

Meeting Date
09/16/2014



AGENDA	
Section	Consent
Item No.	II.A.4

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Approval Re: Signalization Interlocal Agreement Supplemental Amendment Number 1 with the City of Melbourne for the Wickham Road and Pebble Creek/Preserve Intersection – District 4
DEPT/OFFICE:	Public Works Department

Requested Action:

It is requested that the Board of County Commissioners approve and authorize the Chairman to execute the Signalization Interlocal Agreement Supplemental Amendment Number 1 with the City of Melbourne for the Wickham Road and Pebble Creek/Preserve Intersection.

Summary Explanation & Background:

On April 1, 2014 the Board of County Commissioners approved and authorized the Chairman to execute an Interlocal Agreement with the City of Melbourne in the amount of \$402,316 for the construction of improvements at the intersection of Wickham Road and Pebble Creek.

This Supplemental Amendment Number 1 will update the not to exceed amount for construction management, construction, and geotechnical services to \$422,316 and is needed to cover potential change order charges. The City of Melbourne approved the Supplemental Amendment Number 1 in the amount of \$20,000 on August 28, 2014.

Fiscal Impact: FY13/14 – None for Brevard County.

Clerk to the Board Instructions: Return Two Supplemental Amendments Number 1 to Department

Exhibits Attached: Two Supplemental Amendments Number 1 and Exhibit "B"

Contract /Agreement (If attached): Reviewed by County Attorney		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
County Manager	Assistant County Manager, Mel Scott			Department Director / Extension			
Stockton Whitten	Assistant County Manager, Venetta Valdergo			John Denninghoff / 57202			



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

Telephone: (321) 637-2001
Fax: (321) 264-6972

September 17, 2014

MEMORANDUM

TO: John Denninghoff, Public Works Director

RE: Item II.A.4., Signalization Interlocal Agreement Supplemental Amendment Number 1
with City of Melbourne for Wickham Road and Pebble Creek/Preserve Intersection

The Board of County Commissioners, in regular session on September 16, 2014, executed the Signalization Interlocal Agreement Supplemental Amendment Number 1 with the City of Melbourne for the Wickham Road and Pebble Creek/Preserve Intersection. Enclosed are original and fully-executed copy of the Agreement for your action.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Etheridge

Tammy Etheridge, Deputy Clerk

/kg

Encls. (2)

cc: Contracts Administration
Finance
Budget

**BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS**

INITIAL CONTRACT FORM

SECTION I

The following information must be completed on all new contracts submitted to the Board.

1. Contractor: City of Melbourne	
2. Fund/Account #:	Division Name: Finance & Contract Administration
4. Contract Description: Wickham and Pebble Creek Intersection Improvements	
5. Contract Monitor: Tammy Thomas-Wood	6. Mail Stop #: 81
7. Dept./Office Director: Public Works/John Denninghoff	8. Contract Type: Supplemental Agreement #1
ACTION DATE: 30 days from entry	ACTION REQUIREMENT: Need complete data

SECTION II

The following departments must approve all contracts submitted to the Board:

<u>COUNTY OFFICE</u>	<u>APPROVAL</u>		<u>INITIALS</u>	<u>DATE</u>
	<u>YES</u>	<u>NO</u>		
User Agency	√	_____	_____	8/20/2014
Risk Management	_____	_____	_____	_____
County Attorney	✓ <i>ED</i>	_____	<i>ED</i>	8/20/2014

If any office denies approval, the package will be returned immediately to the User Agency.

NOTE: This form should be attached to all new contracts being submitted to the Board for approval. After the contract has been approved, the contract package, including this form, will go to the Clerk to the Board. The Clerk's office will return the Initial Contract Form to department for contract to be entered into the Contract Management System. See AO-29 for additional information.

AO-29: EXHIBIT I

**BREVARD COUNTY PUBLIC WORKS
 SIGNALIZATION OF WICKHAM ROAD
 AND PEBBLE CREEK/PRESERVE INTERSECTION
 INTERLOCAL AGREEMENT
 SUPPLEMENTAL AMENDMENT NUMBER 1
 EXECUTION DATE: _____**

Agency: City of Melbourne	Revised Contract Amount: \$422,316.00	Supplemental Amount: \$20,000.00
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The terms of the original Interlocal Agreement between Brevard County and the City of Melbourne for construction of "Signalization of the Wickham Road intersection with Pebble Creek Street (east)/Preserve Drive (west)", approved by the City of Melbourne on 02/25/2014, and approved by Board of County Commissioners on 04/01/2014, are hereby amended as follows:

The purpose of this Supplemental Amendment Number 1 is to increase the City of Melbourne's financial responsibility above the amount specified in the original Agreement. The updated not to exceed amount for construction costs (including construction management costs and geotechnical costs) is **\$422,316.00 (Four Hundred Twenty Two Thousand Three Hundred Sixteen Dollars and No/100)**. The additional funding is needed as a result of the construction contract amount exceeding the County's construction cost estimate and will cover potential change order charges. Brevard County will receive the originally specified deposit from the City of Melbourne in the amount of the bid award plus construction management costs and geotechnical costs of \$401,558.46 (Four Hundred One Thousand Five Hundred Fifty Eight Dollars and 46/100). City of Melbourne agrees to submit the additional funding above and beyond the originally specified deposit as needed for change orders up to the not to exceed amount the amount of \$422,316.00 (Four Hundred Twenty Two Thousand Three Hundred Sixteen Dollars and No/100). The additional funding of **\$20,000.00 (Twenty Thousand and No/100)** shall be available to Brevard County upon execution of this Supplemental Amendment Number 1 and upon request for use on change orders associated with this project.

Except as hereby modified, amended or changed, all of the terms and conditions of said original Agreement thereto will remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused these presents be executed, the day and year first above written.

**BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA**

By: *Mary Bolin Lewis*
Name: Mary Bolin Lewis
Title: Chairman

Attest:
Scott Ellis
Scott Ellis, Clerk

Legal Review

County Attorney

CITY OF MELBOURNE

By: *Michael A. McNess*
Name: Michael A. McNess
Title: City Manager

AUG 28 2014

Attest:
Cathleen A. Wysor
Cathleen A. Wysor
City Clerk

