



Office of
**INDIAN RIVER COUNTY
ATTORNEY**

Dylan Reingold, County Attorney
William K. DeBraul, Deputy County Attorney
Kate Pingolt Cotner, Assistant County Attorney

MEMORANDUM

TO: The Board of County Commissioners

FROM: William K. DeBraul - Deputy County Attorney *WKB*

DATE: December 10, 2018

SUBJECT: The Reserve At Grand Harbor PD Phase 1, Plat 33
Request for 2-Year Extension to Final Lift of Asphalt Contract
Developer: GH Vero Beach Development LLC

In 2016, GH Vero Beach Development LLC, the developer of The Reserve At Grand Harbor PD Phase 1, Plat 33, entered into a Contract for Construction for Final Lift of Asphalt, Contract No. PD-13-10-03-FLA (2001020101-77703), posted the required security in the form of cash in the amount of \$212,131.88, and entered into a Cash Deposit and Escrow Agreement for Final Lift of Asphalt to guarantee completion of the final lift of asphalt. The developer, has requested an extension to this contract as the project has not yet been completed.

Section 913.10(1)(E) of the County Code states that for good cause shown the Board may in its discretion grant one or more extensions of time for performance of any contract for construction of required improvements provided the security supporting such contract remains valid for the required period following the newly extended time for performance.

Staff has no objection to a 2-year extension. Additionally, the developer has paid the required \$660 extension request fee; and has provided its engineer's updated certified cost estimate, which County engineering has approved. It is noted that the approved amount has not changed from the approved initial cost estimate.

FUNDING:

There is no cost to be borne by Indian River County with respect to this item.

RECOMMENDATION:

Approve the attached Modification to Contract for Construction for Final Lift of Asphalt, Contract No. PD-13-10-03-FLA (2001020101-77703) to extend the completion date to December 16, 2020, and authorize the Chairman to execute same. It is also noted that the supporting security in the form of \$212,131.88 cash would remain in escrow and continue to be subject to the terms and conditions of both the Contract, as modified, and Cash Deposit and Escrow Agreement for Final Lift of Asphalt.

nhm

attachments: Letter Request for Extension
Modification to Contract