

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

Blue Sheet No. 20031105

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Approve Supplemental Task Authorization No. 1 to Contract #2488, to WilsonMiller Inc., under CN-03-07 Miscellaneous Professional Services – Island Park Regional Mitigation Project, in the amount of \$96,695.00.

**WHY ACTION IS NECESSARY:** Board approval required.

**WHAT ACTION ACCOMPLISHES:** Will provide the County with a consultant for the engineering/surveying and permitting services for the Island Park Regional Mitigation Project.

**2. DEPARTMENTAL CATEGORY:**

9. Transportation

**COMMISSION DISTRICT #:**

**C9D**

**3. MEETING DATE:**

**10-07-2003**

**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 Transportation
- C. DIVISION
- BY: Scott Gilbertson, Director

**7. BACKGROUND:**

On June 3, 2003, the Board entered into continuing contracts for CN-03-07 Miscellaneous Professional Services with 18 Consultants to provide professional services on an as needed basis through the issuance of a Supplemental Task Authorization, for a contract period of two (2) years with the option of renewal for one (1) additional year. The Consultants are as follows: Agnoli, Barber & Brundage Inc.; AIM Engineering & Surveying Inc.; Avalon Engineering Inc.; Barraco and Associates Inc.; Bean, Whitaker, Lutz & Kareh Inc.; Boyle Engineering Corporation; Cella & Associates, Inc.; Consul-Tech Development Services, Inc.; David Douglas Associates Inc.; Hardesty & Hanover, LLP; Hole Montes Inc.; Ink Engineering; Johnson Engineering Inc.; Kisinger Campo & Associates, Inc.; Pitman-Hartenstein & Associates, Inc.; Post, Buckley Schuh & Jernigan, Inc.; TKW Consulting Engineers; and WilsonMiller Inc.

This supplemental Task Authorizations (STA) No. 1 provides services under CN-03-07 Miscellaneous Professional Services – Island Park Regional Mitigation Project in the amount of \$96,695.00.

Funds will be available from account string: 20400730700.506510

Attachment: Supplemental Task Authorization #1 for Execution

**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>Admin 9/23/03</i>				G County Manager
					OA	OM	Risk	GC	
<i>9/19/03</i>	<i>[Signature]</i>	N/A		<i>[Signature]</i>	<i>P.M. 9/23/03</i>	<i>[Signature] 9/24/03</i>	<i>[Signature] 9/23/03</i>	<i>[Signature] 9/23/03</i>	<i>[Signature] 9.19.03</i>

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

**Rec. by CoAtty**  
Date: *9-22-03*  
Time: *4:45 PM*  
**Forwarded To:**  
*[Signature]*  
*9/23/03 9:35 AM*

**RECEIVED BY COUNTY ADMIN:** *[Signature]*  
*9/23*  
*10:15 AM*  
**COUNTY ADMIN FORWARDED TO:**  
*[Signature]*  
*9/25/03*

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

Change Order  
 Supplemental Task Authorization

NO.: 1

(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: Island Park Regional Mitigation Project – Engineering/Surveying/Permitting Services

CONSULTANT: WilsonMiller, Inc. PROJECT NO.: 4007

SOLICIT NO.: CN-03-07 CONTRACT NO.: 2488 ACCOUNT NO.: \_\_\_\_\_

REQUESTED BY: Don Deberry DATE OF REQUEST: 07/24/03

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: August 26, 2003
- EXHIBIT "CO/STA-B: COMPENSATION & METHOD OF PAYMENT: DATED: August 26, 2003
- EXHIBIT "CO/STA-C: TIME AND SCHEDULE OF PERFORMANCE: DATED: August 26, 2003
- EXHIBIT "CO/STA-D: CONSULTANT'S/PROVIDERS ASSOCIATED  
SUB-CONSULTANT(S)/SUB-CONTRACTORS: DATED: August 26, 2003
- EXHIBIT "CO/STA-E: PROJECT GUIDELINES AND CRITERIA: DATED: August 26, 2003

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

RECOMMENDED:  
 By: [Signature] 9/19/03  
 Department Director Date  
 By: [Signature] 9/19/03  
 Contracts Mgmt Date

ACCEPTED:  
 By: [Signature]  
 Consultant/Provider  
 Date Accepted: 8/26/03  
 Corporate Seal

