



# Pinellas County

## Staff Report

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File #: 23-0003D, Version: 1

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### **Subject:**

Change Order No. 1 to the agreement with Keystone Excavators, Inc., for South Myrtle Ave Road & Drainage Improvements.

### **Recommended Action:**

Approval and execution by the County Administrator of Change Order No. 1 to the agreement with Keystone Excavators, Inc., for S. Myrtle Ave Road & Drainage Improvements.

- Award of this project was for the reconstruction of South Myrtle Avenue, between South Fort Harrison Avenue and Belleair Road, with drainage improvements and related sanitary sewer relocation, and water main replacement.
- Change Order No. 1 updates the Grant Requirements in Appendix 4 - Special Notices by removing the Davis-Bacon requirements that were included with the solicitation and the awarded agreement.
- Following award of this contract, a determination was made that American Rescue Plan Act (ARPA) projects awarded under \$10M do not require Davis-Bacon federal provisions.
- This Agreement was approved by the Board of County Commissioners on August 8, 2022, in the amount of \$2,698,334.00.
- Change Order No. 1 does not impact the budget for Capital Improvement Program (CIP) projects 002434A S. Myrtle Ave Road & Drainage Improvements and 003562A Myrtle Ave Water Main Replacement.
- 002434A and 003562A are included in the FY23-FY28 CIP plan and are funded by Local Option Sales Surtax (Penny for Pinellas), ARPA, Water Funds, and the City of Clearwater (through a Joint Project Agreement).

Contract No. 22-0467-CP(AJM); South Myrtle Avenue - Road and Drainage Change Order No. 1; no fiscal impact.

### **Strategic Plan:**

Ensure Public Health, Safety, and Welfare

2.1 Provide planning, coordination, prevention, and protective services to create and enhance a safe, secure, and healthy community

Practice Superior Environmental Stewardship

3.3 Protect and improve the quality of our water, air, and other natural resources

Deliver First-Class Services to the Public and Our Customers

5.4 Strive to serve the needs of all Pinellas County residents and customers

**Summary:**

Change Order No. 1 Changes to Appendix 4 - Special Notices document under Grant Requirements is changed to: "Services will be provided through federal grant funds. In order to comply with American Rescue Plan Act (ARPA) federal grant regulations, please reference Exhibits A and B contained in this Notice. This project, for which services are being bid, is intended to be below a \$10,000,000.00 threshold. Therefore, the Davis-Bacon Act language stated in Exhibit A, page 2 of 6 included in this Notice is not applicable." and remove Exhibit C.

**Background/Explanation:**

The project involves reconstruction of South Myrtle Avenue, between South Fort Harrison Avenue and Belleair Road, with drainage improvements and related sanitary sewer relocation, and water main replacement.

**Fiscal Impact:**

This change order does not impact the project budgets for projects 002434A S. Myrtle Ave Road & Drainage Improvements (road and drainage portion) and project number 003562A Myrtle Ave Water Main Replacement (county's utility portion). These projects are budgeted in the FY23-FY28 Capital Improvement Program plan.

Projects 002434A and 003562A are funded by the Local Option Sales Surtax (Penny for Pinellas), the American Rescue Plan Act (ARPA), and Water Renewal and Replacement. The Sewer portion of the Utility work will be funded by the City of Clearwater per the JPA.

**Delegated Authority:**

Authority for the County Administrator to execute this Change Order No. 1 is granted under Code Section 2-62 (a)(7).

**Staff Member Responsible:**

Kelli Hammer Levy, Director, Public Works Department  
Merry Celeste, Division Director, Purchasing & Risk, Administrative Services  
Joe Lauro, Director, Administrative Services

**Partners:**

N/A

**Attachments:**

Change Order 1