

JEFFREY R. SMITH  
Clerk to the Board



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OF BOARD OF COUNTY COMMISSIONERS

OCTOBER 8, 2013

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**JEFFREY R. SMITH**

Clerk to the Board



**October 8, 2013**

**REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS**

The Board of County Commissioners of Indian River County, Florida, met in Regular Session at the County Commission Chambers, 1801 27<sup>th</sup> Street, Vero Beach, Florida, on Tuesday, October 8, 2013. Present were Chairman Joseph E. Flescher, Vice Chairman Wesley S. Davis, and Commissioners Peter D. O'Bryan, Bob Solari, and Tim Zorc. Also present were County Administrator Joseph A. Baird, County Attorney Alan S. Polackwich, Sr., and Deputy Clerk Maureen Gelfo.

**1. CALL TO ORDER**

Chairman Flescher called the meeting to order at 9:00 a.m.

**2. INVOCATION**

Planning Director Stan Boling delivered the Invocation.

**3. PLEDGE OF ALLEGIANCE**

Commissioner Davis led the Pledge of Allegiance to the Flag.

**4. ADDITIONS/DELETIONS TO THE AGENDA/EMERGENCY  
ITEMS-NONE**

Commissioner Solari requested the following changes to the Agenda:

**Delete: Item 8.F. Work Order No. 3 Coastal Planning and Engineering, Inc.  
Indian River County Beach Preservation Plan – 2014 Update**

**Delete: Item 13.A. Hawk’s Nest/Indian River County Re-Use Water Agreement**

ON MOTION by Vice Chairman Davis, SECONDED by  
Chairman Flescher, the Board unanimously approved the  
Agenda as amended.

**5. PROCLAMATIONS AND PRESENTATIONS**

**5.A. PRESENTATION OF PROCLAMATION HONORING THE RECIPIENT OF THE  
2013 DAN K. RICHARDSON AWARD – MR. JEFFREY L. SUSI**

Chairman Flescher read and presented the Proclamation to Jeffrey L. Susi,  
President/CEO of the Indian River Medical Center, who was accompanied by Roseanne Susi;  
Lisa Licitra, Indian River Medical Center; and several other individuals who came to honor Mr.  
Susi.

**5.B. PRESENTATION OF PROCLAMATION RECOGNIZING NATIONAL LONG-TERM  
CARE RESIDENTS’ RIGHTS MONTH**

Commissioner Solari read and presented the Proclamation to Kevin McKeown, District  
Ombudsman Manager, Treasure Coast Long-Term Care Ombudsman program, who was  
accompanied by three ombudsman volunteers - Bert Nelson, Eliana McCreary, and Valerie

Collins. Mr. McKeown distributed a brochure about the program to the Commissioners (copy on file) and invited the public to visit the website at <http://ombudsman.myflorida.com/> or call 1-888-831-0404, for further information.

**6. APPROVAL OF MINUTES - NONE**

**7. INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS  
NOT REQUIRING BOARD ACTION - NONE**

**8. CONSENT AGENDA**

Commissioner Solari requested to pull Item 8.C. from the Consent Agenda for discussion.

ON MOTION by Commissioner O'Bryan, SECONDED by Chairman Flescher, the Board unanimously approved the Consent Agenda, as amended.

**8.A. APPROVAL OF WARRANTS SEPTEMBER 13, 2013 TO SEPTEMBER 19, 2013**

ON MOTION by Commissioner O'Bryan, SECONDED by Chairman Flescher, the Board unanimously approved the list of Warrants and Wires issued by the Comptroller's Office for the time period of September 13, 2013 to September 19, 2013, as requested in the memorandum of September 19, 2013.

**8.B. APPROVAL OF WARRANTS SEPTEMBER 20, 2013 TO SEPTEMBER 26, 2013**

ON MOTION by Commissioner O'Bryan, SECONDED by Chairman Flescher, the Board unanimously approved the list of Warrants and Wires issued by the Comptroller's Office for the time period of September 20, 2013 to September 26, 2013, as requested in the memorandum of September 26, 2013.

**8.C. OUT OF COUNTY TRAVEL TO ATTEND FLORIDA INTERNATIONAL UNIVERSITY/MASSACHUSETTS INSTITUTE OF TECHNOLOGY TRANSPORTATION INFRASTRUCTURE SUSTAINABILITY SUMMIT**

Commissioner Solari questioned the frequent use of the word "sustainability" in the Summit agenda materials, as well as the meaning of "sustainable innovative financing," a concept that will be discussed at the Summit.

Chairman Flescher endorsed the Summit as an educational opportunity for the Board and staff who wish to attend.

Commissioner Solari noted that he normally supports these types of endeavors, but this Summit is an exception.

ON MOTION by Commissioner O'Bryan, SECONDED by Vice Chairman Davis, by a 4-1 vote (Commissioner Solari opposed), the Board approved out of County travel for Commissioners and staff to attend the Florida International University/Massachusetts Institute of Technology Transportation Infrastructure Sustainability

Summit in Miami, Florida, on Tuesday, October 29, 2013,  
as requested in the memorandum of September 30, 2013.