COUNTY APPROVAL:  
 By: \_\_\_\_\_  
 Department Director  
 (Under \$25,000)  
 Date Approved: \_\_\_\_\_  
 By: \_\_\_\_\_  
 County Manager (Between  
 (\$25,000 and under \$50,000)  
 Date Approved: \_\_\_\_\_  
 By: \_\_\_\_\_  
 Chairman  
 Board of County Commissioners  
 Date Approved: \_\_\_\_\_

APPROVED:  
 By: \_\_\_\_\_  
 \*County Attorney's Office Date

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

CHANGE ORDER AGREEMENT No. \_\_\_\_\_  
or  
 SUPPLEMENTAL TASK AUTHORIZATION No.: 1

EXHIBIT "CO/STA-A"

Date: August 26, 2003

SCOPE OF PROFESSIONAL SERVICES

For: Island Park Regional Mitigation Project – Engineering/Surveying/Permitting Services

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:

Task #1 – General Consultation and Project Coordination

Coordinate with Lee County DOT and Lee County Parks and Recreation on an as-needed basis regarding project tasks and project status updates. Submit permit applications to environmental agencies (CORPS, SFWMD) for review and comment. Coordinate and schedule meetings between multiple agency representatives to achieve consistent design criteria and permit requirements. Coordinate with commenting agencies (FWC, EPA, FWS) for completion of Memorandum of Understandings (MOUs) regarding mitigation credits. This assumes a maximum of three (3) joint meetings of two (2) hours duration each with the above-referenced agencies. Coordinate with Florida Power and Light (FPL) regarding installation of culverts within their easement.

Task #2 – Field Reconnaissance/Data Collection

2.1 - Wetland Jurisdictional Determinations

Prepare and submit jurisdictional wetland determinations to the SFWMD and the CORPS. Preliminary wetland delineations will be provided through a combination of aerial photo-interpretation and ground-truthing. The extent of field ribboning required will be determined as a result of agency field reviews. Conduct onsite reviews of the wetland delineations with representatives from the CORPS, as available, and the SFWMD and request validation of these delineations from the CORPS (if possible) and SFWMD (jurisdictional sign-offs). Provide client with copy of each of the two validations. Coordinate with survey staff to locate seasonal high water (SHW) indicators for filter marsh design.

2.2 - Surveying Services

2.2.1 Locate upland/wetland boundaries. Fees are based on field survey of the filter marsh footprints, with the remainder of the upland/wetland interface established by GPS.

2.2.2. Obtain locations and elevations for Seasonal High Water levels as identified by environmental staff. Obtain cross-sections and/or spot elevations in selected areas of the existing wetlands and proposed filter marsh creation areas within the subject parcels.

2.2.3. Obtain cross-sections and/or spot elevations in selected areas of existing ditches, existing berms, and the FPL easement.

### 2.3 - Listed Species Survey

Perform a GIS database search for listed species information. Conduct a listed species survey for federal and state listed species in accordance with the Lee County Land Development Code (LDC) and Florida Fish and Wildlife Conservation Commission (FWC) requirements. Prepare a report of the results of the survey and an exhibit of species observations to be depicted on existing aerial photography of the project site.

## Task #3 – South Florida Water Management District (SFWMD) – Environmental Resource Permitting (ERP)

### 3.1 - ERP Application Preparation

Prepare materials/exhibits/information and attend one (1) pre-application meeting with SFWMD in Fort Myers. Prepare the environmental portions of the ERP application including updates to the March 2002 Mitigation Credit Assessment Report accompanied by supporting tables and graphics if necessary. Provide input to the engineering aspects of the ERP application. Coordinate with engineering and surveying staff for detailed filter marsh design. Prepare and submit an Individual Environmental Resource Permit application requesting conceptual and construction and operation approval for the PROJECT.

### 3.2 ERP Application Support

Prepare for and conduct one (1) tour of the PROJECT site with SFWMD. Prepare materials/exhibits/information for the ERP sufficiency review process. Prepare and submit additional information and responses to SFWMD Request for Additional Information (RAIs), as well as modifications to the permit application as required by SFWMD or Lee County. This assumes up to two (2) RAI responses or modification regarding the ERP application. Prepare materials/exhibits/information for and attend up to two (2) meetings with SFWMD in Fort Myers, if required, to facilitate processing of the application. In addition provide liaison with SFWMD during their processing of the application. Review and, if necessary, edit the draft staff report and ERP issued for the PROJECT by SFWMD. Coordinate with SFWMD and the client to facilitate revisions.

