File #:	20-0478			
Type:	Consent	**Status:**	Agenda Ready	
		In control:	Board of County Commissioners	
On agenda:	2/18/2020	**Final action:**		
Title:	REQUEST TO APPROVE A CONTRACT FOR CONSTRUCTION OF REQUIRED IMPROVEMENTS AND INFRASTRUCTURE ASSOCIATED WITH THE PLAT OF RIVER OAKS			
Sponsors:				
Indexes:				
Code sections:				
Attachments:	1. 2020-02-18 Punch-list & Warranty Contract, 2. M211-004_2020-02-03 - Approved EOPC			

Date	Ver.	Action By	Action	Result

PLACEMENT: Consent

TITLE:

REQUEST TO APPROVE A CONTRACT FOR CONSTRUCTION OF REQUIRED IMPROVEMENTS AND INFRASTRUCTURE ASSOCIATED WITH THE PLAT OF RIVER OAKS

EXECUTIVE SUMMARY:

River Oaks, LLC is asking that the Board of County Commissioners replace the previously approved but unexecuted Contract for Required Improvements and Infrastructure for the plat of River Oaks with one that reflects the outstanding "punch-list" items and required warranty security.

DEPARTMENT: Public Works

PREPARED BY: **Name:** Lisa A. Wichser, P.E., CFM

Title: County Engineer

REQUESTED BY: Don R. Mancil, Jr., Manager of River Oaks, LLC

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

On October 22, 2019, concurrent with the approval of the plat of River Oaks, the Board of County Commissioners approved a Contract for Construction of Required Improvements and Infrastructure for River Oaks (Contract). The Contract was based on an Engineer's Opinion of Probable Cost for all the required improvements and infrastructure, including the water distribution and wastewater

collection systems that were subsequently sold to Martin County. Since the plat was approved by the Board of County Commissioners, the Developer, River Oaks, LLC has constructed the required improvements and infrastructure except for certain "punch-list" items. The Contract proposed on October 22, 2019 was never executed. The Developer is asking that the Contract be replaced with a new contract that provides for the Developer to maintain warranty security for the constructed improvements and the "punch-list" items. This replacement contract reduces the amount of the required security by $564,120 (from $689,042.25 to $124,922.43). The Board of County Commissioners is being asked to accept and execute the replacement Contract.

ISSUES:

None

LEGAL SUFFICIENCY REVIEW:

This item has been reviewed for legal sufficiency to determine whether it is consistent with applicable law, has identified and addressed legal risks, and has developed strategies for legal defensibility.

RECOMMENDED ACTION:

RECOMMENDATION

Move that the Board authorize the Chairman to execute, on its behalf, the Contract for Construction of Required Improvements and Infrastructure associated with the plat of River Oaks upon submittal of the required security and acceptance of the security by the County Attorney's Office.

ALTERNATIVE RECOMMENDATIONS

Pull this item from the Consent Agenda and provide staff direction.

FISCAL IMPACT:

RECOMMENDATION

None

Funding Source	County Funds	Non-County Funds
Subtotal		
Project Total		

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

☐Budget Transfer / Amendment ☐ Chair Letter ☒Contract / Agreement

☐Grant / Application ☐Notice ☐Ordinance ☐Resolution

☐Other:

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