

## **MEMORANDUM**

DATE: June 11, 2024

TO: \*\*\*\*ORIGINAL\*\*\*\*  
City Clerk

FROM: Robyn Holder, CPPB  
Procurement Management Department

SUBJECT: Record Retention

CONTRACT: #20220045 Amendment #5 [RH](#)  
CONTRACT TITLE: Floresta Drive Improvements Project Phase 2

CONTRACTOR NAME: Felix Associates of Florida, Inc.  
ADDRESS: 8528 SW Kansas Avenue  
CITY & STATE: Stuart, FL 34997

### **COUNCIL APPROVED: July 25, 2022**

7k)- AWARD CONTRACT #20220045 FOR THE FLORESTA DRIVE IMPRVEMENTS PROJECT PHASE 2 TO FELIX ASSOCIATES OF FLORIDDA, INC. IN AN AMOUNT OF \$29,997,174.23, PUBLIC WORKS DEPARTMENT, PROCUREMENT MANAGEMENT

CONTRACT AMOUNT - \$29,997,174.23

CONTRACT TERM: 8/1/2022 through 9/25/2024, with no option to renew.

### **COUNCIL APPROVED: January 9, 2023**

7p) APPROVE AMENDMENT #1 TO CONTRACT #20220045 FOR THE CONSTRUCTION OF FLORESTA DRIVE IMPROVEMENT PHASE 2 IN THE AMOUNT OF (\$210,226.00) FOR A NEW CONTRACT AMOUNT OF \$29,786,948.23.

### **COUNCIL APPROVED: February 13, 2023**

7m) APPROVE AMENDMENT #2 TO CONTRACT #20220045 FOR THE CONSTRUCTION OF FLORESTA DRIVE IMPROVEMENT PHASE 2 IN THE AMOUNT OF \$0.00 FOR A NEW CONTRACT AMOUNT OF \$29,786,948.23.

### **COUNCIL APPROVED: October 23, 2023**

7m) APPROVE AMENDMENT #3 TO CONTRACT #20220045 FOR THE CONSTRUCTION OF FLORESTA DRIVE IMPROVEMENT PHASE 2 IN THE AMOUNT OF \$1,792,901.79 FOR A NEW CONTRACT AMOUNT OF \$31,579,850.02 AND A REVISED END DATE OF DECEMBER 30, 2024 (96 DAYS).

**COUNCIL APPROVED: N/A**

AMENDMENT #4 – Name Change.

**COUNCIL APPROVED: June 10, 2024**

APPROVE AMENDMENT #5 TO CONTRACT #20220045 FOR THE CONSTRUCTION OF FLORESTA DRIVE IMPROVEMENT PHASE 2 IN THE AMOUNT OF \$195,397.04 FOR A NEW CONTRACT AMOUNT OF \$31,775,247.06 AND A REVISED END DATE OF JANUARY 29, 2025 (30 DAYS).



## CONTRACT AMENDMENT #5

This Amendment #5 ("Amendment #5") to the Floresta Drive Improvements Phase II Contract #20220045 ("the Contract"), by and between the City and Felix Civil Construction, LLC, , f/k/a Felix Associates of Florida, Inc. ("Contractor"), shall be effective as of the date this Amendment #5 is fully executed.

<b>Contractor's Full Legal Name:</b>	Felix Civil Construction, LLC
<b>Solicitation No./Event ID:</b>	20220045
<b>Solicitation Title/Event Name:</b>	Floresta Drive Improvements Phase II
<b>Contract Award Date:</b>	7/25/2022
<b>Initial Current Contract Term:</b>	8/1/2022 through 9/25/2024
<b>Current Contract Expiration Date:</b>	12/30/2024
<b>Requested Contract Expiration Date:</b>	1/29/2025 (30 calendar days)
<b>Initial Contract Amount:</b>	\$29,997,174.23
<b>Current Contract Amended Amount:</b>	\$31,579,850.02
<b>Requested Financial Change Amount:</b>	\$195,397.04
<b>New Contract Amount:</b>	\$31,775,247.06
<b>Amendment No.:</b>	5
<b>Amendment Type:</b>	Increase of Commodities

WHEREAS, the Contract, including any previous amendments, is in effect through the Current Contract Expiration Date, as defined above; and

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby agree as follows:

The following modifications to the Terms and Conditions contained in the Contract are hereby incorporated and made a part of that Contract.

This Amendment #5 is for the items outlined below.

1. The Scope of Work is as follows:

- a) COR #014R2 for alternate round about lighting. See COR# 014R2 and associated backup for further details.
- b) COR #018R2 for 12" WM directional bore at Elkcam Waterway. See COR# 018R2 and associated backup for further details.
- c) COR #031 for added work at Bywood & Polynesian. See COR# 031 and associated backup for further details.
- d) COR #033 for existing mast arm and shallow foundation removal. See COR# 033 and associated backup for further details.
- e) COR #034R1 for modify yard drain and add yard drain. See COR# 034R1 and associated backup for further details.
- f) COR #035 for add fiber optic to lift station. See COR# 035 and associated backup for further details.
- g) COR #036 for adjust existing manhole top. See COR# 036 and associated backup for further details.
- h) COR #037 for install back of sidewalk concrete wall. See COR# 037 and associated backup for further details.
- i) COR #038 for install 12" TEAM Insert Valves. See COR# 038 and associated backup for further details.
- j) COR #39 for Project Video Pre- FPL, AT&T, Comcast Permit Work. See COR# 039 and associated backup for further details.

