



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.1.

11/18/2025

Subject:

Save Our Indian River Lagoon Contingency Fund Request for the City of West Melbourne Ray Bullard Water Reclamation Facility Upgrade Project (District 3)

Fiscal Impact:

Up to \$1,300,000.00 from Save Our Indian River Lagoon Contingency Funds

Dept/Office:

Natural Resources Management

Requested Action:

It is requested that the Board authorize the Chair to sign a cost-share amendment increasing funding for the Ray Bullard Water Reclamation Facility Upgrade Project by \$1,300,000.00.

Summary Explanation and Background:

The City of West Melbourne Ray Bullard Water Reclamation Facility Upgrade Project is a substitute project that was added to the Save Our Indian River Lagoon (SOIRL) project plan in 2020 to upgrade the facility to reduce the nitrogen and phosphorus concentrations in the reclaimed water used for irrigation. The estimated annual total nitrogen reduction benefit is 11,360 pounds and the estimated annual total phosphorus reduction is 3,302 pounds. It was originally approved and contracted for a SOIRL cost-share of \$4,260,000.00. The total cost for the project was estimated at \$8,000,000.00. The 2025 SOIRL Plan Update allocated an inflation allowance to each project. The total inflation adjustment from 2020 to 2025 increased funding by \$2,246,916.00 for a total SOIRL cost-share of \$6,506,916.00.

When the project was first advertised, the City received three qualified bids, all of which exceeded the City's estimates. The lowest bid was over \$16,000,000.00. The City worked with its engineering firm to reduce anticipated construction costs while accomplishing the same nutrient reduction benefits. The revised project was re-advertised and the lowest bid received was \$10,725,750.00.

The City secured funding from the Florida Department of Environmental Protection for \$1,510,000.00 and from the St. Johns River Water Management District for \$1,343,250.00. Combining these grants with SOIRL funds, the city has secured a sum of \$9,359,166.00 for this project. This leaves the City with a funding shortfall of \$1,365,584.00 for construction in addition to previous costs for design and permitting and an estimated \$524,000 for construction oversight.

Section 5.1 of the Save Our Indian River Lagoon Project Plan allows the Contingency Fund Reserve to be used to increase funding for approved projects. *"For project cost increases that exceed inflation rates and are more than 10% above the amount identified in the project's cost-share agreement or the estimated cost or eligible*

amount of Trust Fund cost-share stated in the Save Our Indian River Lagoon Project Plan, as updated, County staff will evaluate the project circumstances and present findings to the Citizen Oversight Committee for review. The Citizen Oversight Committee will recommend rejection, modification, or approval of the funding request and provide such recommendation to the County representative authorized to sign the amendment. Staff will provide the Citizen Oversight Committee's recommendation to the County representative authorized to sign the request based on the authority granted by the County Commission."

To address a portion of the funding shortfall, the City requested \$1,400,000.00 of additional state grant funding, but has not yet received confirmation of award. Rather than delay project construction to wait to hear from the state, the City requested an additional \$1,300,000 from the SOIRL Contingency funds. If the pending state grant is approved, the City will reduce or withdraw the use of SOIRL contingency funds accordingly.

On September 19, 2025, the Citizen Oversight Committee unanimously recommended approval of \$1,300,000.00 of contingency funds for the Ray Bullard Water Reclamation Facility Upgrade Project to go before the County Commission for consideration.

The Contingency Fund Reserve allocates 5% of the approved Save Our Indian River Lagoon Project cost share for each approved project; 5% equates to an additional \$325,346.00 for this project. The City's \$1,300,000 request is the equivalent of a 20% cost-share increase, but would be reduced if the state grant is approved. The current balance in the Contingency Fund Reserve is \$21,900,738.

Contingency funding has been approved for 13 other projects during the life of the Save Our Indian River Lagoon Program. Last year, rather than delay construction award of the Sykes Creek Zone M, Sykes Creek Zone N, and Sykes Creek Zone T septic to sewer projects to wait to hear from the state, the Board approved 5% Contingency plus an additional \$3,859,716 that was the amount of a pending state grant. After the grant was secured, the use of Contingency funds was reduced back to a 5% increase.

Clerk to the Board Instructions:

Please execute 2 copies of the contract amendment, one copy for the City of West Melbourne and one for Natural Resources Management.



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Kimberly.Powell@brevardclerk.us

November 19, 2025

MEMORANDUM

TO: Virginia Barker, Natural Resources Management Director

RE: Item F.1., Save Our Indian River Lagoon Contingency Fund Request for the City of West Melbourne Ray Bullard Water Reclamation Facility Upgrade Project

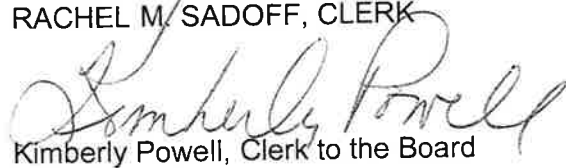
The Board of County Commissioners, in regular session on November 18, 2025, approved and authorized the Chairman to sign a cost-share amendment increasing funding for the Ray Bullard Water Reclamation Facility Upgrade Project by \$1,300,000.00. Enclosed are two executed Amendments.

