

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

Blue Sheet No. 20030348

1. REQUESTED MOTION: Approve Local Agency Program Supplemental Agreement with the Florida Department of Transportation for Expansion Of Variable Pricing To Heavy Vehicles. Also, approve authorization resolution for Chairman to execute agreement.

WHY ACTION IS NECESSARY: Requires BOCC approval for agreements.

WHAT ACTION ACCOMPLISHES: Allows necessary budget revisions by task to be approved so that the existing program can continue, and billings will not be interrupted.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #

C9A

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 Transportation
- C. DIVISION _____

BY: Scott M. Gilbertson

7. BACKGROUND:

Lee County has partnered with the Federal Highway Administration and the Florida Department of Transportation on a pilot project to expand the County's variable pricing program to larger (more than two axle) vehicles. As a pilot program, it was not possible to precisely identify all methods and actions in advance, and as the program has developed better ways to accomplish some objectives have been identified. Other tasks have taken more effort than originally thought. This action transfers portions of the project budget between tasks to reflect the changing effort required in those tasks. It should be noted that the overall project budget is unchanged, and the county's financial and other obligations are not changed.

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>3/21/03</i> <i>[Signature]</i>	<i>[Signature]</i> <i>3/26</i>	NA		<i>[Signature]</i> <i>3/26/03</i>	OA <i>RK 3/26</i>	OM <i>[Signature]</i> <i>3/26/03</i>	Risk <i>[Signature]</i> <i>3/26/03</i>	GC <i>[Signature]</i> <i>3/26/07</i>	<i>[Signature]</i> <i>3-26-03</i>

10. COMMISSION ACTION:

- _____ APPROVED
- _____ DENIED
- _____ DEFERRED
- _____ OTHER

Rec. by CoAtty
Date: *3/26/03*
Time: *2:10 PM*
Forwarded To:
City Admin.
3-26-03 3:30

RECEIVED BY
COUNTY ADMIN. *RK*
3-26-03
4:10
COUNTY ADMIN.
FORWARDED TO:
3/27 200

LEE COUNTY RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING LEE COUNTY TO ENTER
INTO A LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT
WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION**

THIS IS A RESOLUTION of the Board Of County Commissioners. Lee County, Florida, a political subdivision of the State, authorizing the execution of a Local Agency Program Supplemental Agreement with the Florida Department Of Transportation.

WHEREAS, Lee County, Florida, has the statutory authority to enter into an Agreement with the Florida Department Of Transportation in accordance with Section 338.251, Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, LEE COUNTY, FLORIDA, That:

1. The Local Agency Program Supplemental Agreement for expansion of variable pricing to heavy vehicles is hereby approved.
2. The Chairman of, and the Clerk to the Board of Lee County Commissioners are hereby authorized to execute said Agreement.
3. The Clerk of the Circuit Court is hereby authorized and directed to transmit one (1) certified copy of this Resolution to the Florida Department of Transportation along with the executed Agreements.

DONE AND ADOPTED with a quorum present and voting on this _____ day of _____, 2003.

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 the County Attorney

SUPPLEMENTAL NO. TWO	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT	FIN NO. 409186 1 28 02
		CONTRACT NO. AJ186

The FDOT AND LEE COUNTY desires to supplement the original agreement entered into and executed on 12/1/2000. All provisions in the original agreement and supplements, if any, remain in effect except as expressly modified by this supplement.

The changes to the agreement are described as follows:

PROJECT DESCRIPTION

Name Variable Pricing Program - Heavy Vehicles Length N/A

Termini Midpoint and Cape Coral Toll Bridges - Lee County, Florida

Description of Work:

Exhibit A of original LAP agreement attached.

Reason for Supplement:

Exhibit B Revised budget change request.

TYPE OF WORK	FUNDING				
	(1) PREVIOUS TOTAL PROJECT FUNDS	(2) ADDITIONAL PROJECT	(3) CURRENT TOTAL PROJECT	(4) TOTAL AGENCY FUNDS	(5) TOTAL FEDERAL FUNDS
<i>N/A</i>					
P.E.					
a. Agency Work					
b. Other					
c. Department Services					
d. Total PE Cost Estimate (a + b + c)					
Right-of-Way					
e. Agency Work					
f. Other					
g. Department Services					
h. Total R/W Estimate (e + f + g)					
Construction					
i. Contract					
j. Other					
k. Other					
l. Other					
m. Total Contract Costs (i + j + k + l)					
Construction Engineering					
n. Agency					
o. Other					
p. Department Forces					
q. Total Engineering (n + o + p)					
r. Total Construction Cost Estimate (m + q)					
s. TOTAL COST OF THE PROJECT (d + h + r)					

IN WITNESS WHEREOF, the parties have caused these presents to be executed the day and year first above written.

