



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 3157, **Version:** 1

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### **Subject:**

Public Interest Determination Re: US192 Roadway and Entrance Improvements for additional Board-approved construction on the US192 property.

### **Fiscal Impact:**

The fiscal impact is \$844,780.35 as detailed in the Road & Bridge Cost Quote.

### **Dept/Office:**

Solid Waste Management Department

### **Requested Action:**

It is requested that the Board of County Commissioners determine that the US192 roadway improvements and entranceway improvements, that are necessary for further construction on the US192 Solid Waste Management Facility property, are in the public interest and have an over-riding public benefit in order to allow Brevard County Road & Bridge perform the work.

### **Summary Explanation and Background:**

On May 18, 2021 the Board authorized the Solid Waste Management Department to notify Deseret Ranch of upcoming construction and to initiate construction of the US192 Facility, excluding construction of the scale-house and the landfill cell. The August 2020 Financial Assurance report to FDEP stated that, based on aerial topography and historical waste disposal rates, the Sarno Road Class III Landfill would reach full capacity in January 2023. Using aerial topography flown in April 2021, combined with revised and updated rates of waste disposal, it has been estimated that the Sarno Landfill will now reach full capacity by October 2022.

Improvements to US192 and the facility entrance, along with installation of a fence to separate the north and south properties, are both necessary to be completed prior to any additional site construction. Currently, improvements to US192 and the solid waste facility entranceway are being scheduled to begin in August 2021. A fencing contractor is being procured and installation of the fence to separate the southern Phase I portion of the property from the northern portion is scheduled to begin in October 2021 with an anticipated completion in December 2021. Deseret Ranch was notified of upcoming construction activities on May 19, 2021, giving them more than the 120 days required to vacate the property as was stipulated in the 2017 Settlement Agreement. Completion of these two construction activities will allow for any additional Board-approved construction projects to occur on the property starting in 2022.

Due to the revised estimated date of the Sarno Landfill reaching full capacity, the Solid Waste Management Department is, in an effort to extend the life of the Sarno Landfill, diverting some Class III material from the Sarno Landfill to the Central Disposal Facility (CDF) instead. In order to minimize these costs, Solid Waste and its consultants are pursuing every reasonable effort to shorten the time frame needed to initiate the construction activities that were approved by the Board on May 18<sup>th</sup>. To that end, the Solid Waste Department is requesting that the Board find that the US192 roadway improvement project is in the public interest and has an over-riding public benefit so that the road construction can be performed by Brevard County Road & Bridge. Florida Statute 255.20(1)(c)9 states the Board may make this determination at a public hearing if public notice has been given at least 21 days prior to the meeting. Notice of the meeting was published in Florida Today on July 13, 2021. An engineer's estimate of cost has been provided by the consultant and a cost quote for construction services has been provided by Brevard County Public Works Road & Bridge Construction. The use of Road & Bridge will not require an increase in the number of Brevard County employees or an increase in capital expenditures for public facilities, equipment, or other public assets.

The use of Road & Bridge for this project has two advantages:

1) The project will be constructed in a shorter timeframe by avoiding the formal procurement process, which will eliminate about four months for preparation of bid documents, technical specifications, and construction plans, advertisement, contractor selection, and contract execution;

2) The project is expected to be less costly than utilizing the formal procurement process and bidding the work to private contractors. The formal procurement process would not only include the project construction costs as bid by a for-profit contractor, but also the engineering consultant costs to develop the plans and technical specifications for bidding. Road & Bridge estimates the project cost at \$844,780.35. The engineer's estimate of costs is \$910,736.78 for construction with an additional \$42,900.00 in technical specification, construction plan, and bid document preparation for a total project cost of \$953,636.78.

#### Permits Obtained by Brevard County

FDEP Solid Waste Construction Permit

FDEP Solid Waste Operation Permit

FDEP Environmental Resource Permit

Army Corps of Engineers Environmental Resource Permit

Federal Aviation Administration Permits

#### Permits Applied for and Pending Approval

Florida Department of Transportation Driveway Improvement Permit (July 2021)

Florida Department of Transportation Drainage Connection Exemption (July 2021)

#### Applications Forthcoming

Brevard County Site Plan Approval (August 2021)

FDEP NPDES Permit (not necessary for construction, just operation of constructed facility)

#### Attachments:

- Roadway Improvement Plans

- Road & Bridge Cost Quote
- Engineer's Estimate of Costs
- Florida Statute 255.20(1)(c)9

**Clerk to the Board Instructions:**