Upon execution by the City of West Melbourne, please return a fully-executed Amendment to this office for inclusion in the official minutes.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK


Kimberly Powell, Clerk to the Board

/tr

Encls. (2)

cc: Contracts Administration
Finance
Budget

AMENDMENT 4 TO THE SAVE OUR INDIAN RIVER LAGOON PROJECT COST-SHARE FUNDING INTERLOCAL AGREEMENT BETWEEN BREVARD COUNTY, FLORIDA, AND THE CITY OF WEST MELBOURNE, FLORIDA

AGREEMENT NUMBER: SOIRL 21-138

THIS AMENDMENT is made and entered into by and between Brevard County, Florida, a political subdivision of the State of Florida (hereinafter "COUNTY"), and the City of West Melbourne, Florida, a Florida municipal corporation organized and existing under the laws of the State of Florida (hereinafter "CITY").

WHEREAS, the parties have previously entered into that certain Save Our Indian River Lagoon Project Cost-Share Funding Interlocal Agreement No. SOIRL 21-138 on April 6, 2021 ("Agreement"); and

WHEREAS, the parties previously entered into Amendment 1 to the Agreement on December 14, 2021, to update the CITY Project Manager and E-Verify language; and

WHEREAS, the parties previously entered into Amendment 2 to the Agreement on August 16, 2023, to implement a time extension because the CITY experienced delays in design due to expansion of the project to include additional treatment effectiveness; and

WHEREAS, the parties previously entered into Amendment 3 to the Agreement on January 7, 2025, to implement a time extension because the CITY experienced delays due to value engineering; and

WHEREAS, Amendment 3 adjusted the Save Our Indian River Lagoon cost share for the fourth year of inflation from \$4,260,000.00 to \$5,784,232.00, an addition of \$1,524,232.00; and

WHEREAS, the contract value is adjusted from \$5,784,232.00 to \$6,506,916.00, an addition of \$722,684.00, to include the final inflation adjustment; and

WHEREAS, the CITY received three qualified bid requests, all of which exceeded the CITY estimate by over \$8,000,000.00; and

WHEREAS, the CITY worked with its engineering firm to reduce anticipated construction costs while accomplishing the same nutrient reduction benefit with a re-bid estimate of \$10,725,750.00; and

WHEREAS, on September 19, 2025, the Save Our Indian River Lagoon Citizen Oversight Committee recommended to the Board of County Commissioners the use of \$1,300,000.00 in contingency funding for this project to assist with increased costs; and

NOW, THEREFORE, in consideration of the promises and mutual covenants herein contained, the parties hereby agree as follows:

1. Section 3. Terms and Extensions subsection 3.a. is amended to read as follows:
 - a. The term of this Agreement is from the date upon which the last party has dated and executed the same ("Effective Date") until May 31, 2027 ("Completion Date"). CITY shall not commence the Project until any required submittals are received and approved. Time is of the essence for every aspect of this Agreement, including any time extensions.
2. Attachment A: Statement of Work is amended to read as follows:

PROJECT DESCRIPTION:

This project will include design, permitting and construction of facility improvements at the Ray Bullard Water Reclamation Facility reducing the nitrogen and phosphorus concentration of the reclaimed water. The proposed improvement includes:

- Constructing a BNR basin with anaerobic and anoxic zones to convert the existing biological treatment system into a three stage BNR activated sludge system.
- Modifying existing aeration blowers with control inlet throttle drives to allow blowers to function as VFD (Variable Function Drives) and upgrading MCC panels to convert valves from manual to automated to reduce energy consumption and increase pump efficiency.
- Repairing all the below grade piping with new fittings and connectors.
- Associated civil/site, mechanical, electrical, and controls system improvements.

The City received \$1,343,250 of additional grant funding for the project from the St. Johns River Water Management District (SJRWMD) through their water quality improvements cost share grant funding program. The City was also awarded \$1.5 million dollars from the Department of Environmental Protection Water Quality Grant program.

