

**INDIAN RIVER COUNTY, FLORIDA  
MEMORANDUM**

**CONSENT**

**TO:** Board of County Commissioners

**THROUGH:** John A. Titkanich, Jr., County Administrator  
Sean A. Lieske, Acting Public Works Director  
Kirstin Leiendecker, P.E., Assistant Public Works Director

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

**SUBJECT:** Utility Work by Highway Contractor Agreement for Water and Sewer Construction on IRC Project 43<sup>rd</sup> Avenue Bike & Pedestrian Improvements (12<sup>th</sup> Street to 18<sup>th</sup> Street) IRC-1818

**DATE:** March 14, 2024

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**DESCRIPTION AND CONDITIONS**

On August 16, 2022, the Board of County Commissioners approved Work Order No. 52 with Kimley-Horn and Associates, Inc. to provide design and permitting services for roadway and pedestrian improvements for 43<sup>rd</sup> Avenue between 12<sup>th</sup> Street and 18<sup>th</sup> Street. Staff had determined that this section of roadway lacked adequate interconnected pedestrian and bicycle facilities. This design will allow for minimum bike lane widths and bike lanes to be signed and marked along 43<sup>rd</sup> Avenue, which is a major north/south corridor. On October 17<sup>th</sup>, 2023, the Board entered into an agreement with the Florida Department of Transportation (FDOT) for a grant in the amount of \$1,470,610.00 for the construction and construction, engineering, and inspection services for this project.

To reduce potential utility relocation conflicts and minimize construction delays to the County project, the City of Vero Beach Water and Sewer Department has prepared construction drawings to modify its facilities in concert with the 43<sup>rd</sup> Avenue (12<sup>th</sup> Street to 18<sup>th</sup> Street) project boundary. The City of Vero Beach City Council authorized a 'Utility Work by Highway Contractor Agreement' on March 13, 2024, to allow the County's selected contractor for this project construct and relocate water and sewer facilities within the project boundary. This Agreement also provides compensation, based upon the Engineer's Probable Cost of Construction Estimate, prepared by the City, in the amount of \$694,895.04 to the County for all utility relocations per City prepared construction documents. The Engineer's Estimate has been reviewed and accepted by the County's Public Works Engineering Division.

The purpose of this 'Utility Work by Highway Contractor Agreement' is to allow the Contractor selected by the County to perform work on City of Vero Beach Water and Sewer facilities within the 43<sup>rd</sup> Avenue (12<sup>th</sup> Street to 18<sup>th</sup> Street) project limits and mitigate any potential schedule impacts due to utility relocation. This Project is scheduled to start construction in fall of 2024.

**FUNDING**

The City of Vero Beach will pay the County \$694,895.04. These funds will be deposited into Optional Sales Revenue/Reimbursements-City of Vero Beach/43rd Ave-Ped Access 12<sup>th</sup>-18th -Acct# 315038-369940-22027. The expenses for the project are budgeted in Optional Sales Tax/43rd Ave-Ped Access 12<sup>th</sup>-18th, Account # 31521441-066510-22027.

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Bike & Pedestrian Improvements (12<sup>th</sup> Street to 18<sup>th</sup> Street) IRC-1818  
For BCC Meeting April 9, 2024

**RECOMMENDATION**

Staff recommends the Board of County Commissioners approve the 'Utility Work by Highway Contractor Agreement' for estimated lump sum amount of \$694,895.04 and requests the Board of County Commissioners authorize the Chairman to execute the 'Utility Work by Highway Contractor Agreement' on their behalf.

**ATTACHMENTS**

Utility Work by Highway Contractor Agreement

**APPROVED AGENDA ITEM FOR APRIL 9, 2024**