



CITY OF PORT ST. LUCIE  
OFFICE OF THE CITY ATTORNEY

MEMORANDUM

TO: JOHN KWASNICKI, PROJECT COORDINATOR  
FROM: FRANK X. MOERHLE, JR., DEPUTY CITY ATTORNEY  
DATE: MARCH 29, 2023  
SUBJECT: WESTERN GROVE 6A – SEVILLE PHASE II (P22-230)  
REVIEW OF ENGINEER'S COST ESTIMATE FOR  
SUBDIVISION BOND RIDER  
SUBDIVISION BOND RIDER NO.: SUR0077762

FXM

The Public Works Department submitted a memorandum, subdivision bond and Opinion of Probable Construction Costs on or about January 11, 2023. The subdivision bond was reviewed and found to be deficient by lacking the Principal's proper name as registered with the State of Florida Division of Corporations. The subdivision bond also did not reflect the address registered with the State of Florida Division of Corporations.

The deficiencies were relayed to the Public Works Department.

On or about January 24, 2023, I spoke with Carolyn DeSanti, Title VP for the Principal and discussed the deficiencies. At that time, Ms. DeSanti relayed that she would speak with the Principal's legal department about the deficiencies discussed.

On or about February 16, 2023, the Public Works Department provided a subsequent memorandum including a bond rider that changed the Principal's name and address to be consistent with the Principal's registration with the State of Florida's Division of Corporations.

On or about February 27, 2023, I spoke with John Kwasnicki, Project Coordinator. At that time, he advised that Mattamy had begun construction on Phase II without securing a bond for the second phase of the project in the amount of \$3.7 million. They completed approximately \$2.4 million in work and were bonding the remaining \$1.3 million in outstanding work.

Public Work's subsequently provided a third memorandum providing a cost estimate and a bond rider.

The subdivision bond, Bond Rider No.: SUR0077762, which was provided to the City Attorney's Office by the Public Works Department, has been reviewed and approved as to form and sufficiency. Western Grove 6A – Seville Phase II (P22-230) Engineer's Cost Estimate has been reviewed and approved by the Utilities Systems Department, Engineer of Record and the Public

Works Department. The Bond Rider in the amount of \$1,282,829.04 has been recommended for the required infrastructure improvements detailed in the Western Grove 6A – Seville Phase II (P22-230) construction plans and is the amount for which the bond has been issued. Please send the original bond documents to the City Clerk for record keeping.

Should you have any questions, please contact me at 772-873-6321.

FXM/da

cc: Sally Walsh, City Clerk [SWalsh@cityofpsl.com](mailto:SWalsh@cityofpsl.com)  
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