



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

New Business - Development and Environmental Services Group

J.1.

10/27/2020

Subject:

South Beaches Dune Project Maintenance

Fiscal Impact:

Total South Beaches Dune Maintenance Project cost including sand, required environmental monitoring and permitting/oversight is expected to be \$2.26 million to be funded by the Tourism Development Tax Beach Improvement Fund. Cost share reimbursement will be sought from the state but cannot be presumed.

Dept/Office:

Natural Resources / Tourism

Requested Action:

It is requested that the Board authorize: 1) a change order to an existing contract with Southern Disaster Recovery, waiving the bidding requirements, to repair the South Beaches engineered dune project; 2) a negotiated contract change to the price per cubic yard to reflect the Consumer Price Index (CPI); 3) the Chair to execute the change order for the new work at the negotiated price, not to exceed CPI; 4) use of county owned/managed land for temporary construction access; 5) the County Manager or designee to execute work in excess of \$100,000 for associated tasks required to complete the project and comply with permit conditions; 6) staff to seek state funding for partial reimbursement; and 7) necessary budget change requests.

Summary Explanation and Background:

In 2004-2005, in response to Hurricane Jeanne, Brevard County constructed an engineered dune project along approximately 12 miles of developed shoreline in the South Beaches. This project has been maintained as required by FEMA, most recently in 2018-19 after Hurricane Dorian. Recent high wind and king tides caused significant erosion in portions of the South Beaches.

The project has been successful at protecting both upland parks and properties, as well as sea turtle nesting habitat in the Archie Carr National Wildlife Refuge. To date approximately \$24.3 million has been spent to preserve this shoreline of which Brevard County's cost share has been about 11% due to highly successful leveraging of state and Federal Emergency Management Agency (FEMA) funding. To assure future FEMA eligibility, Brevard County must demonstrate that we actively maintain the project as needed. Recent weather has caused sufficient erosion that sand placement is warranted to help meet the FEMA project maintenance requirement.

Timely pursuit of contracting is necessary for multiple reasons: 1) Winter storms will increase vulnerability along the eroded shoreline; 2) Work is estimated to require 4 to 5 months to complete; 3) Work cannot be conducted during the main marine turtle nesting season that begins May 1st; and 4) Shoreline that is not restored prior to May 1st will remain highly vulnerable through the next hurricane season.

Southern Disaster Recovery remains under contract with Brevard County from a 2017 low bid for the South Beaches Project maintenance event that was completed in 2018. In 2019, the Board approved additional work under this contract after Hurricane Dorian with a price adjustment to match the Consumer Price Index. An additional 1.4% Consumer Price Index adjustment for 2020 would bring the cost per cubic yard to \$33.95. Staff believes this cost is fair for the 2020-21 response work needed, particularly given the busy construction market.

Executing a change order at this rate will allow the most expedient startup of work. Over the past 14 years, bids have varied from \$20 to \$49/CY for similar work. Alternatively, bidding, selection and contracting would delay startup by at least 45 days, challenging the ability to complete work by May 1, 2021. Shortening the work schedule by 45 days to allow for a new bid is likely to result in bid prices that exceed Southern Disaster Recovery's low bid price adjusted for the Consumer Price Index.

The proposed Change Order for sand placement totals \$1,601,525. Total cost for the project is estimated at \$2.26 million including sand placement, beach tilling, permitting, construction oversight and 3 years of mandated environmental and physical monitoring. Partial reimbursement will be sought through FDEP, but should not be presumed. Project funding is available in the Tourism Development Office Beach Improvement Budget, within reserves. To meet permit requirements and project schedule, the County Manager will need to execute subsequent contracts, change orders and task orders for all associated work.

Clerk to the Board Instructions:

A change order will be prepared for execution by the Chair if the Board approves negotiations.

**BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS**

CONTRACT REVIEW AND APPROVAL FORM

SECTION I - GENERAL INFORMATION

1. Contractor: Southern Disaster Recovery		2. Amount: 1,614,966.25
3. Fund/Account #: 1442/293100	4. Department Name: Natural Resources/Tourism	
5. Contract Description: Change Order to Hurricane Irma Beach Berm Project Bid # B-3-18-10		
6. Contract Monitor: Paula Berntson	8. Contract Type:	
7. Dept/Office Director: Virginia Barker / Peter Cranis	CONSTRUCTION	
9. Type of Procurement: Invitation to Bid (ITB)		

SECTION II - REVIEW AND APPROVAL TO ADVERTISE

APPROVAL

COUNTY OFFICE

YES

NO

SIGNATURE

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 - REVIEW AND APPROVAL TO EXECUTE

APPROVAL

COUNTY OFFICE

YES

NO

SIGNATURE

User Agency	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Cranis, Peter	<small>Digitally signed by Cranis, Peter Date: 2020.11.03 09:01:44 -05'00'</small>
Purchasing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Darling, Steven	<small>Digitally signed by Darling, Steven Date: 2020.11.02 10:15:42 -05'00'</small>
Risk Management	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Lairsey, Matt	<small>Digitally signed by Lairsey, Matt Date: 2020.11.02 11:18:27 -05'00'</small>
County Attorney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Valliere, Christine	<small>Digitally signed by Valliere, Christine Date: 2020.11.03 08:25:30 -05'00'</small>

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"/>



October 28, 2020

MEMORANDUM

TO: Virginia Barker, Natural Resources Management Director

RE: Item J.1., South Beaches Dune Project Maintenance

The Board of County Commissioners, in regular session on October 27, 2020, approved and authorized a Change Order to an existing Contract with Southern Disaster Recovery, waiving the bidding requirements, to repair the South Beaches engineered dune project; approved a negotiated Contract change to the price per cubic yard to reflect the Consumer Price Index (CPI); authorized the Chair to execute the Change Order for the new work at the negotiated price, not to exceed CPI; approved use of County owned or managed land for temporary construction access; authorized the County Manager, or his designee, to execute work in excess of \$100,000 for associated tasks required to complete the project and comply with permit conditions; authorized staff to seek State funding for partial reimbursement; and authorized any necessary Budget Change Requests.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Kimberly Powell, Clerk to the Board

cc: Tourism Development Office
Finance
Budget

CONTRACT CHANGE ORDER

PROJECT:

Hurricane Irma (Dorian) Beach Berm Project

DATE: November 1, 2020

PROJECT NO: Bid #3-18-10

CONTRACT DATE: December 4, 2017

CONTRACTOR:

Southern Disaster Recovery, LLC (SDR)

The Contract is changed as follows:

Sand volume of 47,175 cubic yards to be placed on the South Beaches (from R-143 to R-200) between December 1, 2020 and March 31, 2021 is added to the contract at an all-inclusive rate of \$33.95/CY for a total of \$1,601,591.25. The approved and intended material for this work is "medium beach sand" from the Cemex sand mine in Davenport FL. Additional sources which pass contract specifications may be approved by the County. A spreadsheet and map defining where specific fill densities shall be placed will be provided by the County by November 15, 2020. Additionally, beach tilling to a depth of 36 inches along 12.7 miles of discontinuous shoreline between R-142 and R213 will be completed by the Contractor for a cost of \$13,375. All work upon the beach must be completed by March 31, 2021. Staging area restoration landward of the dune shall be completed by June 15, 2021. The sand volume includes up to 777 CY which can be used by the Contractor, with the approval of the County, for construction & restoration of beach access ramps at staging sites. This "ramp" sand shall in the end remain in the beach/dune system. Mobilization to upland beach-front staging sites may begin November 16, 2020, after NTP from Brevard County.

The contract end date will be extended until December 31, 2021.

Other than these modifications, all other contract specifications remain unchanged.

Not valid until signed by the Owner and Contractor

The original Contract Sum was	\$7,581,402.60
Net change by previously authorized Change Orders.....	\$ 3,375,818.20
The Contract Sum prior to this Change Order was	\$10,957,220.80
The Contract Sum will be changed by this Change Order in the amount of.....	\$ 1,614,966.25
The new Contract Sum including this Amendment.....	\$12,572,187.05



AI McClaran, CEO

109 White Oak Rd
Address

Greenville SC 29609

Date

11/05/20



Bryan Andrew Lober, Chair
As approved by the Board Oct 27, 2020

2725 Judge Jamieson Way
Address

Viera FL 32940

Date

11/5/2020

Attest:

Scott Ellis, Clerk