AGENCY

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

By: _____
Title LEE COUNTY BOCC CHAIRMAN

By: _____
Title DISTRICT ONE SECRETARY

Attest: _____
Title DEPUTY CLERK, CLERK OF COURTS

Attest: _____
Title EXECUTIVE SECRETARY

Date: _____

Date: _____

As to form:

As to form:

Attorney

District Attorney

See attached Encumbrance Form for date of funding approval by Comptroller

FIN NO. 40910612801

EXHIBIT A
Project Description and Responsibilities

This exhibit forms an integral part of that certain Reimbursement Agreement between the State of Florida, Department of Transportation and Lee County, Florida.

Dated August 30, 2000

PROJECT LOCATION:

Cape Coral and Midpoint Memorial Bridges, Lee County, Florida.

This project is not on the National Highway System.
This project is not on the State Highway System.

PROJECT DESCRIPTION:

The goal of this study is to provide a variable toll rate to induce heavy vehicles to travel in off-peak periods of the day. This will reduce traffic congestion at the toll plazas and beyond during the peak traffic periods. These vehicles must be able to pay their toll electronically to take advantage of the variable toll rate. The electronic toll collection will provide data for future analysis and evaluation of the effectiveness of variable toll rates for heavy vehicles.

SPECIAL CONSIDERATION BY AGENCY:

The audit report(s) required in the Agreement shall include a schedule of project assistance that will reflect the Department's contract number and the amount of state funding (receipt and disbursement of funds) and any Federal or local funding action and the funding action from any other source with respect to the project.

SPECIAL CONSIDERATION BY DEPARTMENT:

As of the date of this agreement the Department has certified Lee County for the procurement of consultant services under the Consultant Competitive Negotiations Act (Section 287.055, Florida Statutes).



EXHIBIT B

BOARD OF COUNTY COMMISSIONERS

March 3, 2003

Writer's Direct Dial Number: _____

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

Mr. Michael Rippe
District Director, Southwest Area Office
Florida Department of Transportation
P. O. Box 1030
Fort Myers, FL 33902

FIN Number: 409186 1 28 02

Federal Number: VPPP 001 R

Contract No. AJ186

Supplemental Local Agency Program Agreement for the Expansion of Variable Pricing to Heavy Vehicles

Dear Mr. Rippe,

Attached please find a revised budget for the Lee County Expansion of Variable Pricing to Heavy Vehicles Project. It is necessary that a Supplemental agreement to the above be initiated for the attached budget revision and approved so that the existing program can continue, and billings will not be interrupted.

The format of the budget allows for a quick review of the changes proposed. Highlights include:

PHASE I – PRE-PROJECT

- Task 1.0 – Develop Monitoring & Evaluation Plan – This task is complete as budgeted.
- Task 2.0 - Preparation of Specifications on Hardware was decreased, while
- Task 3.0 - Preparation/Negotiation of Contractual Material for AVC/AVS Vendor, has been increased due to the AVC technology suppliers on the verge of releasing new products that could prove to be more efficient and require less maintenance taking longer to overcome their internal testing and production issues and advance to the market. Once Peek, Inc. was selected as the software vendor, accuracy ratings and associated holdback parameters required further discussion.
- Task 4.0 - Install and Test AVC/AVS Hardware and Software has been increased substantially due to the need for loop installations prior to the site survey, software licenses, the final install by Peek, Inc. and software costs to be provided by TransCore.

- continued

- Task 5.0 - Conduct Focus Groups, Meetings and Surveys has been increased to include individual, one on one meetings with heavy vehicle owner/operators as the project nears implementation.
- Task 6.0 – Conduct In-Lane Survey, and
- Task 7.0 – Conduct Queue Length Studies, and
- Task 8.0 – Conduct Traffic & Speed Studies, and
- Task 9.0 – Conduct Initial Marketing & Awareness Program have been or are near completion, resulting in a reduction in tasks.
- Task 10.0 – Project Management/Coordination. This task has been increased due to the complexity and coordination required between the various departments and agencies and the expenses required to complete Phase I.

