

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20020705

1. REQUESTED MOTION:

ACTION REQUESTED: Approve Change Order No. 6 to Contract #236, with Markham Norton Stroemer & Co. PA for CN-98-11 ANNUAL FINANCIAL AUDIT (CONSTITUTIONAL OFFICERS) to allow for the continuation of services previously approved under Change Orders 3, 4 and 5, for an additional amount of \$75,000.00.

WHY ACTION IS NECESSARY: Pursuant to the Lee County Contract Manual, approved by the Board on September 25, 2001, the Board is required to approve all Change Orders in excess of \$50,000.00 to a Service Provider Agreements.

WHAT ACTION ACCOMPLISHES: Allows the consultant to continue to provide professional financial auditing services for the completion of the previously authorized work.

2. DEPARTMENTAL CATEGORY:

01 County Administration
COMMISSION DISTRICT #:

CIC

3. MEETING DATE:

07-09-2002

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE *AC-4-4*
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER _____
- B. DEPARTMENT _____
- C. DIVISION *Budget Services*
- BY: *Tony Majul, Budget Director*

7. BACKGROUND:

On August 25, 1998, the Board entered into a Service Provider Agreement with Markham Norton Stroemer & Co. PA for CN-98-11 ANNUAL FINANCIAL AUDIT (Constitutional Officers) with a contract period of three (3) years with an option of renew for one (1) additional year.

Change Order No. 1 was issued to Markham on March 29, 1999 for one time additional charge for additional work incurred for 9/30/98 single audit in the amount of \$15,000.00.

On March 13, 2001 the Board approved Change Order No. 2 to allow for the already approved contract renewal for fiscal year 2001 (10/1/00 – 9/30/01) as well as an additional contract extension for fiscal year 2002 (10/1/01– 9/30/02) to enable the County to retain the same audit firm during the County's implementation of GASB Statement No. 34.

Change Order No. 3 was issued to Markham on May 29, 2001 for additional assistance in Constitutional Officer/BOCC implementation of GASB #34 in an estimated amount of \$20,000.00 and assistance in the design and implementation of a Revised Lee County Grant Award and Monitoring System in an estimated amount of \$20,000.00.

Change Order No. 4 was issued to Markham on November 14, 2001, for additional audit procedures and assistance required due to the implementation of the Florida Single Audit Act – Florida Statute 215.97, in the amount of \$24,000.00 per year.

Continued on page 2

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services			G County Manager
					OA	OM	Risk	GC
<i>Approved 6/27/02</i>	<i>[Signature] 6/27/02</i>	N/A		<i>[Signature] 6/21/02</i>	<i>[Signature] 6/27/02</i>	<i>[Signature] 6/27/02</i>	<i>[Signature] 6/27/02</i>	<i>[Signature] 6-24-02</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

REC'D.
by CO. ATTY.
6/21/02
5:00 PM
CO. ATTY.
BUDGET
6/27/02 8:48 AM

6/24 9:15
6/27/02 3:35 PM

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Change Order No. 5 was issued to Markham on January 14, 2002, for additional audit services regarding funds managed by the State Court Administrator for the Twentieth Judicial Circuit Court in the amount of \$25,000.00.

It is now being requested that the Board approve Change Order No. 6 for the continuation of work previously approved under Change Orders 3 (GASB #34 implementation), 4 and 5, for an additional amount of \$25,000.00 for each area of work, for a total increase of \$75,000.00. Payments shall be based on actual hours incurred and applied to hourly rates as specified by the existing contract. Each invoice submitted shall include the professional's name, date of service, hours worked, and a description of the work performed.

LEE COUNTY PROFESSIONAL SERVICE/SERVICE PROVIDER AGREEMENT
CHANGE ORDER/SUPPLEMENTAL TASK AUTHORIZATION

Change Order
 Supplemental Task Authorization

NO.: 6

(A Change Order or Supplemental Task Authorization Requires Approval by the Department Director for Expenditures Under \$25,000 or Approval by the County Manager for Expenditures Between \$25,000 and \$50,000 or Approval by the Board of County Commissioners for Expenditures over \$50,000)

CONTRACT/PROJECT NAME: ANNUAL FINANCIAL AUDIT (CONSTITUTIONAL OFFICERS)

CONSULTANT: Markham, Norton Stroemer & Co.

