

**INDIAN RIVER COUNTY, FLORIDA  
MEMORANDUM**

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**TO:** Board of County Commissioners

**THROUGH:** John A. Titkanich, Jr., County Administrator  
Nancy A. Bunt, Assistant County Administrator  
Kirstin Leiendecker, P.E., Acting Public Works Director  
Richard Reichenbach, P.E., Project Engineer

**FROM:** Jill Williams, Contract Support Specialist

**SUBJECT:** Amendment No. 1 to RFQ No. 2021015 (IRC-1505), Consor Engineers, LLC  
CEI Services for 66th Ave from 49th Street to 69th Street Roadway Widening  
FDOT FM No. 436379-1-54-01

**DATE:** July 26, 2024

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**DESCRIPTION AND CONDITIONS**

On May 22, 2019, the Board of County Commissioners entered into an Agreement with the Florida Department of Transportation (FDOT) to provide the County with financial assistance under Financial Management (FM) No. 436379-1-54-01 for Construction and Construction Engineering Inspection Services (CEI) through its Transportation Regional Incentive Program (TRIP). The project with an estimated cost of \$36,700,692.00, consists of multiple bridge replacements, roadway, and intersection improvements along 66<sup>th</sup> Avenue from 49<sup>th</sup> Street to 69<sup>th</sup> Street with. The FDOT TRIP grant amount approved was \$4,747,018.00 with the County's cost share to be \$31,953,674.00. On April 7, 2020, the Board of County Commissioners approved the FDOT TRIP Supplemental Agreement No. 1 increasing the grant amount by \$8,500,000.00 to a new total of \$13,247,018.00 decreasing the County's cost share to \$23,453,674.00. FDOT executed the Supplemental Agreement No. 1 on May 15, 2020. The TRIP Agreement also required the County to hire a FDOT prequalified consultant firm to perform Construction Engineering Inspection (CEI) Services as defined in the Agreement.

On March 9, 2021, the County awarded CEI Services to Consor Engineers, LLC for a total lump sum amount of \$4,498,533.42 which was to cover the construction period of 750 days or 25 months.

To date, Indian River County has been reimbursed by the FDOT TRIP grant \$1,862,209.60 for Consor's services through March 31, 2024.

The purpose of Amendment No. 1 is to compensate Consor Engineers, LLC for delays occurring during construction. The Notice to Proceed was issued to the Contractor on June 1, 2021, with final completion scheduled for June 20, 2023. Due to delays associated with FPL's utility relocations, two change orders, work change directives, weather days and holidays, the revised construction contract completion date is estimated for November 2024, adding approximately 17 months to the original expected construction period.

Conzor has proactively managed staffing to bridge additional time but is lacking funds to complete services to the anticipated contract end date. Consor has submitted a cost proposal for compensation in a not-to-exceed amount of \$599,859.00, or 13.3% increase, for a revised total contract cost of \$5,098,392.42. The additional recommended compensation is an estimated cost to cover services through the estimated final acceptance date. Indian River County will be invoiced for actual hours worked only. The FDOT TRIP grant will cover 50% of the proposed increase, or an additional \$299,929.50, in the Consor contract total.

### **FUNDING**

Funding, for the additional \$599,859.00, is budgeted and available in the Optional Sales Tax/Road & Bridge/66<sup>th</sup> Ave/49<sup>th</sup> to 69<sup>th</sup> St account, number 31521441-066510-07806.

Account Name	Account Number	Amount
Optional Sales Tax/Road & Bridge/66 <sup>th</sup> Ave/49 <sup>th</sup> to 69 <sup>th</sup> St	31521441-066510-07806	\$599,859.00

### **RECOMMENDATION**

Staff recommends approving Amendment No. 1 to the Agreement with Consor Engineers, LLC, and requests the Board authorize the Chairman to execute Amendment No. 1 to the Agreement on their behalf for a not-to-exceed amount of \$599,859.00. The new total agreement price will be \$5,098,392.42.

### **ATTACHMENT**

Amendment No. 1 with Consor Engineers, LLC

### **AGENDA ITEM FOR AUGUST 20, 2024**