3. Attachment E. Estimated Project Cost-Share Table is amended to read as follows:

Recipient Name:	City of West Melbourne
Project Name:	Ray Bullard Water Reclamation Facility Nutrient Removal Upgrades
Agreement Number:	21-138

ATTACHMENT E

Estimated Project Cost-Share Table							
Task Number	Task Description	Task Cost	Grant 1 (319)	Grant 2 (FDEP)	Grant 3 (SJRWMD)	Eligible Lagoon Tax Cost Share, Adjusted	Local Match
1	Design & Permitting	\$695,531				\$459,050	\$236,481
2	Construction	\$10,725,750		\$1,510,000	\$1,343,250	\$7,347,866	\$524,634
	Total	\$11,421,281		\$1,510,000	\$1,343,250	\$7,806,916	\$761,115

Funding Eligibility Calculation	
Project Type	Reclaimed Water
Pounds of Nitrogen Reduction	11,360
Eligible Cost Share per Pound	\$375
Eligible Tax Funding Cost Share	\$4,260,000
Inflation	\$2,246,916
Contingency	\$1,300,000
Eligible Cost Share	\$7,806,916
Reduction so Sum of Grants does not exceed Project Cost	\$(0)
Eligible Lagoon Tax Cost Share, Adjusted	\$7,806,916
Percent Cost Share to be contributed by the Lagoon Tax	68%

4. All terms and conditions of the Agreement, and any amendments or modifications thereto, are incorporated herein by this reference, not inconsistent with the provisions of this Fourth Amendment, shall remain in full force and effect.

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IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the date last written below

BREVARD COUNTY, FLORIDA

By: Thad Altman

Date: NOV 18 2025

Thad Altman, Chair

As Approved by the Board on November 18, 2025

WEST MELBOURNE, FLORIDA

By: _____

Name: Andrea Young

Title: Mayor

Date: _____

Attest

Rachel Sadoff
Rachel Sadoff, Clerk
Date: NOV 19 2025

Reviewed for legal form and content for
Brevard County

Heather A. Balsler

Heather A. Balsler, Assistant County Attorney

**BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS**

CONTRACT REVIEW AND APPROVAL FORM

SECTION I - GENERAL INFORMATION

1. Contractor: City of West Melbourne		2. Amount: \$2,022,684	
3. Fund/Account #: 1260		4. Department Name: Natural Resources	
5. Contract Description: Amendment 4 to SOIRL 21-138 Ray Bullard Water Reclamation Facility			
6. Contract Monitor: Terri Breeden		8. Contract Type:	
7. Dept/Office Director: Virginia Barker		INTERGOVT/LOCAL	
9. Type of Procurement: Exempt from Competition			

SECTION II - REVIEW AND APPROVAL TO ADVERTISE

APPROVAL

<u>COUNTY OFFICE</u>	<u>YES</u>	<u>NO</u>	<u>SIGNATURE</u>
User Agency	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Purchasing	<input type="checkbox"/>	<input type="checkbox"/>	_____
Risk Management	<input type="checkbox"/>	<input type="checkbox"/>	_____
County Attorney	<input type="checkbox"/>	<input type="checkbox"/>	_____

SECTION III - CONTRACTS MANAGEMENT DATABASE CHECKLIST

APPROVAL

<u>COUNTY OFFICE</u>	<u>YES</u>	<u>NO</u>	<u>SIGNATURE</u>
User Agency	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Hibbard, Joshua <small>Digitally signed by Hibbard, Joshua Date: 2025.10.08 09:01:28 -04'00'</small>
Purchasing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wall, Katherine <small>Digitally signed by Wall, Katherine Date: 2025.10.08 11:17:25 -04'00'</small>
Risk Management	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Watson, Michael <small>Digitally signed by Watson, Michael Date: 2025.10.16 08:43:46 -04'00'</small>
County Attorney	<input type="checkbox"/>	<input type="checkbox"/>	_____

SECTION IV - CONTRACTS MANAGEMENT DATABASE CHECKLIST

CM DATABASE REQUIRED FIELDS	Complete ✓
Department Information	<input type="checkbox"/>
Department	<input type="checkbox"/>
Program	<input type="checkbox"/>
Contact Name	<input type="checkbox"/>
Cost Center, Fund, and G/L Account	<input type="checkbox"/>
Vendor Information (SAP Vendor #)	<input type="checkbox"/>
Contract Status, Title, Type, and Amount	<input type="checkbox"/>
Storage Location (SAP)	<input type="checkbox"/>
Contract Approval Date, Effective Date, and Expiration Date	<input type="checkbox"/>
Contract Absolute End Date (No Additional Renewals/Extensions)	<input type="checkbox"/>
Material Group	<input type="checkbox"/>
Contract Documents Uploaded in CM database (Contract Form with County Attorney/ Risk Management/ Purchasing Approval; Signed/Executed Contract)	<input type="checkbox"/>
"Right To Audit" Clause Included in Contract	<input type="checkbox"/>
Monitored items: Uploaded to database (Insurance, Bonds, etc.)	<input type="checkbox"/>