PROJECT NO.: _____

SOLICIT NO.: CN-98-11

CONTRACT NO.: 236 ACCOUNT NO.: _____

REQUESTED BY: Budget Services

DATE OF REQUEST: 6/12/02

Upon the completion and execution of this Change Order or Supplemental Task Authorization by both parties the Consultant/Provider is authorized to and shall proceed with the following:

EXHIBIT "CO/STA-A: SCOPE OF PROFESSIONAL SERVICE: DATED: 6/12/02

EXHIBIT "CO/STA-B: COMPENSATION & METHOD OF PAYMENT: DATED: 6/12/02

EXHIBIT "CO/STA-C: TIME AND SCHEDULE OF PERFORMANCE: DATED: 6/12/02

EXHIBIT "CO/STA-D: CONSULTANT'S/PROVIDERS ASSOCIATED
SUB-CONSULTANT(S)/SUB-CONTRACTORS: DATED: 6/12/02

EXHIBIT "CO/STA-E: PROJECT GUIDELINES AND CRITERIA: DATED: 6/12/02

It is understood and agreed that the acceptance of this modification by the CONSULTANT/PROVIDER constitutes an accord and satisfaction.

RECOMMENDED:

ACCEPTED:

COUNTY APPROVAL:

By: _____
Department Director Date

By: [Signature]
Consultant/Provider

By: _____
Department Director
(Under \$25,000)

By: [Signature] 6-20-02
Contracts Mgmt Date

Date Accepted: 6/20/02

Date Approved: _____

Corporate Seal

APPROVED:

By: _____
County Manager (Between
(\$25,000 and under \$50,000)
Date Approved: _____

By: _____
*County Attorney's Office Date

*County Attorney signature needed
for over Board level expenditures only.

By: _____
Chairman
Board of County Commissioners
Date Approved: _____

CMO:023
09/25/01

- CHANGE ORDER AGREEMENT No. 6
or
 SUPPLEMENTAL TASK AUTHORIZATION No. _____

EXHIBIT "CO/STA-A"

Date: 6/12/02

SCOPE OF PROFESSIONAL SERVICES

for ANNUAL FINANCIAL AUDIT (CONSTITUTIONAL OFFICERS)
(Enter Project Name from Page 1 of the
Change Order or Supplemental Task Authorization)

SECTION 1.00 CHANGE(S) TO PROFESSIONAL SERVICES

The "Scope of Professional Services" as set forth in Exhibit "A" of the Professional Services Agreement, or Service Provider Agreement, referred to hereinbefore is hereby supplemented, changed or authorized, so that the CONSULTANT or SERVICE PROVIDER, shall provide and perform the following professional services, tasks, or work as a supplement to, change to, or authorized to, the scope of services previously agreed to and authorized:

Continuation of Change Order #3 for additional Services - Assist in Constitutional Officers/BOCC Implementation of GASB #34.

To complete the following remaining work for this project:

1. Review State of Florida Auditor General comments pertaining to the draft financial statements submitted.
2. Receive revised Auditor General Rules.
3. Revise submitted financial statements.
4. Convert four remaining Constitutional Officer statements to GASB #34 format.
5. Hold last four exit conferences.
6. Respond as requested.

The scope of services to be provided will continue to be dependent upon the factors and results of the Auditor General review and the final requirements of GASB #24.

Continuation of Change #4 for additional audit procedures and client assistance required due to the implementation of the Florida Single Audit Act - Florida Statute 215.97.

To complete the following remaining work for this project:

1. Fieldwork completed not yet billed.

continued on page 2

*Attach additional pages, if needed.

2. Fieldwork wrap-up.
3. Report revisions.
4. Exit conferences.

The scope of services provided will continue to be dependent upon the factors and results of the extended audit procedures.

Continuation of Change #5 for additional audit services regarding funds managed by the State Court Administrator for the Twentieth Judicial Circuit Court.

To complete the following remaining work of this project:

1. Complete certain issue follow-up.
2. Draft report revision and preparation.
3. Initial report – submission/coordination with Jim Boyd.
4. Draft report presentation to all parties involved.
5. Draft report follow-up.
6. Follow-up directed by Jim Boyd.
7. Final report preparation and presentation.
8. Respond as requested.

The mission as defined to date of the project is to determine the authorization, purpose and intent of the funds of the Twentieth Circuit Court and to test the compliance of such for the year ended September 30, 2001, except for funds #180, #165, and #186, which will include certain prior years as well.

