

**INDIAN RIVER COUNTY, FLORIDA
MEMORANDUM**

TO: Board of County Commissioners

THROUGH: John A. Titkanich, Jr., County Administrator
 Nancy A. Bunt, Assistant County Administrator
 Addie Javed, P.E., Public Works Director
 Kirstin Leiendecker, P.E., Assistant Public Works Director
 Robert S. Skok, Infrastructure Project Manager

FROM: Jill Williams, Contract Support Specialist

SUBJECT: Jackie Robinson Training Complex Walking Trail (IRC-1908)
 Release of Retainage and Change Order No. 1

DATE: November 25, 2024

DESCRIPTION AND CONDITIONS

On September 12, 2023, the Board of County Commissioners awarded Bid No. 2023041 to Prince Land, Inc. in the amount of \$1,322,979.64 for construction of a 12' wide millings walking trail, two (2) asphalt driveway connections to the adjacent roadways (43rd Avenue and Aviation Blvd.), a milling access road connecting the two (2) driveway aprons, installation of a new tree line along the west side of the parcel (adjacent to 43rd Avenue) and a steel span prefabricated pedestrian bridge connecting the walking trail parcel to the cloverleaf fields to the east.

On July 17, 2024, Indian River County was notified by Prince Land Inc.'s subcontractor for the pedestrian bridge, Bridge Brothers, Inc., they would not schedule delivery of the bridge due to unpaid invoices by Prince Land, Inc. going back to February 2024 and totaling \$336,791.00. When Indian River County contacted Prince Land, Inc. regarding the unpaid invoices, Prince Land, Inc. stated they were unable to make payment. In addition to the bridge payment issue, there were several items on the project that had not yet been completed or needed to be corrected. On July 23, 2024, Indian River County sent notice to Prince Land, Inc. and the bonding company, Lexington National Insurance Company, that Prince Land, Inc. was in breach of Contract IRC-1908 and pursuant to the terms of the contract, and the County decided to terminate the contract.

Indian River County paid the outstanding invoices to Bridge Brothers, Inc., totaling \$336,791.00, and the pedestrian bridge was delivered and installed by Bridge Brothers, Inc. The County also paid a change order to Bridge Brothers, Inc. in the amount of \$10,745.38 to correct placement of anchors, nuts and washers previously installed by another of Prince Land Inc.'s subcontractors.

After discussions between the bond company, Indian River County staff and Prince Land, Inc., Indian River County agreed to allow Prince Land, Inc. a 30 day period to complete the items outstanding for the project. All items were completed within the agreed upon time period.

Change Order No. 1 is to make final adjustments to contract bid items for a decrease to the total contract (including the amount paid for the pedestrian bridge) by \$434,188.30, resulting in a final contract price of \$888,791.34.

Prince Land, Inc. has completed the project and has been paid \$844,351.77 with \$44,439.57 held in retainage. Prince Land, Inc. has submitted Contractor's Application for Payment No. 1908-8FINAL for release of retainage in the amount of \$44,439.57.

FUNDING

Funding in the amount of \$44,439.57 for release of retainage is budgeted and available from Account No. 315-206000-19021/ Optional Sales tax/JRTC Walking Trail/Retainage-Prince Land, Inc.

Account Description	Account Number	Amount
Optional Sales tax/JRTC Walking Trail/Retainage-Prince Land, Inc	315-206000-19021	\$44,439.57

RECOMMENDATION

Staff recommends approval of Change Order No. 1 and payment of Contractor's Application for Payment No. 1908-8FINAL to Prince Land, Inc. in the amount of \$44,439.57 for release of retainage.

ATTACHMENTS ARE AVAILABLE FOR VIEWING IN ENGINEERING DIVISION

1. Contractor's Application for Payment No. 1908-8FINAL
2. Change Order No. 1

APPROVED AGENDA ITEM FOR DECEMBER 17, 2024