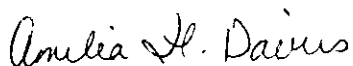
PHASE II – PROJECT PHASE

- Task 11.0 - Conduct Post Project Survey, and
- Task 12.0 - Conduct Queue Length Studies, and
- Task 14.0 – Conduct Marketing & Awareness, and
- Task 15.0 – Project Management have all been reduced in order to
- Increase Task 13.0 – Conduct Traffic Volume Analysis

Your prompt action approving this budget revision will be appreciated. If you have any questions, please feel free to contact me.

Sincerely,

DEPARTMENT OF TRANSPORTATION



Amelia H. Davies
Transportation Program Manager

Copy: Scott Gilbertson
Don DeBerry
Carol Goldwasser
Kris Cella, Cella & Associates, Inc.
Chris Swenson, CRSPE, Inc.

EXHIBIT B

**Budget Summary for
Expansion of Variable Pricing to Heavy Vehicles**

2/25/03

Task	Task Description	Revised Budget
	PHASE I	
1.0	Develop Monitoring & Evaluation	15,000.00
2.0	Preparation of Specifications	10,157.81
3.0	Negotiation of Contractual Material	10,683.00
4.0	Install/Test AVC/AVS Vendor	
	4.A Consultant Labor	
	4.B Site Survey, Software Licenses	
	4.C County Miscellaneous Expenses	
	4.D Loop Installation - Vendor	
	4.E Loop Installation - County	
	4.F Final Install - Peek	
	4.G Software Costs - TransCore	
	Total Task 4.0	514,885.31
5.0	Conduct Focus Groups	35,379.12
6.0	Conduct In-Lane Survey	16,477.02
7.0	Conduct Queue Length Studies	27,400.53
8.0	Conduct Traffic & Speed Studies	9,743.28
9.0	Conduct Initial Marketing & Awareness	45,037.92
10.0	Project Management	132,650.99
Subtotal Phase I		817,414.98
	PHASE II	
11.0	Conduct Post Project Survey	17,056.90
12.0	Conduct Queue Length Studies	16,000.00
13.0	Conduct Traffic Volume Analysis	168,468.43
14.0	Conduct Marketing & Awareness	110,000.00
15.0	Project Management	161,059.69
Subtotal Phase II		472,585.02
PROJECT TOTAL		1,290,000.00

EXHIBIT B

**Budget Summary for
Lee County Expansion of Variable Pricing to Heavy Vehicles**

2/25/03

Task	Task Description	Initial Budget	Revised Budget	Variance
	PHASE I			
1.0	Develop Monitoring & Evaluation	15,000.00	15,000.00	0.00
2.0	Preparation of Specifications	15,000.00	10,157.81	4,842.19
3.0	Negotiation of Contractual Material	5,000.00	10,683.00	-5,683.00
4.0	Install/Test AVC/AVS Vendor			
	4.A Consultant Labor			
	4.B Site Survey, Software Licenses			
	4.C County Miscellaneous Expenses			
	4.D Loop Installation - Vendor			
	4.E Loop Installation - County			
	4.F Final Install - Peek			
	4.G Software Costs - TransCore			
	Total Task 4.0	425,000.00	514,885.31	-89,885.31
5.0	Conduct Focus Groups	30,000.00	35,379.12	-5,379.12
6.0	Conduct In-Lane Survey	35,000.00	16,477.02	18,522.98
7.0	Conduct Queue Length Studies	30,000.00	27,400.53	2,599.47
8.0	Conduct Traffic & Speed Studies	25,000.00	9,743.28	15,256.72
9.0	Conduct Initial Marketing & Awareness	75,000.00	45,037.92	29,962.08
10.0	Project Management	100,000.00	132,650.99	-32,650.99
Subtotal Phase I		755,000.00	817,414.98	-62,414.98
	PHASE II			
11.0	Conduct Post Project Survey	90,000.00	17,056.90	72,943.10
12.0	Conduct Queue Length Studies	90,000.00	16,000.00	74,000.00
13.0	Conduct Traffic Volume Analysis	70,000.00	168,468.43	-98,468.43
14.0	Conduct Marketing & Awareness	120,000.00	110,000.00	10,000.00
15.0	Project Management	165,000.00	161,059.69	3,940.31
Subtotal Phase II		535,000.00	472,585.02	62,414.98
PROJECT TOTAL		1,290,000.00	1,290,000.00	0.00