The scope of services to be provided will continue to be dependent upon the factors and results of the extended audit procedures and direction and requirements of the Courts and the Office of the State Court Administration.

CHANGE ORDER AGREEMENT No. 6

SUPPLEMENTAL TASK AUTHORIZATION No. _____

EXHIBIT "CO/STA-B"

Date: 6/12/02

COMPENSATION AND METHOD OF PAYMENT

for Annual Financial Audit (Constitutional Officers and Single Audit)

(Enter Project Name from Page 1 of the
Change Order or Supplemental Task Authorization)

SECTION 1.00 CHANGE(S) IN COMPENSATION

The compensation the CONSULTANT, or SERVICE PROVIDER, shall be entitled to receive for providing and performing the supplemented, changed or authorized services, tasks, or work as set forth and enumerated in the Scope of Services set forth in this CHANGE ORDER OR SUPPLEMENTAL TASK AUTHORIZATION AGREEMENT, Exhibit "CO/STA-A", attached hereto shall be as follows:

NOTE: A Lump Sum (L.S.) or Not-to-Exceed (N.T.E.) amount of compensation to be paid the CONSULTANT should be established and set forth below for each task or sub-task described and authorized in Exhibit "S/COA-A". In accordance with Professional Services Agreement Article 5.03(2) "Method of Payment", tasks to be paid on a Work-in-Progress payment basis should be identified (WIPP).

Task Number	Task Title	Amount of Compensation	Indicate Basis of Compensation LS or NTE	If Applicable Indicate (W.I.P.P.)
	Continuation of assistance in Constitutional Officer/BOCC implementation of GASB #34 (Continuation of CO #3)	\$25,000.00	NTE	
	Continuation of additional audit procedures and client assistance required dut to the implementation of the Florida Single Audit Act - Florida Statute 215.97 (Continuation of CO #4)	\$25,000.00	NTE	
	Continuation of additional audit services regarding funds managed by the State Court Administrator for the Twentieth Judicial Circuit Court (Continuation of CO #5)	\$25,000.00	NTE	
TOTAL		\$75,000.00	NTE	

(Unless list is continued on next page)

CHANGE ORDER AGREEMENT No. 6
or
 SUPPLEMENTAL TASK AUTHORIZATION No. _____

EXHIBIT "CO/STA-D"

Date: 6/12/02

CONSULTANT'S, OR SERVICE PROVIDER'S, ASSOCIATED SUB-CONSULTANT(S) AND
SUBCONTRACTOR(S)

for Annual Financial Audit (Constitutional Officers

(Enter Project Name from Page 1 of the
Change Order or Supplemental Task Authorization Agreement)

CONSULTANT, or SERVICE PROVIDER, intends to engage the following sub-consultant(s) and/or sub-contractor(s) to assist the CONSULTANT, or SERVICE PROVIDER, in providing and performing the services, tasks, or work required under this CHANGE ORDER, or SUPPLEMENTAL TASK AUTHORIZATION AGREEMENT.

(If none, enter the word "none" in the space below.)

Service and/or Work to be Provided or Performed	Name and Address of Individual or Firm	Disadvantaged, Minority or Women Business Enterprise, (If Yes, Indicate Type)			Sub-Consultant Services are Exempted from Prime Consultant's Insurance Coverage	
		Yes	No	Type	Yes	No
	N/A					

CHANGE ORDER AGREEMENT No. 6

or

SUPPLEMENTAL TASK AUTHORIZATION No. _____

EXHIBIT "CO/STA-E"

Date: 6/12/02

PROJECT GUIDELINES AND CRITERIA

for Annual Financial Audit (Constitutional Officers

(Enter Project Name from Page 1 of the
Change Order or Supplemental Task Authorization Agreement)

As a supplement, or change, to the Project Guidelines and Criteria set forth in the Professional Services Agreement, or Service Provider Agreement, Exhibit "E", the COUNTY has established the following Guidelines, Criteria, Goals, Objectives, Constraints, Schedule, Budget, and/or Requirements which shall serve as a guide to the CONSULTANT, or SERVICE PROVIDER, in performing the professional services, tasks, or work to be provided pursuant to the professional services set forth hereinbefore in CHANGE ORDER or SUPPLEMENTAL TASK AUTHORIZATION AGREEMENT, Exhibit "CO/STA-A", attached hereto:

(If none, enter the word "None" in the space below.)

ITEM No. 1
None