



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 2228, **Version:** 1

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### **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.