Commissioner Solari asked Public Works Director Chris Mora, who will be attending the event, to bring back some written documentation on what is meant by “sustainable innovative financing.”

**8.D. TRAVEL AUTHORIZATION**

ON MOTION by Commissioner O’Bryan, SECONDED by Chairman Flescher, the Board unanimously authorized: (1) the County Administrator and/or staff to travel to Tallahassee as necessary for meetings related to legislative issues and legislative priorities; and (2) the County Administrator to attend: (a) the Florida Government Finance Officers Association School of Governmental Finance on November 18 – 22, 2013; (b) the Government Finance Officers Association 108<sup>th</sup> Annual Conference on May 18 – 21, 2014; and (c) the Public Trust Advisors complimentary Public Funds Investment Seminar on October 23, 2013, all as requested in the memorandum of October 1, 2013.

**8.E. COLLECTIVE BARGAINING AGREEMENT BETWEEN INDIAN RIVER COUNTY  
AND TEAMSTERS LOCAL 769**

ON MOTION by Commissioner O’Bryan, SECONDED by Chairman Flescher, the Board unanimously approved the new three-year Collective Bargaining Agreement with



Teamsters Local 769, effective October 1, 2013 through September 30, 2016, as recommended in the memorandum of October 1, 2013.

CONTRACT ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

**8.F. WORK ORDER NO. 3 COASTAL PLANNING AND ENGINEERING, INC. INDIAN RIVER COUNTY BEACH PRESERVATION PLAN – 2014 UPDATE: DELETED**

**8.G. SELECTION OF FIRMS FOR CONTINUING ENVIRONMENTAL AND BIOLOGICAL SUPPORT SERVICES FOR CIVIL AND ENVIRONMENTAL ENGINEERING PROJECTS AND APPROVAL OF AGREEMENTS RFQ #2013044 IRC PROJECT No. 1334**

ON MOTION by Commissioner O’Bryan, SECONDED by Chairman Flescher, the Board unanimously approved the fee schedules and agreements between the County and the three (3) firms selected: G.K. Environmental, Inc.; Kimley-Horn & Associates, Inc.; and Cardno ENTRIX; and authorized the Chairman to execute the agreements, as recommended in the memorandum of September 26, 2013.

AGREEMENTS ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

**8.H. CHANGE ORDER NO. 2 66<sup>TH</sup> AVENUE ROADWAY IMPROVEMENTS – PHASE 2  
(4<sup>TH</sup> STREET TO 16<sup>TH</sup> STREET) IRC PROJECT NO. 9810-8 – BID NO.  
2012032**

ON MOTION by Commissioner O’Bryan, SECONDED by Chairman Flescher, the Board unanimously approved Change Order No. 2 to Guettler Brothers Construction, LLC, increasing the contract amount by \$182,209.80, and adding the additional 167 days to the contract time, for a new total contract amount of \$7,842,707.74, as recommended in the memorandum of September 20, 2013.

**8.I. APPROVAL OF BID AWARD FOR IRC BID NO. 2014005 ANNUAL BID FOR  
INSTRUMENT CONTROL TECH FOR WATER AND WASTEWATER UTILITIES**

ON MOTION by Commissioner O’Bryan, SECONDED by Chairman Flescher, the Board unanimously approved: (1) the bid award to SCADA Solutions, LLC of Port St. Lucie, as the lowest most responsive and responsible bidder meeting the specifications as set forth in the Invitation to Bid; (2) authorized the Purchasing Division to issue blanket purchase orders for the period of October 8, 2013 through September 30, 2014 to the recommended bidder; and (3) authorized the Purchasing Manager to renew this bid for two (2) additional one (1) year periods subject to satisfactory performance, vendor acceptance, and the determination that renewal of this annual bid is in the best interest of Indian River County, as recommended in the memorandum of October 1, 2013.

**9. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL AGENCIES - NONE**

**10. PUBLIC ITEMS**

**10.A. PUBLIC HEARINGS - NONE**

**10.B. PUBLIC DISCUSSION ITEMS - NONE**

**10.C. PUBLIC NOTICE ITEMS - NONE**

**11. COUNTY ADMINISTRATOR MATTERS - NONE**

**12. DEPARTMENTAL MATTERS**

**12.A. COMMUNITY DEVELOPMENT - NONE**

**12.B. EMERGENCY SERVICES - NONE**

**12.C. GENERAL SERVICES - NONE**

**12.D. HUMAN RESOURCES - NONE**

**12.E. HUMAN SERVICES - NONE**

**12.F. LEISURE SERVICES - NONE**

## **12.G. OFFICE OF MANAGEMENT AND BUDGET**

### **12.G.1. BEST VALUE PROCUREMENT**

Director of Management and Budget Jason Brown recalled the Board's direction on September 10, 2013, for staff to research the Best Value Procurement (BVP) process adopted in Polk County to see if it has any value to Indian River County. Through review of his September 30, 2013 memorandum, he provided background and an overview of the BVP process, used primarily by Polk County in its Utilities Department. He explained two potential drawbacks of the process: (1) the scoring system assigns only 20% of a vendor's total score to the project cost, which could raise the price of large jobs significantly; and (2) the additional bureaucracy and training that the process entails might deter small and local vendors from submitting a proposal. Director Brown noted that a beneficial aspect of the program is the requirement to secure positive references from a vendor's prior clients. He thereafter gave staff's recommendation for the Board to not pursue the Best Value Procurement process, and to continue using Indian River County's competitive bidding process with the addition of requiring a written performance evaluation where appropriate, such as for large projects.

