

1. REQUESTED MOTION:

ACTION REQUESTED: Approve Supplemental Task Authorization (STA) No. 6 to Malcolm Pirnie, Inc. for CN-00-01 WATER & SEWER ENGINEER OF RECORD (Contract No. 1374) for Engineering Services to support ongoing legal negotiations for payment to complete contractual repairs under the ST-AUSI Contract in the amount of \$200,000.00 for a total to date of \$500,000.00.

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 Supplemental Task Authorizations in excess of \$50,000.00 to Professional Services Agreements.

WHAT ACTION ACCOMPLISHES: Will enable the Consultant to continue to provide Engineering Services to support ongoing legal negotiations for payment to complete contractual repairs under the ST-AUSI Contract.

2. DEPARTMENTAL CATEGORY:

10 Utilities
COMMISSION DISTRICT #: CW

C10B

3. MEETING DATE:

03-25-2003

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 Utilities
- C. DIVISION
- BY: Rick Diaz/Director

[Handwritten signature]
3/10/03

7. BACKGROUND:

This Supplemental Task Authorization (STA) No. 6 provides additional services under CN-00-01 Water & Sewer Engineer of Record. This Supplemental Task Authorization under CN-00-01 provides for the Consultant to continue to provide engineering services similar to those previously approved under Supplemental Task Authorization No. 2, which have been approved by the Board in the amount of \$300,000.00 for a total amount to date of \$500,000.00.

Funds will be available from account string: OD5360648700.503190 (50%) and OD5366248700.503190 (50%)

Attachments: Three Supplemental Task Authorization Forms from Malcolm Pirnie, Inc.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services 3/11/03				G County Manager
					OA	OM	Risk	GC	
<i>[Signature]</i> 3-11-03	<i>[Signature]</i>	N/A	N/A	<i>[Signature]</i> 3/11/03	<i>[Signature]</i> 3/11/03	<i>[Signature]</i> 3/11/03	<i>[Signature]</i> 3/11/03	<i>[Signature]</i> 3-11-03	<i>[Signature]</i> 3-11-03

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 3/11/03
Time: 11:40 am
Forwarded To:
Budget

RECEIVED BY
COUNTY ADMIN. PM
3-11-03
2:00
FORWARDED TO:
3/11 500

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

Change Order
 Supplemental Task Authorization

NO.: 6

CDOT #2

(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: Utilities Water and Sewer Engineer of Record - Engineering Services to support ongoing legal negotiations for payment to complete contractual repairs under the ST-AUSI Contract

CONSULTANT: Malcolm Pirnie, Inc.

PROJECT NO.: 1971-034

SOLICIT NO.: 00-01
CN-01-01

CONTRACT NO.: 1374 ACCOUNT NO.: 0D5360648700.503190
0D5366248700.503190

REQUESTED BY: Rick Diaz, P.E.

DATE OF REQUEST: February 20, 2003

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: February 20, 2003

EXHIBIT "CO/STA-B: COMPENSATION & METHOD OF PAYMENT: DATED: February 20, 2003

EXHIBIT "CO/STA-C: TIME AND SCHEDULE OF PERFORMANCE: DATED: February 20, 2003

EXHIBIT "CO/STA-D: CONSULTANT'S/PROVIDERS ASSOCIATED
SUB-CONSULTANT(S)/SUB-CONTRACTORS: DATED: February 20, 2003

EXHIBIT "CO/STA-E: PROJECT GUIDELINES AND CRITERIA: DATED: February 20, 2003

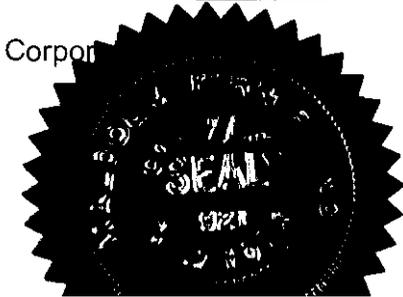
It is understood and agreed that the acceptance of this modification by the CONSULTANT/PROVIDER constitutes an accord and satisfaction.

RECOMMENDED:
By: [Signature] 3-10-03
Date
By: [Signature] 3-5-03
Date
Contracts Mgmt

ACCEPTED:
By: [Signature]
Consultant/Provider
Date Accepted: 2/26/03

COUNTY APPROVAL:
By: _____
Date Approved: _____
Department Director
(Under \$25,000)

APPROVED:
By: _____
*County Attorney's Office Date



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

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

By: _____
Chairman
Board of County Commissioners

- CHANGE ORDER AGREEMENT No. 1
or
 SUPPLEMENTAL TASK AUTHORIZATION No. 6

EXHIBIT "CO/STA-A"

Date: February 20, 2003

SCOPE OF PROFESSIONAL SERVICES

for Utilities Water and Sewer Engineer of Record - Engineering Services to support ongoing legal negotiations for payment to complete contractual repairs under the ST-AUSI Contract

(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:

See Attachment 1 to Exhibit "CO/STA-A".

ATTACHMENT NO.1

SCOPE OF WORK

Malcolm Pirnie (CONSULTANT) will provide support to the County Attorney in ongoing negotiations with the County's Contractor, Severn Trent – Avatar Utility Services (STAUS), on behalf of the Lee County Utilities Department to resolve open contract issues and recover funds for completing repairs to the water and wastewater system.

CONSULTANT will perform the following tasks to assist the County Attorney and the County's legal team in setting the dispute.

Task 1.0 *Additional Services*

Malcolm Pirnie will continue to provide technical services as requested by the County in support of the ongoing litigation between the County and STAUS.

CHANGE ORDER AGREEMENT No. 1
or
 SUPPLEMENTAL TASK AUTHORIZATION No. 6_

EXHIBIT "CO/STA-B"

Date: February 20, 2003

COMPENSATION AND METHOD OF PAYMENT

for Utilities Water and Sewer Engineer of Record - Engineering Services to support ongoing legal negotiations for payment to complete contractual repairs under the ST-AUSI Contract

(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.)
6	Engineering Services to support ongoing legal negotiations for payment to complete contractual repairs under the ST-AUSI Contract	\$200,000	NTE	
TOTAL		\$200,000	NTE	

(Unless list is continued on next page)

TOTAL		\$650,907	\$397,737	\$200,000	\$597,73

CMO:026
09/25/01

CHANGE ORDER AGREEMENT No. 1
or
 SUPPLEMENTAL TASK AUTHORIZATION No. 6

EXHIBIT "CO/STA-D"

Date: February 20, 2003

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

for Utilities Water and Sewer Engineer of Record - Engineering Services to support ongoing legal negotiations for payment to complete contractual repairs under the ST-AUST Contract

(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 service 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
	NONE					

CHANGE ORDER AGREEMENT No. 1
or
 SUPPLEMENTAL TASK AUTHORIZATION No. 6

EXHIBIT "CO/STA-E"

Date: February 20, 2003

PROJECT GUIDELINES AND CRITERIA

for Utilities Water and Sewer Engineer of Record - Engineering Services to support ongoing legal negotiations for payment to complete contractual repairs under the ST-AUSI Contract

(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