

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

**Blue Sheet No. 20030308**

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Declare an emergency exists for the Sanibel Causeway Bridges B & C, which have been found and determined to be in such a condition as to pose an immediate threat to the safety of the traveling public, and that emergency replacement is necessary. Also, approve a Resolution stating same for submittal to the U.S. Coast Guard to allow reconstruction to begin under the "Construction Manager (C-M) at Risk" process on an emergency procurement basis for the issuance of the U.S. Coast Guard permits.

**WHY ACTION IS NECESSARY:** Board of County Commissioners' approval is required for any Emergency Declarations.

**WHAT ACTION ACCOMPLISHES:** Allows the County to proceed with reconstruction of Bridges B & C under the "Construction Manager (C-M) at Risk" process upon expedited selection of the Construction Manager.

**2. DEPARTMENTAL CATEGORY:**  
COMMISSION DISTRICT # 1

*A9B*

**3. MEETING DATE:**

*04-08-2003*

**4. AGENDA:**

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

**5. REQUIREMENT/PURPOSE:**  
(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

**6. REQUESTOR OF INFORMATION:**

- A. COMMISSIONER \_\_\_\_\_
- B. DEPARTMENT \_\_\_\_\_
- C. DIVISION DOT
- BY: Scott Gilbertson, P.E.  
Director

**7. BACKGROUND:**

Recent events have caused the reassessment of the condition of the two fixed bridges which are part of the County's Sanibel Causeway system. This reassessment has led to the determination that the superstructure has deteriorated far greater than predicted by the PD&E completed in 2001. The condition of the bridges have deteriorated to the point that the safety of the traveling public is compromised and that public safety dictates the expeditious replacement of the existing bridges. The replacement of Bridges B & C was contemplated and recommended in the PD&E which the Board of County Commissioners adopted and forwarded to the Coast Guard for approval as Administrative Agenda Item 9-a at its June 21, 2001 meeting. The Coast Guard has acknowledged receipt of the document in writing on November 27, 2001 and acknowledged that the permit process was underway.

**(BACKGROUND CONTINUED - NEXT PAGE)**

**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
<i>Rtd SMU For 3/25/03</i>	N/A	N/A	<i>AD</i>	<i>3-25-03</i>	<i>OA</i>	<i>OM</i>	<i>RISK</i>	<i>GC</i>	<i>3-25-03</i>
					<i>RK 3/26</i>	<i>3/26</i>	<i>03/26/03</i>	<i>3/26/03</i>	<i>3-25-03</i>

**10. COMMISSION ACTION:**

- \_\_\_\_\_ APPROVED
- \_\_\_\_\_ DENIED
- \_\_\_\_\_ DEFERRED
- \_\_\_\_\_ OTHER

Rec. by CoAtty
Date: <i>3/26/03</i>
Time: <i>8:20 AM</i>
Forwarded To: <i>City Admin</i>
<i>3-26-03</i>

RECEIVED BY COUNTY ADMIN. <i>RA</i>
<i>3-26-03</i>
<i>11:20</i>
COUNTY ADMIN. FORWARDED TO:
<i>3/27/03</i>

**BACKGROUND: (Continued)**

The PD&E as submitted to the Coast Guard recommended the rehabilitation of Span A (the “Bascule” Span). We have agreed with the Coast Guard to re-evaluate the recommendation for the rehabilitation, and that Span A will be thoroughly inspected and our findings relayed to the Coast Guard as part of that re-evaluation after the Board of County Commissioners’ review and adoption.

The proposed Resolution finding an emergency exists with respect to the replacement of Spans B & C, is necessary for expediting the Coast Guard permitting purposes, which in turn, will reduce construction time for those Spans.

