatory agency information used in the compilation of plans or reports. No warranties, express or implied, are intended or made.

Assumptions

The Scope of Services assumes the following:

- The Malacompra Canal Resilience and Restoration Project Corridor is approximately 25 meters in width and 0.8 miles in length.
- Task 1 assumes the excavation of a single transect. Option 1: west of A1A, no more than 10 shovel tests will be excavated. Option 2: east of A1A, no more than 19 shovel tests will be excavated. Option 3: entire proposed corridor, no more than 29 total shovel tests will be excavated.
- Task 1 assumes that Terracon will evaluate the portion of previously recorded archaeological site 8FL26 intersected by or adjacent to the APE and will prepare an updated Florida Master Site File form, as warranted. The Task 1 fee includes routine documentation of the existing resource within the survey corridor west of SR A1A but does not include Phase II testing, assessment of complex subsurface features, or mitigation. If intact archaeological deposits, features, or a previously undocumented site component are identified east of SR A1A, Terracon will consult with the Client regarding the applicability of Task 2 or another supplemental scope.
- No testing will be conducted outside of the current proposed project corridor.
- Based on the plans and project information provided to Terracon, the proposed undertaking consists primarily of canal widening and associated subsurface or ground-disturbing work and is not anticipated to introduce permanent aboveground elements or material changes to the setting of historic architectural resources. Accordingly, an intensive historic-structure survey or broad viewshed assessment is not included. Terracon will document readily observable historic buildings, structures, objects, or landscape features within the defined APE when relevant to the undertaking. If the design is revised to include permanent aboveground facilities, substantial vegetation removal, new access roads, lighting, fencing, or other visible improvements, the architectural APE and survey requirements may require reevaluation.
- Task 1 assumes one archaeological site will be updated and recorded west of SR A1A, but if additional archaeological sites are encountered east of SR A1A, Task 2 would need to be assessed on a per site basis for an additional fixed price to delineate, investigate, and document each resource in accordance with FL SHPO standards.
- Task 2 assumes delineation of one archaeological site no larger than 1 acre in size. If a site boundary expands beyond 1-acre, additional fees may be required to complete fieldwork.
- Task 1 assumes the analysis of no more than 50 artifact specimens. Task 2 assumes the analysis of no more than 50 artifact specimens.
- All landowner access permissions will be obtained by the client. Terracon will be provided keys or combinations to locked gates that require access.
- The client will notify all landowners that it is their responsibility to alert others who use their property (e.g., tenants, hunters, etc.) that Terracon personnel will be on the property.
- Utility marking will be done by the client, if necessary.

3.0 COMPENSATION

This proposal presents a budget for conducting a CRAS within a portion of Bing's Landing to comply with the previously noted FDEP FCT request. The cost for this CRAS west of SR A1A is proposed as a lump sum fee of $**7,450.00**.

As the overall drainage canal improvement project includes a corridor east of A1A, and this project is currently being designed and permitted through the St. Johns River Water Management District and the U.S. Army Corps of Engineers, there is potential that the Florida State Historic Preservation Office will request a CRAS for the entirety of the project area to ensure no adverse effect to cultural resources. Therefore, a second budget for conducting a CRAS within the corridor east of A1A is also being proposed. The cost for this CRAS for the project portion east of SR A1A is presented as a lump sum fee of **$6,500.00**.

Please note that if the Client prefers, Terracon can provide a price to perform one CRAS for both sections of the project in one simultaneous effort. This price would reflect one mobilization and one consolidated report, which would cost less than the summation of the two lump sum fees noted above.

Note that due to the dimensions of the proposed project corridor, additional testing (delineation testing) is expected to be limited by the project boundary. Due to this constraint, should additional delineation testing be required beyond the expected one archaeological site detailed above, Cultural Resources Task 2: Additional Archaeological Site Delineation includes a Not to Exceed (NTE) amount of $2,500 per site and is applicable only to the portion of the proposed project east of SR A1A.

