



Office of
**INDIAN RIVER COUNTY
ATTORNEY**

Dylan Reingold, County Attorney
William K. DeBaal, Deputy County Attorney
Susan J. Prado, Assistant County Attorney

MEMORANDUM

TO: The Board of County Commissioners

FROM: William K. DeBaal - Deputy County Attorney

DATE: April 5, 2021

SUBJECT: The Reserve At Grand Harbor, 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, in order to receive a Certificate of Completion for its project entered into a Contract for Construction for Final Lift of Asphalt, Contract No. PD-13-10-03-FLA (2001020101-77703) and posted the required security in the form of cash in the amount of \$212,131.88 to guarantee completion of the final lift of asphalt. In 2018, the developer requested and the Board of County Commissioners granted a 2-year extension to this contract in order to avoid laying the final lift until after a majority of the construction is completed so that the finished roadways will be more aesthetically pleasing to potential buyers. The developer has again requested an additional 2-year extension to complete the final lift of asphalt, has paid the pre-requisite extension request fee, and has submitted its engineer's updated certified cost estimate which reflects no change from the last submittal.

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 90-day period following the newly extended time for performance.

Staff has no objection to an additional 2-year extension, and has approved the submitted updated certified cost estimate. A map depicting the location of where the final lift of asphalt is to be laid is available for viewing at the County Attorney's Office and will be attached to the original Second Modification. Additionally, if after an inspection is performed by the County and it reveals that there is any deficiency in the roadway base, the developer must repair any deficiency noted in such inspection prior to the laying of the final lift of asphalt.

FUNDING:

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

RECOMMENDATION:

Approve the Second 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, 2022, and authorize the Chairman to execute same. It is noted that the supporting cash security will continue to remain in escrow.

nhm

attachment: Second Modification to Contract for Construction for Final Lift of Asphalt, Contract No. PD-13-10-03-FLA (2001020101-77703) with updated approved certified cost estimate