LEE COUNTY RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF LEE COUNTY DECLARING A COUNTY TRANSPORTATION FACILITY EMERGENCY RELATIVE TO THE CONDITION OF THE THREE BRIDGES OF THE COUNTY'S CAUSEWAY SYSTEM TO SANIBEL ISLAND; PROVIDING FOR FINDINGS AND DECLARATION; PROVIDING FOR AUTHORIZATIONS, TERM AND EFFECTIVE DATE.**

WHEREAS, the Board of County Commissioners ("Board") is the governing body in and for Lee County, a political subdivision and charter county of the State of Florida; and,

WHEREAS, the Board possesses all County and Municipal authority with respect to governance and for the protection of its citizens and residents, to include the Declaration of County Emergencies when warranted; and,

WHEREAS, based upon the examinations, findings and recommendations of the County Engineer, the Board now desires to declare that a County transportation emergency exists with respect to the timing for the reconstruction and replacement of Bridges "B" and "C" and the re-evaluation of Bridge "A" of the County's Causeway system to Sanibel Island ; and,

WHEREAS, the Board now desires to expedite the reconstruction of Bridges "B" and "C" of the Causeway and the re-evaluation of Bridge "A", due to their deterioration and threat to the safety of the traveling public, by accelerating the replacement of Bridges "B" and "C" through utilization of the "Construction Manager at Risk" construction process; and,

WHEREAS, the United States Coast Guard ("Coast Guard") can and will expedite its review process for the issuance of its permits necessary for the reconstruction of Bridges "B" and "C", in order to decrease the time needed to correct the current threat to the traveling public's safety on the Causeway facilities to Sanibel Island.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS that:

1. The above recitals are hereby adopted as being true and accurate, and as if set out further at length in this section.
2. Based upon the inspections made, engineering analyses, scientific findings and recommendations of the County Engineer with respect to the condition of Bridges "B" and "C" of the Causeway to Sanibel Island, the Board hereby finds and declares that a County transportation emergency exists with respect to the safety of the traveling public on the Causeway Bridges "B" and "C", and as the result, also directs the re-evaluation of Bridge "A".
3. The Board hereby finds that the delays incident to utilizing the ordinary course of competitive selection for outside vendors of goods and services necessary for the re-evaluation, replacement and reconstruction of the Bridges would be detrimental to the interests of the County and the safety of the traveling public, by unnecessarily increasing the timing of those activities.
4. As the result, County staff is hereby directed to take all lawful actions as expeditiously as practicable to secure all necessary permits, materials, and contractors to replace Bridges "B" and "C" of the Causeway and re-evaluate Bridge "A" for operational deficiencies.

5. In keeping with this Declaration of Transportation Emergency, the Board hereby waives the provisions of the Lee County Contracts Manual and invokes the relevant exceptions as provided for by general law with respect to competitive selection and procurement for goods or services necessary for the reconstruction of Bridges "B" and "C" and the re-evaluation of Bridge "A". Said waiver will also extend to the reconstruction of Bridge "A", should the re-evaluation indicate that the reconstruction of Bridge "A" is the preferred alternative and in the traveling public's best interests. All other provisions of the Contracts Manual (i.e., requirements for satisfactory qualifications, bonding, insurance, experience, financial stability, etc.), applicable provisions of general law and the Lee County DOT Operations Manual, shall remain in full force and effect. All selections for Construction Managers, Contractors, Materialmen and other such vendors will be submitted to the Board of County Commissioners' for approval, regardless of price. Such submittals may be made "after the fact", if work schedules require procurements to be made for public safety purposes in advance of regular Board of County Commissioners' scheduling.
6. This Resolution will remain in effect until such time as Bridges "B" and "C" are replaced with new structures and placed into service for public use, and Bridge "A" is either rehabilitated or reconstructed, whichever is in the public's best interest; at which time it will be deemed to be expired, and of no further force or effect.

7. This Resolution will take effect immediately upon its adoption by the Board of County Commissioners at a regularly scheduled meeting.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and, being put to a vote, the vote was as follows:

DOUGLAS ST. CERNY \_\_\_\_\_  
BOB JANES \_\_\_\_\_  
RAY JUDAH \_\_\_\_\_  
ANDREW COY \_\_\_\_\_  
JOHN E. ALBION \_\_\_\_\_

DULY PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

ATTEST: CHARLIE GREEN  
CLERK OF COURTS

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Chairman

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Office of County Attorney