

INDIAN RIVER COUNTY, FLORIDA
MEMORANDUM

CONSENT

TO: Jason E. Brown, County Administrator
THROUGH: Richard B. Szpyrka P.E., Public Works Director
FROM: W. Keith McCully, P.E., Stormwater Engineer
SUBJECT: **Approval of Six-Month Extension to FDEP Agreement No. NS027 for Osprey Acres Floway and Nature Preserve**
DATE: May 29, 2018

DESCRIPTION AND CONDITIONS

On October 16, 2017, the County and Florida Department of Environmental Regulation (FDEP) entered into grant Agreement No. NS027 for the amount of \$2,434,286.00¹ for construction of Osprey Acres Floway and Nature Preserve. Construction progress has fallen behind schedule, therefore it became necessary to extend the Grant Agreement deadline for twelve months and the Agreement's various deadlines for six months each. FDEP agrees with the extensions and has prepared attached Amendment No. 1 to the Agreement. Neither the grant amount nor any other grant terms are affected by the Amendment. The current grant deadline for completion of construction is July 31, 2018 and the Amendment extends the deadline to January 31, 2019. Based on the most recent construction completion schedule presented by West Construction, Inc. (dated May 9, 2018), the current construction completion date is October 3, 2018. The Agreement's last individual deadline, Final Project Report, is extended from December 31, 2019 to June 30, 2020. The expiration date of the Agreement has been extended twelve months to June 30, 2021.

FUNDING

The construction contract is \$7,436,921.35. A SJRWMD grant and the aforementioned FDEP grant will fund up to \$3,634,536, or 48.9 percent of the project cost. The remainder of the project is funded and budgeted in Optional Sales Tax/Public Works / Osprey Acres Stormwater Park. Account No. 31524338-066510-16022.

RECOMMENDATION

Staff recommends that the County Commission approve the attached Amendment No. 1 to FDEP Agreement No. NS027 and authorize the Chairman to execute it on behalf of the County.

ATTACHMENTS

Amendment No. 1 to FDEP Agreement No. NS027

DISTRIBUTION

William K. DeBaal, Deputy County Attorney
Michael Smykowski, Budget Division

APPROVED AGENDA ITEM FOR JUNE 5, 2018

¹ The amount includes \$1,200,000 for an FDEP TMDL grant and \$1,234,286 for a Legislative Appropriation grant.