

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

Blue Sheet No. 20031458

1. REQUESTED MOTION:

ACTION REQUESTED:

Approve Addendum to the Construction Manager Agreement, (Contract #2426), RFQ-02-07 Green Meadows Water Plant/Corkscrew Water Plant Interconnection with Storage Tank Facility and Corkscrew Water Treatment Plant Expansion & Improvements, for the Division of Utilities, to Earth Tech A Tyco International LTD. Company, to include the Guaranteed Maximum Price (GMP) in the amount of \$8,762,035.00 (includes the 5% CM fee) for the Corkscrew Water Treatment Plant Expansion and Improvements (Airport Haul Reservoir). Also request Board approve waiving of any formal process (if needed) and authorize the use of the Direct Material Purchase Orders based on CM's competitive process, which allows the County to purchase directly from suppliers of equipment and/or materials as a cost/time saving measure. Also approve Budget Transfer from Water Connection Fee Revenues in the amount of \$1,530,000.00 and amend FY 03/04- 07/08 CIP.

WHY ACTION IS NECESSARY: Board approval required.

WHAT ACTION ACCOMPLISHES: Authorizes Earth Tech Inc. to begin site work, tank construction, fencing, landscaping, paving, general mechanical & concrete, painting, buildings and electrical and instrumentation for the Airport Haul Reservoir.

2. DEPARTMENTAL CATEGORY:

10. Utilities

COMMISSION DISTRICT #:

C10C

3. MEETING DATE:

12-16-2003

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 PUBLIC WORKS
- C. DIVISION UTILITIES
- BY: **RICK DIAZ, DIRECTOR**

J. Diaz For Rick Diaz 12-4

7. BACKGROUND:

On February 18, 2003 the Board approved award to Earth Tech Inc. for professional construction management services for RFQ-02-07 Green Meadows Water Plant/Corkscrew Water Plant Interconnection with Storage Tank Facility and Corkscrew Water Treatment Plant Expansion & Improvements in the amount of five percent (5%) of the total construction project and also authorized staff to enter into a Construction Manager Agreement.

At this time the Utilities Division is requesting Board approve the Guaranteed Maximum Price (GMP) of \$8,762,035.00 (includes the 5% CM Fee). In order for the County to take advantage of saving the sales tax and as a time saving measure we are requesting authorization to waive any formal process and allow for the purchase of materials/equipment from various vendors selected by the Construction Manager and the County.

Funding will be available in account: 20710548731.506540, 20710548730.506540, 20710548712.506540

Attachment: Letter from Earth Tech dated November 21, 2003
Transfer of Funds

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
					OA	OM	Risk	GC	
<i>J. Diaz 12-4-03</i>	<i>[Signature]</i>	N/A	<i>OAD 12/10/03</i>	<i>[Signature] 12/4/03</i>	<i>ekw 12/4/03</i>	<i>[Signature] 12/4/03</i>	<i>JR 12/4/03</i>	<i>[Signature] 12-4-03</i>	<i>[Signature] 12-4-03</i>

10. COMMISSION ACTION:

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

Rec. by CoAtty
Date: **12/4/03**
Time: **3:15 PM**
Forwarded To:
Cr Admin 12-4-03

RECEIVED BY
COUNTY ADMIN
12/4/03
3:25 PM 12-4-03
COUNTY ADMIN
FORWARDED TO:
12/4 50

November 21, 2003

Tom Mamott
Lee County Utilities
1500 Monroe Street
Ft. Myers, FL 33901

Subject: GMP-02 Green Meadows Water Treatment Plant/ Corkscrew Water Treatment Plant Interconnection with Storage Tank Facility (AKA: Airport Haul Reservoir)

Dear Tom,

The CM is pleased to present the proposal for GMP 02 that covers the requested scope of construction services contained in your letter dated November 7, 2003 and enclosed with attachments herewith.

The schedule projects the completion of Construction activities for the Airport Haul Reservoir is February 2005. This GMP will fund on site and home office support for CM personnel time to support this GMP through February 2005 and the reimbursable required to complete the project.

Please note a revised organization chart has been submitted to reflect our current staffing.

The following provisions shall be included in our Addendum to Construction Management Contract # 2426 CIP no. 7105:

- 1) The Guaranteed Maximum Price (GMP) for the Airport Haul Reservoir Contract Addendum shall be \$8,762,035.00.
- 2) ARTICLE 3. COMPENSATION, Page 4, 3.01, first paragraph, line six, add " \$437,061.00 for this Phase "
- 3) ARTICLE 3, COMPENSATION, Page 4, 3.01 (2), line two, add "\$33,620.08" and on line three, add "for a twelve (12) month period"
- 4) ARTICLE 3, COMPENSATION, Page 4, 3.02, first paragraph, line 3, add "Airport Haul Reservoir Plans & Specifications dated July 2003"
- 5) ARTICLE 3, COMPENSATION, Page 5, 3.03, first paragraph, line three & four, add " Twelve (12) months to substantial completion and Thirteen (13) months to final completion"

Telephone

839.466.7100

Facsimile

839.466.8700

6) ARTICLE 3, COMPENSATION, Page 5, 3.03, second paragraph, line three and four, add "\$33,620.08 per calendar month, or \$1,084.52 per calendar day, beyond such thirteen (13) month period"

We trust you will find this GMP acceptable and we are available at your convenience to discuss any and all portions of this proposal.

Very truly yours

Earth Tech Consulting, Inc.



Alan L. Butler
Construction Manager

Telephone

889.466.7440

Facsimile

889.466.8740

REQUEST FOR TRANSFER OF FUNDS

FUND NAME: Water Connection Fees DATE: 12/04/03 BATCH NO. _____

FISCAL YEAR: 03/04 FUND #: 48712 DOC TYPE: YB LEDGER TYPE: BA

TO: Capital Projects Water System Projects
 (DIVISION NAME) (PROGRAM NAME)

NOTE: PLEASE LIST THE ACCOUNT NUMBER BELOW IN THE FOLLOWING ORDER:
 FUND #-DEPT/DIV #-PROGRAM #-OBJECT CODE #-SUBFUND #-PROJECT#-COST CENTER #.
 (EXAMPLE: BB5120100100.503450)

ACCOUNT NUMBER	OBJECT NAME	DEBIT
20710548712.506540	Construction - Improvements	\$ 1,530,000
TOTAL TO:		\$ 1,530,000

FROM: Non-Departmental Reserves
 (DIVISION NAME) (PROGRAM NAME)

ACCOUNT NUMBER	OBJECT NAME	CREDIT
GC5890148712.509918	Reserves for Fund Balance	\$ 1,530,000
TOTAL FROM:		\$ 1,530,000

EXPLANATION: Per Blue Sheet 20031458 - Transfer funds from Reserves to the Green Meadows/Corkscrew Interconnect projct.

[Signature] 11/4/03
 DIVISION DIRECTOR SIGNATURE DATE

DBS: APPROVAL DENIAL _____
 APPROVAL DENIAL _____

CO. ADMIN.: APPROVAL _____ DENIAL _____

BCC APPROVAL DATE _____

[Signature] 12-4-03
 DEPARTMENT DIRECTOR SIGNATURE DATE

[Signature] 12-4-03
 OPERATIONS ANALYST SIGNATURE DATE

[Signature] 12/6/03
 BUDGET OPERATIONS MANAGER SIGNATURE DATE

 CO. ADMIN. SIGNATURE DATE

 BCC CHAIRMAN SIGNATURE

BA NO: _____ AUTH CODE: _____ TRANS DATE: _____