

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

Blue Sheet No. 20021003

1. REQUESTED MOTION:

ACTION REQUESTED: Approve and execute Amendment No. 3 to Agreement No. C-10866, South Lee County Watershed Study – Implementation of Recommendations, between the South Florida Water Management District and Lee County thereby extending the contract through March 30, 2004. This agreement is more commonly referred to as Removal of the No-Rails Bridge on Orr Road.

WHY ACTION IS NECESSARY: All agreements and amendments thereto require approval by the Board of County Commissioners.

WHAT ACTION ACCOMPLISHES: Provides for contract extension through March 30, 2004.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #: 3

C 8 A

3. MEETING DATE: *09-10-2002*

4. AGENDA:

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

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER *Agreement*

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER _____
- B. DEPARTMENT *Public Works*
- C. DIVISION *Natural Resources*
- BY: *Roland E. Ottolini, P.E.*

7. BACKGROUND:

On August 24, 1999, Agreement No. C-10866 was approved by the Board of County Commissioners. The scope of the agreement provided for removal of the No-Rails Bridge and small upstream bridge as well as construction of alternate methods of ingress and egress. As a condition to removal of the bridges and associated access, Lee County proposed paving a portion of the existing private access road, Kent Road. Obtaining the necessary easement and access rights has proven to be difficult.

Amendments No. 1 and 2 extended the contract two additional years and were approved by the Board of County Commissioners on September 26, 2000 and September 11, 2001 respectively. No additional funding is required for this amendment. (Project 203045, Orr Road Bridge).

Attachment: Two (2) Originals, Amendment No. 3 to Agreement No. C-10866.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services <i>APM 8/29</i>				G County Manager
					OA	OM	Risk	GC	
<i>Daumler 8-28-02</i>	<i>[Signature]</i>	N/A		<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>Daumler 8-28-02</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by *CoAtty*
Date: *8/28/02*
Time: *12:00 PM*
Forwarded To: *[Signature]*
Date: *8/28/02*

RECEIVED BY
COUNTY ADMIN. *[Signature]*
8/28/02
3:40 PM
COUNTY ADMIN.
FORWARDED TO: *[Signature]*
8/29 11:00



ORIGINAL

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
AMENDMENT**

C-10866-A3

AMENDMENT NO. 3

TO AGREEMENT NO. C-10866

BETWEEN THE

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

AND

LEE COUNTY

This **AMENDMENT NO. 3**, entered into on _____, to that **AGREEMENT** dated September 30, 1999, as amended on September 30, 2000 and September 28, 2001 between "the Parties," the South Florida Water Management District (**DISTRICT**), and Lee County (**COUNTY**).

WITNESSETH THAT:

WHEREAS, the **AGREEMENT** may be amended with the prior written approval of the parties; and

WHEREAS, the Governing Board of the **DISTRICT**, at its September 12, 2002 meeting, approved entering into this **AMENDMENT NO. 3** with the **COUNTY**; and

WHEREAS, the parties wish to amend the **AGREEMENT** in order to extend the period of performance;

NOW THEREFORE, the **DISTRICT** and the **COUNTY**, in consideration of the mutual benefits flowing from each to the other, do hereby agree as follows:

1. The term of the **AGREEMENT** is hereby extended by 18 months and the expiration date, as amended, is March 30, 2004. This **AMENDMENT NO. 3** shall be effective upon the date of execution by the parties.
2. This **AMENDMENT NO. 3** shall be at no additional cost to the **DISTRICT**.
3. All other terms and conditions of the **AGREEMENT**, as amended, remain unchanged.



SOUTH FLORIDA WATER MANAGEMENT DISTRICT AMENDMENT

IN WITNESS WHEREOF, the parties or their duly authorized representatives hereby execute this **AMENDMENT NO. 3** on the date first written above.

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
BY ITS GOVERNING BOARD**

By: _____
Frank Hayden, Procurement Director

SFWMD PROCUREMENT APPROVED

By: Patrick M. Ryan
Date: 8/1/02 NEM
8/2/02

LEE COUNTY

By: _____

Title: _____



ORIGINAL

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
AMENDMENT**

C-10866-A3

AMENDMENT NO. 3

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Frank Hayden, Procurement Director

SFWMD PROCUREMENT APPROVED

By: Patrick M. Ryan
Date: 8/1/02 MEM
8/2/02

LEE COUNTY

By: _____

Title: _____



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045 • TDD (561) 697-2574
Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • www.sfwmd.gov

ADM 28-06

August 23, 2002

Mr. Roland Ottolini
Lee County SW Florida
P.O. Box 398
Ft. Myers, FL 33902-0398

**Subject: Contract No. C-10866-A3
Removal of the No-Rails Bridge**

Dear Mr. Ottolini:

Enclosed are two (2) copies of the subject amendment. Upon receipt, please forward written notification (email/facsimile) to the individual identified below indicating that the contract documents have been received and will be executed and returned to the District no later than the deadline of September 3, 2002 at 5:00 PM.

Please have the enclosed copies signed and dated by an individual with signature authority on behalf of your organization. A fully signed amendment will be returned to you upon execution by the District.

Note that this amendment is not binding on the parties until it is approved by the appropriate level of authority within the District and executed by both parties.

The undersigned may be contacted by email at (561) 682-6757 or by facsimile at 561-681-6275."

Sincerely,

A handwritten signature in black ink that reads "Patrick M. Ryan".

Patrick M. Ryan
Staff Contract Specialist
Procurement Department

/PMR
Enclosure

c: w/ attachment
Jacqueline Rippe, 1620

From: Elin Clemons
To: pmryan@sfwmd.gov
Subject: Contract No. C-10866, Removal of No-Rails Bridge

Mr. Ryan:

Pursuant to your correspondence, please be advised, Lee County is in receipt of Amendment No. 3 to the above referenced agreement. This item is being scheduled for approval by the Lee County Board of County Commissioners. We are looking at tentative approval at the regular meeting of September 10, 2002. Documents will be forwarded as soon as practicable. Should you have any questions or comments, do not hesitate to contact this office.

Thank you.

Elin Clemons
Fiscal Manager
Lee County Division of Natural Resources
CLEMONEM@leegov.com

Telephone (239) 479-8560
Fascimile (239) 479-8108

CC: Ottolini, Roland