

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

Blue Sheet No. 20030722

1. REQUESTED MOTION:

ACTION REQUESTED: Approve Change Order No. 4 to Contract #1584 for RFP-00-10 Tourism Advertising, Program Planning, Creation & Implementation with BVK/McDonald for a one-time emergency advertising fee of \$320,000.00.

WHY ACTION IS NECESSARY: Board approval is required.

WHAT ACTION ACCOMPLISHES: To allow for a one-time fee for emergency advertising. The Tourist Development Council approved this expenditure in April, 2003.

2. DEPARTMENTAL CATEGORY: Visitor & Convention Bureau COMMISSION DISTRICT #:	<i>CIA</i>	3. MEETING DATE: <i>07-01-2003</i>
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4. AGENDA: <input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADMINISTRATIVE <input type="checkbox"/> APPEALS <input type="checkbox"/> PUBLIC <input type="checkbox"/> WALK ON TIME REQUIRED:	5. REQUIREMENT/PURPOSE: (Specify) STATUTE _____ ORDINANCE _____ <input checked="" type="checkbox"/> ADMIN. CODE <i>AC-4-4</i> OTHER _____	6. REQUESTOR OF INFORMATION: A. COMMISSIONER _____ B. DEPARTMENT _____ C. DIVISION <i>Visitor & Convention</i> BY: <i>D.T. Minich, VCB Director</i>
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7. BACKGROUND:

On August 29, 2000, the Board entered into a contract with BVK/McDonald under RFP-00-10 Tourism Advertising, Program Planning, Creation & Implementation in the amount of \$2,700,000.00 with a contract period of three (3) years with two (2) one (1) year renewals.

On September 4, 2001, the Board approved Change Order No. 1 in the amount of \$170,000.00 (added to the annual contract amount) to add additional tasks for Attractions: to develop and implement VCB's attractions marketing program.

On October 9, 2001, the Board approved Change Order No. 2, in the amount of \$500,000.00 (one time increase) to cover emergency advertising in the wake of 911 events.

Change Order No. 3, was approved in July 2002, to increase the annual yearly contract amount by \$300,000.00 (for a total annual contract amount of \$3,170,000.00). Also added as a one time increase to Attractions in the amount of \$11,866.00 and one time increase from CIP for Great Calusa Blue Way (Beach & Shoreline) in the amount of \$32,000.00.

Change Order No. 4 will be for a one-time expenditure in the amount of \$320,000.00 to allow for emergency advertising.

Funds are available in the following account: HB5520317400.504810 *JRD*

Attachments: Two (2) original Change Orders

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>6/19/03</i>	G County Manager						
<i>[Signature]</i> 6/17/03	<i>[Signature]</i> 6/17/03	N/A		<i>[Signature]</i> 6/18/03	<table border="1" style="width:100%; font-size: 0.8em;"> <tr> <td style="width:33%">OA <i>[Signature]</i> 6/18/03</td> <td style="width:33%">OM <i>[Signature]</i> 6/18/03</td> <td style="width:33%">Risk <i>[Signature]</i> 6/18/03</td> </tr> <tr> <td>GC <i>[Signature]</i> 6-19-03</td> <td></td> <td></td> </tr> </table>	OA <i>[Signature]</i> 6/18/03	OM <i>[Signature]</i> 6/18/03	Risk <i>[Signature]</i> 6/18/03	GC <i>[Signature]</i> 6-19-03			<i>[Signature]</i> 6-19-03
OA <i>[Signature]</i> 6/18/03	OM <i>[Signature]</i> 6/18/03	Risk <i>[Signature]</i> 6/18/03										
GC <i>[Signature]</i> 6-19-03												

10. COMMISSION ACTION:

APPROVED
 DENIED
 DEFERRED
 OTHER

Rec. by CoAtty
Date: *6/17/03*
Time: *12:00 pm*
Forwarded To:
Budget
6/17/03

RECEIVED BY
COUNTY ADMIN.
[Signature]
6/17/03
COUNTY ADMIN.
FORWARDED TO: *[Signature]*
6-19-03

Don



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (239) 335-2183

Bob Janes
District One

June 16, 2003

Douglas R. St. Germain
District Two

SOLICITATION NO.: RFP-00-10

Ray Judah
District Three

Ms. Mary DeLong

Andrew W. Coy
District Four

BVK/McDonald

John E. Albion
District Five

3625 Del Prado Blvd.
Cape Coral FL 33904

Donald D. Stilwell
County Manager

SUBJECT: TOURISM ADVERTISING, PROGRAM PLANNING, CREATION & IMPLEMENTATION

James G. Yaeger
County Attorney

ENCLOSURE: Two (2) Change Order Forms

Diana M. Parker
County Hearing Examiner

Dear Ms. DeLong:

Enclosed for your review, are two (2) Change Orders for the project known as "Tourism, Advertising, Program Planning, Creation & Implementation". The change order is for the additional emergency advertising in the amount of \$320,000.00 (a one-time fee).