The additional cost is as follows:

Pay Item	Description	Qty		Unit Cost	Total
	<b>COR# 014R2 Alternate Round About Lighting</b>				
641-2-12	Prestressed Concrete Pole, F&I, Type P-11 Service Pole	2	EA	\$1,542.00	\$3,084.00
639-3-11	Electrical Service Disconnect	2	EA	\$453.00	\$906.00
715-52-8	Lighting, Special Lighting	-3	EA	\$42,880.00	(\$128,640.00)
COR 014R2-1	Alternate Roundabout Lighting (120V) & Outlets	3	LS	\$27,979.68	\$83,939.04
	<b>COR# 018R2 12" WM Bore at Elkcam Waterway</b>				
COR 18-1	Mobilization and 12" HDD Installation	1	LS	\$74,455.00	\$74,455.00
COR 18-2	Test Crew (Flush, Pressure Test)	1	LS	\$6,699.00	\$6,699.00
COR 18-3	Cut & Cap Existing 12" Water Main (2 EA)	1	LS	\$2,609.00	\$2,609.00

W-1C	12" DIP Watermain - credit	-280	LF	\$200.00	(\$56,000.00)
	<b>COR# 031 Added Work at Bywood &amp; Polynesian</b>				
COR 031-1	Additional Work at Bywood and Polynesian	1	LS	\$22,654.00	\$22,654.00
	<b>COR# 033 Mast Arm &amp; Foundation Removal</b>				
1	Existing Mast Arm and Foundation Removal	1	LS	\$30,908.00	\$30,908.00
	<b>COR# 034R1 Modify Yard Drain &amp; Add Yard Drain</b>				
COR 034-1	Modify New Yard Drain between 1933/1941 SE Floresta Drive and Add a Yard Drain at Floresta Elementary	1	LS	\$18,339.00	\$18,339.00
	<b>COR# 035 Add Fiber to Lift Station</b>				
1	Added Fiber Optic Conduit Crossing at Lift Station	1	LS	\$10,320.00	\$10,320.00
	<b>COR# 036 Adjust Manhole</b>				
COR 036-1	Adjust Existing Manhole Top South of Bridge	1	LS	\$1,385.00	\$1,385.00
	<b>COR# 037 Install BOW Wall</b>				
COR 037-1	Install Back of Sidewalk Concrete Wall	1	LS	\$3,289.00	\$3,289.00
	<b>COR# 038 12" TEAM Insert Valves</b>				
COR 038-1	Furnish & Install 2 EA - 12 Inch TEAM Insert Valves	1	LS	\$117,465.00	\$117,465.00
	<b>COR# 039 Video Pre- Utility Permit Work</b>				
COR 039-1	Pre-Utility Permit Work Video	1	LS	\$3,985.00	\$3,985.00
	<b>Total</b>				<b>\$195,397.04</b>

2. This amendment adds 30 days of Contract Time. Added time includes 25 weather days due to impacts of inclement weather on 9/27/23, 10/2/23, 10/3/23, 10/4/23, 10/9/23, 10/10/23, 10/11/23, 10/12/23, 10/13/23, 10/16/23, 11/14/23, 11/15/23, 11/16/23, 11/17/23, 12/18/23, 12/28/23, 1/10/24, 1/15/24, 1/16/24, 1/17/24, 1/18/24, 2/19/24, 2/20/24, 2/21/24, 3/22/24 and 5 days of Contract Time for holiday days not worked by the Contractor on 9/4/23, 11/23/23, 11/24/23, 12/25/23, 1/1/24.
3. **SUCCESSORS AND ASSIGNS.** This Amendment #5 shall be binding upon and inure to the benefit of the successors and permitted assigns of the parties hereto.
4. **ENTIRE AGREEMENT.** Except as expressly modified by this Amendment #5, the Contract, including any written amendments thereto, shall be and remain in full force and effect in accordance with its terms and shall constitute the legal, valid, binding, and enforceable obligations to the parties. This Amendment #5 and the Contract, including any written amendments thereto, collectively, are the complete agreement of the parties and supersede any prior agreements or representations, whether oral or written, with respect thereto.


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IN WITNESS WHEREOF, the parties have caused this Amendment #5 to be duly executed by their authorized representatives.

**CONTRACTOR**

<b>Contractor's Full Legal Name:</b> (PLEASE TYPE OR PRINT)	Felix Civil Construction, LLC
<b>Authorized Signature:</b>	
<b>Printed Name and Title of Person Signing:</b>	Benjamin Miller, Vice President
<b>Date:</b>	May 29, 2024
<b>Company Address:</b>	8528 SW Kansas Ave, Stuart, FL 34997

**THE CITY OF PORT ST. LUCIE**

<b>Authorized Signature:</b>	
<b>Printed Name and Title of Person Signing:</b>	Caroline Sturgis, Director, Office of Management & Budget, and Procurement
<b>Date:</b>	June 11, 2024
<b>City Address:</b>	121 S.W. Port St. Lucie Blvd., Port St. Lucie, FL 34984