Commissioner O'Bryan noted that two of Polk County's projects have been in the procurement stage for over a year, and he wondered how long Indian River County's bid process normally takes.

Purchasing Manager Jennifer Hyde replied that normally the bid is awarded within two to three months of the Invitation to Bid.

Commissioner Zorc would like to see the scoring model for future projects take into account past work performance, project delays, and prior litigation with the County.

County Administrator Joseph Baird advocated maintaining the current competitive bidding system wherein the County seeks the "lowest, most responsive, responsible bidder", but suggested that the vendors be required to provide more background information.

Commissioner Solari viewed the BVP process as more bureaucratic, time consuming, and possibly more costly, than the competitive bidding process. He agreed with prior speakers that said process might work against smaller or local firms, and that there should be a way to take into account those vendors with an unsatisfactory performance.

MOTION WAS MADE by Commissioner Solari, SECONDED by Chairman Flescher, to: (1) continue with the competitive bidding process for construction projects, and not pursue the Best Value Procurement (BVP) process utilized in Polk County; (2) approve the implementation of requesting written performance evaluations from previous clients of the vendors, as appropriate, and the sample agreement, "Past Performance Reference Survey" presented on page 172 of the agenda package; and (3) direct staff to explore enhancements to the County's current competitive bidding process to factor into the scoring, demerits or merits based on performance and reliability.

Chairman Flescher opined that there were significant flaws in the BVP process, and did not see any reason to change an unbroken system.

Commissioner O'Bryan, referring to the proposed enhanced scoring system, noted that it would be necessary to take into account those delays that are unavoidable and not the contractor's fault.

**Bob Johnson**, Coral Wind Subdivision, commented that there might be a cost-savings if the County and School District consolidate their procurement systems.

The Chairman CALLED THE QUESTION, and the Motion carried unanimously.

**12.H. RECREATION - NONE**

**12.I. PUBLIC WORKS - NONE**

**12.J. UTILITIES SERVICES**

**12.J.1. CHANGE ORDER NO. 1 FOR THE WATER PLANTS LIME SLURRY  
INJECTION PROJECT – UCP 2715 BID NO: 2013028**

Commissioner Solari mentioned that on August 20, 2013, the Board approved the recommendation of the Utilities Director to reject the first bidder and rebid the project, saving the taxpayers \$88,888.

ON MOTION by Commissioner Solari, SECONDED by Commissioner O’Bryan, the Board unanimously: (1) waived rebidding the Acid Tank replacement project; and (2) approved and authorized the Chairman to execute Change Order No. 1 with R.J. Sullivan Corporation, authorizing the above-mentioned work, for a lump sum amount of \$189,527.00, increasing the total contract amount to \$2,738,527.00, as recommended in the memorandum of September 26, 2013.

**13. COUNTY ATTORNEY MATTERS**

**13.A. HAWK'S NEST/INDIAN RIVER COUNTY RE-USE WATER AGREEMENT:**

**DELETED**

**14. COMMISSIONER ITEMS**

**14.A. COMMISSIONER JOSEPH E. FLESCHER, CHAIRMAN - NONE**

**14.B. COMMISSIONER WESLEY S. DAVIS, VICE CHAIRMAN - NONE**

**14.C. COMMISSIONER PETER D. O'BRYAN - NONE**

**14.D. COMMISSIONER BOB SOLARI - NONE**

**14.E. COMMISSIONER TIM ZORC - NONE**

**15. SPECIAL DISTRICTS AND BOARDS**

**15.A. EMERGENCY SERVICES DISTRICT - NONE**

**15.B. SOLID WASTE DISPOSAL DISTRICT - NONE**

**15.C. ENVIRONMENTAL CONTROL BOARD - NONE**

ALL BACKUP DOCUMENTATION, RESOLUTIONS, AND ORDINANCES ARE ON FILE IN THE OFFICE  
OF THE CLERK TO THE BOARD AND ARE HEREBY MADE A PART OF THESE MINUTES

**16. ADJOURNMENT**

There being no further business, the Chairman declared the Board of County Commission meeting adjourned at 9:54 a.m.

ATTEST:

\_\_\_\_\_  
Jeffrey R. Smith,  
Clerk of Circuit Court and Comptroller

\_\_\_\_\_  
Joseph E. Flescher, Chairman

Minutes Approved: \_\_\_\_\_

BCC/MG/2013Minutes