## Task # 4 – GIS Services

4.1 Prepare GIS support graphics for permit applications prior to submittal and during processing of the Project permit applications.

4.2 Provide GIS analytical and database research services in support of project design and permitting efforts.

## Task # 5 – Engineering Services

- 5.1 Drainage Basin Study and Water Quality Calculations – Research and review existing development permits for surrounding properties. Research and review available basin studies. Estimate the volume of existing and proposed runoff and tailwater effects of flow entering the Island Park Parcels (#66 and #128) from the surrounding areas. Coordinate with Lee County Natural Resource Management staff to calculate the pre and post development water quality loading rates. It is assumed that pre and post development water quality calculations will be limited to filter marsh detention time determination for use by Lee County Natural Resources.
- 5.2 Filter Marsh Design - Prepare signed and sealed engineering drawings in support of ERP application. Coordinate with ecologist for final marsh design.
- 5.3 ERP Application Preparation - Prepare materials/exhibits/information and attend one (1) pre-application meeting with SFWMD in Fort Myers. Prepare the engineering portions of the ERP application including compilation of SHW elevation data and water quality treatment calculations and supporting data.
- 5.4 ERP Application Support - Prepare materials/exhibits/information for the ERP sufficiency review process. Prepare and submit additional information and responses to SFWMD Request for Additional Information (RAIs), as well as modifications to the permit application as required by SFWMD or Lee County. This assumes up to two (2) RAI responses or modification regarding the ERP application. Prepare materials/exhibits/information for and attend up to two (2) meetings with SFWMD in Fort Myers, if required, to facilitate processing of the application. In addition provide liaison with SFWMD during their processing of the application. Review and, if necessary, edit the draft staff report and ERP issued for the PROJECT by SFWMD. Coordinate with SFWMD and the client to facilitate revisions.

## Task # 6 – Florida Fish & Wildlife Conservation Commission (FWC) – Memorandum of Understanding (MOU)

Prepare and submit materials/exhibits/information the completed Listed Species report, and ERP application information to FWC. Prepare for and conduct one (1) meeting with representatives of FWC in Punta Gorda. Prepare for and conduct one (1) tour of the project site with FWC, in necessary. Prepare a general wildlife management plan.

Prepare and submit responses to issues raised by the FWC during the ERP review. Assemble information and prepare a Draft Memorandum of Understanding for review and signature by FWC for the PROJECT.

## Task #7 – U.S. Army Corps of Engineers (CORPS) Section 404 Individual Permitting

### 7.1 – Application Preparation

Prepare materials/exhibits/information and attend one (1) pre-application meeting with the CORPS in Fort Myers. Prepare and submit a CORPS Section 404 Individual Permit Application for the PROJECT, including updates to the March 2002 Mitigation Credit Assessment Report accompanied by supporting tables and graphics if necessary. Prepare materials/exhibits/information for coordination with the U.S. Environmental Protection Agency (EPA) and U.S. Fish and Wildlife Service (FWS).

### 7.2 – Application Support

Prepare for and conduct one (1) tour of the PROJECT site with CORPS, if necessary. Provide additional information and modifications to the permit application as required by CORPS and Lee County. This assumes up to two (2) responses or modification regarding the permit application. Prepare materials/exhibits/information for and attend up to two (2) meetings with the CORPS staff in Fort Myers, if required, to facilitate processing of the application. In addition provide liaison with CORPS staff during their processing of the application. Review and, if necessary, edit the draft permit issued for the PROJECT by CORPS. Coordinate with CORPS and the client to facilitate revisions.

## Task #8 – Environmental Protection Agency (EPA)

Prepare for and conduct one (1) tour of the PROJECT site with EPA, if necessary. Coordinate with EPA for filter marsh design and details. Prepare and submit responses to issues raised by the EPA during the 404 permit review. Prepare for and conduct one (1) meeting with representatives of EPA in Fort Myers. Finalize Memorandum of Understanding prepared by Lee County for signature by EPA for the PROJECT.