Tasks	Fixed Fee	Initial for Authorization
Cultural Resource Assessment Survey[1]: West of SR A1A/Bing's Landing (including additional site delineation west of SR A1A)	**$7,450.00**	
Cultural Resource Assessment Survey[1]: East of SR A1A	**$6,500.00**	
Cultural Resources Task 2: Additional Archaeological Site Delineation East of SR A1A (if needed)	*$2,500.00 per site*	

[1] Costs for As-Needed Cultural Resources Task 2 not included. Cost for Task 2 is in addition to the Task 1 CRAS cost and will not be performed without client authorization.

The fee is valid for 90 days from the date of this proposal and are based on the assumptions and conditions provided at the time of this proposal.

4.0 SCHEDULE

Assuming data and responses are received in a timely manner from municipal, state, and federal agencies as well as the Client, Terracon is prepared to begin work within 10 business days upon written notice to proceed (NTP) and a signed contract. It is anticipated that field work for the project will be completed within 2 days for the corridor west of A1A, and one day for the corridor east of A1A. The CRAS report will be completed within four calendar weeks (20 business days, excluding Terracon observed holidays) from the completion of fieldwork.

5.0 RELIANCE

The delivered documentation will be prepared for the exclusive use and reliance of the Client. Reliance by any other party is prohibited without the written authorization of the Client and Terracon in the form of a Reliance Agreement that incorporates the terms and conditions of the original Agreement.

6.0 AUTHORIZATION

If the Scope of Services meets with your approval, work may be initiated by signing the attached Agreement for Services. This proposal is valid only if authorized within 90 days from the listed proposal date. We appreciate the opportunity to provide this proposal and look forward to working with you on this project. If you have any questions or require additional information, please feel free to contact Blue Nelson by email at Blue.Nelson@Terracon.com at 904-470-2233.

Sincerely,
Terracon Consultants, Inc.

BUDGET AMENDMENTS JOURNAL ENTRY PROOF

LN	ORG / OBJECT / PROJ	ORG DESCRIPTION / ACCOUNT DESCRIPTION	PREV BUDGET	BUDGET CHANGE	AMENDED BUDGET	ERR
	ACCOUNT	LINE DESCRIPTION	EFF DATE			
1	00150000 598010	GenFund/Reserves — Reserve - Contingency	15,232,710.00	-100,647.00	15,132,063.00	
	1001-150-5000-000000-590-00-000-000-598010-		11/16/2026			
2	10166090 563000	Capital Imprvmts - Non Grants — Infrastructure	.00	100,647.00	100,647.00	
	1001-161-6001-538600-530-53-000-000-563000-		11/16/2026			
		** JOURNAL TOTAL		0.00		

YEAR-PER JOURNAL EFF-DATE REF 1 REF 2 SRC JNL-DESC ENTITY AMEND

2027 02 20254 11/16/2026 06 BUA MALACOMBTR 1 1

BUDGET AMENDMENT JOURNAL ENTRY PROOF

CLERK: MCatalano

YEAR PER JNL SRC ACCOUNT EFF DATE JNL DESC REF 1 REF 2 REF 3	ACCOUNT DESC LINE DESC	T	OB	DEBIT	CREDIT
2027 2 20254					
BUA 1001-150-5000-000000-590-00-000-000-598010-	Reserve - Contingency	5			100,647.00
11/16/2026 MALACOMBTR 06		T			
General Fund:					
Transfer from reserves for Malacompra Canal Restoration					
BUA 1001-161-6001-538600-530-53-000-000-563000-	Infrastructure	5		100,647.00	
11/16/2026 MALACOMBTR 06		T			
	JOURNAL 2027/02/20254 TOTAL			.00	.00

BUDGET AMENDMENT JOURNAL ENTRY PROOF

FUND ACCOUNT	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
				FUND TOTAL	.00	.00

** END OF REPORT - Generated by Michael Catalano **