



## Agenda Item Summary

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**File ID:** 19-0274

**CNST-13**

**Meeting Date:** 2/12/2019

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**PLACEMENT:** Consent

**TITLE:**

**REQUEST TO APPROVE THE FIRST AMENDMENT TO THE CONTRACT FOR THE COMPLETION OF THE REQUIRED IMPROVEMENTS AND INFRASTRUCTURE FOR PENNOCK PRESERVE PUD, PHASES 2 & 3**

**EXECUTIVE SUMMARY:**

Standard Pacific of Florida, a Florida General Partnership is requesting approval of the First Amendment to Contract for Construction of Required Improvements and Infrastructure for Pennock Preserve PUD, Phases 2 & 3 in accordance with the approved timetable of development pursuant to Section 4.913.B, Land Development Regulations.

**DEPARTMENT:** Public Works

**PREPARED BY:** **Name:** Michelle Cullum, P.E.

**Title:** Development Review Administrator

**REQUESTED BY:** Patrick Gonzalez, Vice President, Standard Pacific of Florida

**PRESET:**

**PROCEDURES:** None

**BACKGROUND/RELATED STRATEGIC GOAL:**

**Agreement/Contract drafted by:** Krista A. Storey, Acting County Attorney and Michelle Cullum, Development Review Administrator

**Parties to the Agreement/Contract:** Standard Pacific of Florida, a Florida General Partnership and Martin County

**Purpose of the Agreement/Contract:** To extend the time and security provided for the completion of the required improvements and infrastructure for Pennock Preserve PUD Phases 2 & 3.

**New/Renewal/Modification:** First Amendment

**Duration:** May 3, 2024

**Benefits to Martin County:** The security is available should it become necessary for Martin County to complete the required improvements and

infrastructure.

**Cost to Martin County:** none

Pennock Preserve PUD, Phases 2 & 3 is an approved 94 lot single family residential development on 171.82 acres. The subject property is located in Southern Martin County along SE Island Way between Jonathan Dickinson State Park and the Palm Beach County line. The project is serviced by regional water and wastewater services provided by the City of Jupiter and ENCON respectively. As allowed by Section 4.913.B, Land Development Regulations, Martin County, the owner, Standard Pacific of Florida, a Florida General Partnership., and the Board of County Commissioners executed a Contract for Construction of the Required Improvements and Infrastructure in lieu of construction prior to the recordation of the plat. The owner has received timetable extensions as provided by the Land Development Regulations and State law. In the original Contract, the owner and the County agreed that the construction would be complete by February 17, 2019.

The current timetable of development provides for completion of the construction of the required improvements and infrastructure by May 3, 2024.

The owner has asked the Board to approve the First Amendment to the Contract for Construction of Required Improvements and Infrastructure to extend the completion of construction to May 3, 2024 (consistent with the approved development timetable). Staff has reviewed the proposed amendment and previously accepted the Engineer's Opinion of Probable Costs to complete the required improvements and infrastructure. Staff will ensure that the Performance Surety Bond being held as security will be extended in accordance with the timeframes established in the First Amendment.

**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 the First Amendment to the Contract with Standard Pacific of Florida for the Construction of Required Improvements and Infrastructure for Pennock Preserve PUD, Phases 2 & 3.

**ALTERNATIVE RECOMMENDATIONS**

*Pull* this item from the Consent Agenda and direct staff.

**FISCAL IMPACT:**

**RECOMMENDATION**

None

Funding Source	County Funds	Non-County Funds
<b>Subtotal</b>		
<b>Project Total</b>		

## ALTERNATIVE RECOMMENDATIONS

None

## DOCUMENT(S) REQUIRING ACTION:

- ☐ Budget Transfer / Amendment
 ☐ Chair Letter
 ☒ Contract / Agreement  
☐ Grant / Application
 ☐ Notice
 ☐ Ordinance
 ☐ Resolution  
☐ Other:

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