If approved, please sign and affix your corporate seal to both and return to the following address:

Lee County Contracts Management
PO Box 398
Fort Myers FL 33902-0398

A fully executed copy of this change order will be forwarded to you upon completion by the County.

Sincerely,

Cindy Logan
Contracts Manager

c: D.T. Minich, VCB
Christy SanCartier, VCB

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

Change Order
 Supplemental Task Authorization

NO.: 4

(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: Tourism Advertising, Program Planning, Creation & Implementation

CONSULTANT: BVK/McDonald

PROJECT NO.: _____

SOLICIT NO.: RFP-00-10 CONTRACT NO.: 1584 ACCOUNT NO.: _____

REQUESTED BY: DT Minich DATE OF REQUEST: 6/16/2003

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: 6/16/2003

EXHIBIT "CO/STA-B: COMPENSATION & METHOD OF PAYMENT: DATED: 6/16/2003

EXHIBIT "CO/STA-C: TIME AND SCHEDULE OF PERFORMANCE: DATED: 6/16/2003

EXHIBIT "CO/STA-D: CONSULTANT'S/PROVIDERS ASSOCIATED
SUB-CONSULTANT(S)/SUB-CONTRACTORS: DATED: 6/16/2003

EXHIBIT "CO/STA-E: PROJECT GUIDELINES AND CRITERIA: DATED: 6/16/2003

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: _____
Consultant/Provider

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

By: _____
Contracts Mgmt Date

Date Accepted: _____

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. ~~4~~
or
 SUPPLEMENTAL TASK AUTHORIZATION No. _____

EXHIBIT "CO/STA-A"

Date: 6/16/2003

SCOPE OF PROFESSIONAL SERVICES

for Tourism Advertising, Program Planning, Creation & Implementation
(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:

A one-time increase to cover for additional emergency advertising.

*Attach additional pages, if needed.

CHANGE ORDER AGREEMENT No. 4
 SUPPLEMENTAL ^{or} TASK AUTHORIZATION No. -

EXHIBIT "CO/STA-B"

Date: 6/16/2003

COMPENSATION AND METHOD OF PAYMENT

for Tourism Advertising, Program Planning, Creation & Implementation

(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.)
	Add for Emergency Advertising One-Time Fee	\$320,000.00		
TOTAL		\$320,000.00		

(Unless list is continued on next page)

CHANGE ORDER AGREEMENT No. 4
 or
 SUPPLEMENTAL TASK AUTHORIZATION No. _____

SECTION 2.00 SUMMARY OF CHANGE(S) IN COMPENSATION

Pursuant to and in consideration of the change(s) in the Scope of Professional Services set forth in the CHANGE ORDER or AGREEMENT, Exhibit "CO/STA-A", the compensation the COUNTY has previously agreed to pay to the CONSULTANT, or SERVICE PROVIDER, as set forth in Exhibit "B" of the Professional Services Agreement, or Service Provider Agreement, shall be changed to be as follows:

Section/Task Number	Section/Task Name	Compensation In the Basic Agreement	Adjustment(s) by Previous CO or STA Nos. <u>1-2</u>	Adjustment(s) Due to this CO or STA	Summary of Changed Compensation
	Original SPA	\$2,700,000.00			
CO #1	Increase to annual		\$170,000.00		
CO #2	Emergency Ad	(1 TIME ONLY)	\$500,000.00		
CO #3	Budget increase annual contract		\$300,000.00		
CO #3	Attractions	(1 TIME ONLY)	\$11,866.00		
CO #3	Great Calusa	(1 TIME ONLY)	\$32,000.00		
CO#4	Add'l Emergency Advertising	(1 TIME ONLY)		\$320,000.00	
INCREASE TO ANNUAL		\$2,700,000.00	\$470,000.00		\$3,170,000.00
TOTAL (1 TIME FEES)			\$543,866.00	\$320,000.00	\$863,866.00
TOTAL					

CHANGE ORDER AGREEMENT No. 4
or
 SUPPLEMENTAL TASK AUTHORIZATION No. _____

EXHIBIT "CO/STA-D"

Date: 6/16/2003

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

for Tourism Advertising, Program Planning, Creation & Implementation

(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
None						

CHANGE ORDER AGREEMENT No. 4

SUPPLEMENTAL TASK AUTHORIZATION No. _____

EXHIBIT "CO/STA-E"

Date: 6/16/2003

PROJECT GUIDELINES AND CRITERIA

for Tourism Advertising, Program Planning, Creation & Implementation

(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