## Task #9 – Fish & Wildlife Service (FWS)

Prepare and submit materials/exhibits/information, completed Listed Species report and 404 permit application information to FWS. Prepare for and conduct one (1) tour of the PROJECT site with FWS, if necessary. Prepare for and conduct one (1) meeting with representatives of FWS in Naples. Prepare a general wildlife management plan.

Prepare and submit responses to issues raised by the FWS during the permit application review. Assemble information and prepare a Draft Memorandum of Understanding for review and signature by FWS for the PROJECT.

Prepare and submit species specific management plans for agency review.

CHANGE ORDER AGREEMENT No. \_\_\_\_\_

or

SUPPLEMENTAL TASK AUTHORIZATION No.: 1

EXHIBIT "CO/STA-B"

Date: August 26, 2003

COMPENSATION AND METHOD OF PAYMENT

For: Island Park Regional Mitigation Project – Engineering/Surveying/Permitting Services

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.)
1.0	General Consultation & Project Coordination	\$8,510	NTE	WIPP
2.0	Field Reconnaissance/Data Collection	\$8,500	NTE	WIPP
2.2	Surveying Services	\$15,000	NTE	WIPP
3.0	ERP	\$17,400	NTE	WIPP
4.0	GIS Services	\$2,880	NTE	WIPP
5.0	Engineering Services	\$20,350	NTE	WIPP
6.0	Florida Fish & Wildlife Conservation Commission (FWC) – Memorandum of Understanding (MOU)	\$4,090	NTE	WIPP
7.0	U.S. Army Corps of Engineers (CORPS) Section 404 Individual Permitting	\$5,040	NTE	WIPP
8.0	Environmental Protection Agency (EPA)/MOU	\$8,850	NTE	WIPP
9.0	Fish & Wildlife Service (FWS)/MOU	\$2,075	NTE	WIPP
10.0	Non-Personal Reimbursable Expenses	\$4,000	LS	WIPP
TOTAL		\$96,695		

(Unless list is continued on next page)





CHANGE ORDER AGREEMENT No. \_\_\_\_\_

or

SUPPLEMENTAL TASK AUTHORIZATION No.: 1

EXHIBIT "CO/STA-C"

Date: August 26, 2003

TIME AND SCHEDULE OF PERFORMANCE

For: Island Park Regional Mitigation Project – Engineering/Surveying/Permitting Services

SECTION 1.00

CHANGES FOR THIS CHANGE ORDER OR SUPPLEMENTAL TASK AUTHORIZATION AGREEMENT

The time and schedule of completion for the various phases or tasks required to provide and perform the services, tasks, or work set forth in this CHANGE ORDER or SUPPLEMENTAL TASK AUTHORIZATION AGREEMENT, Exhibit "CO/STA-A", entitled "Scope of Professional Services" attached hereto is as follows:

Phase and/or Task Reference as Enumerated in EXHIBIT A1 to A3	Name or Title of Phase and/or Task	Number of Calendar Days For Completion of Each Phase and/or Task	Cumulative Number of Calendar Days For Completion from Date of Notice to Proceed For this CO or STA
1.0	General Coordination and Project Coordination	15	15
2.0	Field Reconnaissance and Data Collection	15	30
2.2	Surveying Services		
3.0	Environmental Resource Permit App.	45	75
4.0	GIS Services	5	80
5.0	Engineering Services	150	230
6.0	FWC Coordination MOU	45	275
7.0	US Army Corps of Engineers 404 Permit Application	150	425
8.0	EPA Coordination - MOU	45	470
9.0	USFWS Coordination - MOU	45	515
10.0	Non-Personal Reimbursable Expenses	515	515

CMO:027  
09/25/01



CHANGE ORDER AGREEMENT No. \_\_\_\_\_  
or  
 SUPPLEMENTAL TASK AUTHORIZATION No.: 1

EXHIBIT "CO/STA-D"

Date: August 26, 2003

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

For: Island Park Regional Mitigation Project – Engineering/Surveying/Permitting Services

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 Consultants Insurance Coverage	
		Yes	No	Type	Yes	No
	None					

CHANGE ORDER AGREEMENT No. \_\_\_\_\_

or

SUPPLEMENTAL TASK AUTHORIZATION No.: 1

EXHIBIT "CO/STA-E"

Date: August 26, 2003

PROJECT GUIDELINES AND CRITERIA

For: Island Park Regional Mitigation Project -- Engineering/Surveying/Permitting Services

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