


**INDIAN RIVER COUNTY, FLORIDA  
MEMORANDUM**

**CONSENT**

**TO:** Jason E. Brown, County Administrator

**THROUGH:** Richard B. Szpyrka P.E., Public Works Director

**FROM:** Keith McCully, P.E., Stormwater Engineer 

**SUBJECT:** Approval of Change Order No. 2 to Work Order No. 2 and Approval of Final Payment of Work Order No. 2 with GK Environmental, Inc. for Osprey Acres Floway and Nature Preserve Landscaping Services.

**DATE:** June 19, 2020

**DESCRIPTION AND CONDITIONS**

Construction of Osprey Acres Floway and Nature Preserve (Osprey Acres) is complete and Work Order No. 2 with GK Environmental, Inc. for Shallow Marsh #2 landscaping services is complete. The purpose of this agenda item is to approve closeout of Work Order No. 2 and to approve Change Order No. 2 to clear up a final billing issue with GK Environmental, Inc. (GKE) regarding its work in Osprey Acres' Shallow Marsh #2 under the Work Order. To pay GKE's final invoice for Work Order No. 2, \$651.25 must be added to the Work Order amount. The funding deficit resulted from unforeseen additional service work that GKE was required to perform during Osprey Acres construction. GKE was hired under Work Order No. 2 to perform landscaping and landscape maintenance services at Shallow Marsh #2, while the bulk of the project was still under construction by West Construction, Inc. (West). To meet grant construction timeframes, Osprey Acres was bid for construction before Shallow Marsh #2 landscaping design was complete. Staff subsequently completed the landscape design, and the planting and plant maintenance services were awarded to GKE, with the understanding with West that West would provide a firm calendar date as to when Shallow Marsh #2 would be ready to receive plants. This would allow GKE to schedule planting of certain landscape material in nursery containers so it would be the proper size when the site was ready to receive the plants. Unfortunately, West slipped significantly behind in its construction schedule after notifying GKE of the target planting date. Because of the delayed planting date, the potted plants grew too large for their containers, resulting in the growers having to split, regrow, and maintain hundreds of plants several times until the site was finally ready to receive them.

Another unforeseen additional service item performed by GKE was caused by West's inability to properly regrade a Shallow Marsh #2 area that experienced serious erosion prior to GKE installing littoral plants in that location. After West made several unsuccessful attempts to properly regrade the area, staff verbally instructed GKE to perform the Work because West's inability to do the repair was preventing GKE from completing its planting.

GKE has been paid for the above additional services from Work Order No. 2 funds. Note, that GKE's charges were deducted from West's Invoice #19 via a Debit Memo to Finance, dated September 16, 2019, representing a West construction contract payment reduction of \$1,430. GKE's final invoice (#319) for approval of Change Order No. 2 to Work Order No. 2 and approval of Final Payment of Work Order No. 2 with GK Environmental, Inc. for Osprey Acres Floway and Nature Preserve Landscaping Services.

Work Order No. 2 for \$7,500.00 is attached along with Change Order No. 2.

### **FUNDING**

The final amount due GK Environmental, Inc. is \$7,500.00. Funding is budgeted and available from Transportation Fund/Stormwater/Other Contractual Services/Osprey Acres, Account #11128138-033490-16022.

### **RECOMMENDATION**

Staff recommends that the Board approve Change Order No. 2 to Work Order No. 2 and authorize the Chairman to execute it on behalf of the County for the amount of \$651.25. Staff also recommends the Board approve and authorize payment of GK Environmental, Inc.'s final invoice for Work Order No. 2 for the amount of \$7,500.00.

### **ATTACHMENTS**

Change Order No. 2 to Work Order No. 2 (one copy)  
GK Environmental, Inc. Invoice No. 319 - Final (one copy)

### **DISTRIBUTION**

Public Works Stormwater Division

**APPROVED AGENDA ITEM FOR JULY 7, 2020**