

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:

ATTACHMENT E

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

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

WEST MELBOURNE, FLORIDA

By: _____

By: _____

Date: _____

Name: Andrea Young

, Chair

Title: Mayor

As Approved by the Board on November 18, 2025

Date: _____

Attest

Rachel Sadoff, Clerk

Date: _____

Reviewed for legal form and content for
Brevard County



Heather A. Balser, Assistant County Attorney