

**INDIAN RIVER COUNTY, FLORIDA
MEMORANDUM**

DEPARTMENTAL

TO: Jason E. Brown, County Administrator

THROUGH: Richard B. Szyrka, P.E., Public Works Director

FROM: James W. Ennis, P.E., PMP, Assistant Public Works Director

SUBJECT: FDOT Supplemental Agreement No. 3 to Agreement FM No. 431759-2-54-01 and Resolution Authorizing the Chairman's Signature for the Construction of Intersection Improvements at SR-60 and 43rd Avenue, IRC-0853

DATE: September 20, 2022

DESCRIPTION AND CONDITIONS

On March 7, 2017, the Board of County Commissioners approved Resolution No. 2017-020 and County Incentive Grant Program (CIGP) Agreement FM No. 431759-2-54-01 with the Florida Department of Transportation (FDOT) for the construction and construction engineering inspection (CEI) Services for intersection improvements at SR-60 and 43rd Avenue. The FDOT CIGP grant amount approved was \$7,291,146.00 to be shared equally by FDOT and Indian River County for a total of \$3,645,573.00 each and was executed by the FDOT on March 20, 2017. On June 4, 2019, the Board approved Resolution No. 2019-038 and Amendment Number One to increase funding by \$5,880,636.00 for a new total amount of \$13,171,782.00 (with the FDOT and IRC sharing equally in the amount of \$6,585,891 each). Amendment Number Two and Resolution 2020-067 were approved by the Board on September 15, 2020 to update deliverables and extend the completion date of the agreement until December 31, 2022.

The FDOT has requested Indian River County execute and deliver Supplemental Agreement No. 3 to CIGP Agreement FM No. 431759-2-54-01 which increases funding by \$403,538.00, updates deliverables and extends the contract time for unforeseen, pre-existing conditions that affected project construction. During construction, a drainage trunk line located under Eastbound SR60 was found to have leaks and Supplemental Agreement No. 3 is to provide compensation to the Contractor for the repair work. The new total amount will be \$13,575,320.00. The FDOT is funding the \$403,538 in full, making their total share of the grant \$6,989,429.00 and the County's share \$6,585,891.00. The term of the Agreement will be extended from December 31, 2022 to June 30, 2023. Because the original CIGP was signed in 2017, FDOT has added as Exhibit A an updated agreement with revised financial compliance and audit language. A Resolution authorizing the Board of County Commissioners to execute this Supplemental Agreement No. 3 to CIGP Agreement FM No. 431759-2-54-01 is also included.

FUNDING

The FDOT is funding \$6,989,429.00 (which includes the full amount of Supplemental Agreement No. 3). Funding for the County's total grant cost share amount of \$6,585,891.00 will be funded by Optional Sales Tax/43rd Ave – 18th St to 26th St/Account Number 31521441-066510-06041.

RECOMMENDATION

Staff recommends the Board of County Commissioners approve Supplemental Agreement No. 3 to the CIGP Agreement FM No. 431759-2-54-01 and Resolution and authorize the chairman to execute the same.

ATTACHMENTS

1. Authorizing Resolution
2. Supplemental Agreement No. 3 to CIGP Agreement FM No. 431759-2-54-01

APPROVED AGENDA ITEM FOR OCTOBER 4, 2022