


**INDIAN RIVER COUNTY, FLORIDA
MEMORANDUM**

TO: Jason E. Brown, County Administrator

FROM: Richard B. Szpyrka, P.E., Public Works Director 

SUBJECT: **Kimley-Horn & Associates, Inc.**
37th Street (US1 to Indian River Boulevard) 5-Laning
Rescinding Work Order #5

DATE: February 1, 2017

DESCRIPTION AND CONDITIONS

On November 15, 2011, the Board of County Commissioners approved the Continuing Contract for Professional Services with Kimley-Horn & Associates, Inc. and on November 4, 2014, approved an Extension and Amendment of the Continuing Contract.

On June 2, 2015, the Board of County Commissioners approved Work Order No. 5 to provide design and permitting for the widening of 37th Street from three lanes to a five-lane urban section for a length of one mile between US1 and Indian River Boulevard. The design included dedicated eastbound right turn lanes at 35th Lane, an Indian River Medical Center employee driveway, and 10th Court. Signal modifications are proposed for the existing signalized intersection at 10th Court.

The project has presented some design challenges for stormwater and utilities that has increased the design costs and the overall construction cost of the project. The Engineer of Record has provide an estimated cost of \$8,879,794 for the construction of the 37th Street Project. Both the design and construction costs exceed the threshold amounts of \$200,000 for design and \$2 million for construction established by Florida Statutes 287.005, Consultants Competitive Negotiation Act (CCNA).

Pursuant to Section 5.3 of the Continuing Contract Agreement for Professional Services, Indian River County Engineering directed Kimley-Horn & Associates to cease all activities under Work Order #5, "37th Street (US-1 to Indian River Boulevard) 5-Laning. Indian River County Public Works is requesting Board approval to rescind Work Order #5 with Kimley-Horn & Associates. Kimley-Horn & Associates does not object to the rescinding of Work Order #5, as they understand the situation. Public Works will move forward with advertising a Request for Qualifications (RFQ) within the next few months for the selection of an Engineering Firm to complete the design of the project.

Kimley-Horn & Associates has provided the County with 60% design plans at a cost of \$121,124.00 and Kimley-Horn has invoiced for all the work to date.

FUNDING

There is no funding necessary for rescinding Work Order #5, as Kimley-Horn & Associates has invoiced for all the work that has been provided to date.

RECOMMENDATION

Staff recommends that the Board of County Commissioners approve rescinding Work Order No. 5 and requests the Board to authorize the Public Works Director to execute a letter to Kimley-Horn & Associates rescinding Work Order No. 5. Staff also recommends that the Board grant approval to advertise a Request for Qualifications to complete the design of the project.

ATTACHMENTS

None

DISTRIBUTION

Kimley-Horn Associates, Inc.

APPROVED AGENDA ITEM

FOR February 14, 2017