



Florida Department of Transportation

RON DESANTIS
GOVERNOR

3601 Oleander Avenue
Fort Pierce, FL 34982

JARED W. PERDUE, P.E.
SECRETARY

February 20th, 2024

Mr. Sean Lieske, P.E.
Director of Utilities,
Indian River County Department of Utility Services
1801 27th Street
Vero Beach, FL 32960

Financial Project ID: 437717-1-52-01

Federal Aid No.: D422092B

Contract No.: T4640

County: Indian River

Description: **Bridge Replacement & Intersection Improvements CR - 612/8th Street**

RE: Invoice Letter for IRC Force Main Conflict and NOI #6 Resolution

Dear Mr. Lieske,

The Florida Department of Transportation (FDOT) has nearly completed the above referenced project. As per the project's approved Utility Work Schedule, Indian River County (IRC) was to complete the relocation of the underground Force Main (FM), prior to commencement of construction, which began June 5th, 2023, so as not to impact contractor's activities. IRC did not mobilize and perform the required utility relocation.

During construction, FDOT's Contractor, Cone & Graham (C & G) encountered the utility conflict and provided the FDOT with the required Notice of Intent (NOI# 6) to file a claim. IRC was advised of the NOI and was given the opportunity to resolve the issues. IRC could not complete the relocation within the expected time frame and a delay of 38 days occurred between 8/2/23 and 9/22/23.

The Contractor's delay claim was reviewed by the County on 1-29-2024 and the County assessed and agreed to pay \$235,325.81 for the delay towards the standby costs of equipment and for the re-work necessitated to relocate the pin piles and pile template. Therefore, in accordance with the Utility Accommodation Manual and Section 337.403 F.S., the FDOT hereby makes demand for reimbursement from IRC in the amount of \$235,325.81 for damages incurred because of a utility conflict on the subject project.

The FDOT requests that IRC remit payment within thirty (30) calendar days of this letter. Please remit payment to “*Florida Department of Transportation*” to the attention of: Kadian McLean, District Utility & VE Administrator, 3400 W Commercial Blvd, Fort Lauderdale, FL, 33309.

If you have any questions, please contact Kadian Mclean at (954) 777-4360.

Sincerely,

**Kristopher L
Kehres**

Digitally signed by
Kristopher L Kehres
Date: 2024.02.20 12:34:58
-05'00'

Kris Kehres, PE
Resident Engineer
Treasure Coast operations Center
District Four

Attachments: 2-(IRC approval dt 2/12/24 for meeting dated Jan 29th and detailed minutes from FDOT)

cc: Harrison Youngblood P.E , IRC Utilities Engineer
Kadian McLean, FDOT District Utilities Administrator
Chad Rucks, P.E, FDOT Construction Engineer
Chloann Lawrence, FDOT Construction Support Manager
K.C. Jose P.E. FDOT Construction Project Manager
Glenn Bridges, CEI Project Administrator
Maria Formosa P.E, FDOT Design PM
Lisa Campbell Utilities coordinator.
Project File