



# City of Flagler Beach

P.O. Box 70 • 105 South Second Street  
Flagler Beach, Florida 32136  
Phone (386) 517-2000



September 5, 2025

Elected Officials

City Commission Chambers

RE: City of Flagler Beach Pier Removal and Replacement  
Vecellio & Grogan, Inc. Change Order Request

The purpose of this letter is to provide justification for a Change Order request submitted by Vecellio & Grogan, Inc. (V&G), the contractor selected for the above-referenced project. The City Engineer has reviewed the contractor's submission in conjunction with the contracted Construction Engineering and Inspection Advisor, England-Thims & Miller, Inc., and concurs that the delays experienced are both valid and outside the control of the contractor, thereby warranting consideration for an equitable adjustment in contract time and compensation for delays caused through no fault of the contractor.

- FDEP Permit Restriction - Marine Turtle Nesting Season

This condition prohibits mobilization and any beachside activity during the defined nesting season. This delay was first brought to our attention by the contractor on March 4, 2025, and in recognition of the environmental restriction, the City verbally instructed V&G not to mobilize or begin work on the beach until authorization is granted. The contractor has complied in good faith with these instructions.

- Temporary Traffic Control Plan Approval - FDOT Right-of-Way

A second critical delay involves the pending approval of the Temporary Traffic Control Plan (TTCP) by the Florida Department of Transportation (FDOT). The sequence of submittals is as follows:

- TTCP submitted by V&G on March 21, 2025
- FDOT comments received April 30, 2025
- V&G re-submitted the plan with corrections on May 1, 2025
- FDOT Approval of TTCP awarded on July 10, 2025

Therefore, through no fault of the contractor, the inability to establish the work zone and initiate construction is directly tied to pending regulatory approvals from both FDEP and FDOT.

After thorough review, the City Engineer acknowledges that:

- The delays are legitimate, documented, and beyond the contractor's control
- V&G has complied with environmental regulations and City directives in good faith
- The project could not commence until necessary external approvals are secured

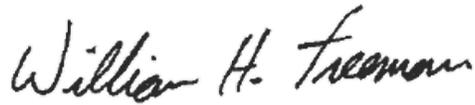
The City Engineer supports V&G's request for an equitable adjustment to the Contract Time and Contract Price to account for:

- The delay resulting from the FDEP nesting season restriction
- The inability to commence work due to pending FDOT TTCP approval
- Verbal directives issued by the City restricting mobilization

The City Engineer recommends approval of the requested Vecellio & Grogan, Inc. Change Order in recognition of these justifiable delays. This adjustment is necessary to preserve the contractor's ability to perform the work efficiently and to ensure compliance with all governing regulatory agencies all while remaining committed to collaborating with all stakeholders to minimize further impacts and proceed as soon as approvals are granted.

Please feel free to contact me should you require any additional clarification or documentation.

Respectfully Submitted,



Bill Freeman

City Engineer

City of Flagler Beach

800 South Daytona Avenue

Flagler Beach, FL 32136

O: (386) 517-2000 Ext 230

M: (386) 276-1007

[bfreeman@cityofflaglerbeach.com](mailto:bfreeman@cityofflaglerbeach.com)