



INDIAN RIVER COUNTY, FLORIDA
INTEROFFICE MEMORANDUM
Department of General Services
Parks & Recreation

Date: November 29, 2022
To: Honorable Board of County Commissioners
Thru: Jason E. Brown, County Administrator
Michael C. Zito, Assistant County Administrator
Beth Powell, Director Parks & Recreation
From: Wendy Swindell, Conservation Lands Manager
Subject: Fourth Modification of the Agreement with the Environmental Learning Center for the Replacement of the Main Dock

DESCRIPTIONS AND CONDITIONS

On May 18, 2021, the Board approved the third modification to the lease between the Environmental Learning Center (ELC) and Indian River County, and adopted Resolution 2021-036 for the purpose of applying for a grant to the Florida Inland Navigation District (FIND) in partnership with the ELC to replace the 29-year old dock on the ELC campus. The project would include a complete reconstruction of the existing dock in the same footprint as the current structure.

In June 2021, County staff submitted a Waterways Assistance Program (WAP) grant application to FIND in partnership with the ELC. The application was accepted by FIND, and subsequently approved for funding. The grant agreement includes an award of \$100,000, to be matched with an equal cash match provided through private donations that have been raised, as well as cash in hand by the ELC.

On December 7, 2021 the Board accepted the FIND Grant, and authorized the Chairman to execute the FIND Agreement IR-21-71. Subsequent to this meeting, staff completed a budget amendment to appropriate the \$100,000 donation from the ELC and the additional \$100,000 from the FIND revenues, for a total of \$200,000.

The County advertised for bids for replacement of the dock on June 9, 2022 (Bid No. 2022065). Bids were received on July 15, 2022. There were five respondents to the bid, as presented below:

| Bidder | Amount |
|--|---------------|
| Custom Built Marine Construction, Inc. | \$498,320.00 |
| Underwater Engineering Services, Inc. | \$496,862.36 |
| Underwater Mechanix Services | \$630,149.52 |
| Shoreline Foundation, Inc. | \$734,669.00 |
| BDI Marine Contractors | \$334,442.22 |

The lowest bid (\$334,442.22) exceeds the allocated funding for the project, the timeline requiring bidders to honor their bids has expired, and staff therefore recommends the Board formally reject the bids. In response to the funding shortfalls, the ELC coordinated with FIND to solicit feedback on whether additional project funding from FIND in the 2023 WAP cycle was feasible. Based on this coordination, FIND has indicated that they will consider an additional application for up to \$50,000 in the upcoming 2023 WAP funding cycle. The ELC has raised an additional \$100,000 towards the construction of the project, bringing their contribution to \$200,000. Assuming that the project receives the additional \$50,000 in FIND funding (for a total FIND funding amount of \$150,000), the project amount will be increased from the original budget of \$200,000 to a revised amount of \$350,000.

A fourth modification of the lease Agreement between the Board of County Commissioners and the Environmental Learning Center has been drafted to provide for the Lessor act as an Applicant for the application to FIND in the 2023/24 WAP grant cycle in the amount of \$50,000.

FUNDING

Contingent upon the 2023 FIND grant being awarded, a budget amendment will be needed to fund the additional \$50,000. Funds, in the total amount of \$350,000, will come from the Florida Boater Improvement Fund/Parks/ELC Main Dock Replacement account, number 13321072-066510-22013.

| Source | Account Name | Account Number | Amount |
|------------|---|-----------------------|-----------|
| ELC | FL Boating Improvement Fund/Parks/ELC Main Dock Replacement | 13321072-066510-22013 | \$200,000 |
| FIND Grant | FL Boating Improvement Fund/Parks/ELC Main Dock Replacement | 13321072-066510-22013 | \$150,000 |
| Total | | | \$350,000 |

As detailed in the fourth lease modification, if the final cost of the dock replacement is greater than \$350,000, the Lessee shall pay the difference to the Lessor within 30 days of notice of the final amount of the dock project. If the final amount of the project is less than \$350,000, the Lessor will reimburse Lessee any remaining amount of funds, after Lessor has been reimbursed in full.

STAFF RECOMMENDATION

Staff respectfully recommends that the Board approve the fourth modification to the Lease between the Board of County Commissioners and the Environmental Learning Center, and adopt the corresponding Resolution, and authorize the Chairman to execute said documents. Additionally, staff respectfully requests authorization for staff to apply for additional funds through the FIND 2023 Waterway Assistance Program. Finally, staff recommends the Board reject the bids submitted in response to invitation to bid 2022065.

ATTACHMENT

- Fourth Modification to Lease between the Environmental Learning Center and Indian River County
- Resolution No. 2022 - Resolution of the Board of County Commissioners Authorizing Application to FIND Waterways Assistance Program

APPROVED AGENDA ITEM FOR DECEMBER 13, 2022