

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

Blue Sheet No. 20040199

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Approve Change Order No. 7 to Contract #2035, with TY Lin International, For CN-01-19 Summerlin Road Six Laning between San Carlos and Gladiolus, for a total not-to-exceed amount of \$736,882.07.

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

**WHAT ACTION ACCOMPLISHES:** Includes Construction Engineering and Inspection Services for Summerlin Road Six Laning between San Carlos and Gladiolus. Inspection staff to include a Bridge Project Engineer and Bridge Senior Inspector. These individuals are qualified to inspect all aspects of the proposed construction to include earthwork, asphalt, roadway items, maintenance of traffic and bridge construction.

**2. DEPARTMENTAL CATEGORY:**

09. Transportation  
COMMISSION DISTRICT #:

*C9A*

**3. MEETING DATE:**

*03-16-2004*

**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 the Board meeting of February 19, 2002, the Board entered into a contract for CN-01-19 Summerlin Road Six-Laning with TY Lin International, for a contract amount of \$1,899,999.97.

The following is a summary of the existing Change Orders approved to date:

- Change Order No. 1, was approved on December 23, 2002 for Adding Sub and transferring fees in Traffic Data, Geometric Concepts, Roadways, Bridge; and Overpass Plans changing funds from Consultant to Sub-Consultant fee.
- Change Order No. 2, was approved on January 23, 2003 in the amount of \$200,093.80 for Six Laning Gladiolus Drive from Winkler Road Sta. 256+75.8 to Sta. 275+00 just east of Summerlin Road.
- Change Order No. 3, was approved June 24, 2003, in the amount of \$332,248.14 for street lighting and sidewalk design.
- Change Order No. 4, was approved August 5, 2003, in the amount of \$879,755.93 for a four lane overpass over San Carlos Blvd with frontage roads.
- Change Order No. 5 in the amount of \$49,986.33 for LCU Conflict Adjustments and Expenses.
- Change Order No. 6 in the amount of \$22,961.13 for LCU Gladiolus & Winkler Relocates and Expenses.

Approval is required for this Change Order No. 7 under CN-01-19 Summerlin Road Six-Laning, Lee County Contract #2035 for a change order in the design and inspection services in the not-to-exceed amount of \$736,882.07.

The design fee negotiated for these services is competitive with other similar projects we have negotiated recently and in line with industry standards.

Funds will be available from account string: 20406718804.506510

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				G County Manager
<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	QA <i>[Signature]</i>	OM <i>[Signature]</i>	Risk <i>[Signature]</i>	GC <i>[Signature]</i>	<i>[Signature]</i>

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty  
Date: *2/27/04*  
Time: *3:30 PM*  
Forwarded To: *[Signature]*

RECEIVED BY  
COUNTY ADMIN: *[Signature]*  
*2/27/04*  
*10:45am*  
COUNTY ADMIN  
FORWARDED TO: *[Signature]*  
*3/3/04*  
*2 PM*

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

Change Order  
 Supplemental Task Authorization

NO.: Seven

(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: SUMMERLIN ROAD SIX-LANING FROM San Carlos Boulevard to Gladiolus

CONSULTANT: T.Y. Lin International

PROJECT NO.: 4067

SOLICIT NO.: CN-01-19

CONTRACT NO.: 2035 ACCOUNT NO.: 20406718804-506510

REQUESTED BY: Mike Rigsby

DATE OF REQUEST: November 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: November 18, 2003  
EXHIBIT "CO/STA-B: COMPENSATION & METHOD OF PAYMENT: DATED: November 18, 2003  
EXHIBIT "CO/STA-C: TIME AND SCHEDULE OF PERFORMANCE: DATED: November 18, 2003  
EXHIBIT "CO/STA-D: CONSULTANT'S/PROVIDERS ASSOCIATED  
SUB-CONSULTANT(S)/SUB-CONTRACTORS: DATED: November 18, 2003  
EXHIBIT "CO/STA-E: PROJECT GUIDELINES AND CRITERIA: DATED: November 18, 2003

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

RECOMMENDED:

By: [Signature] 2/24/04  
Date  
Department Director

By: [Signature] 2/19/04  
Date  
Contracts Mgmt

APPROVED:

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

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

ACCEPTED:

By: [Signature]  
Date  
Consultant/Provider

Date Accepted: 2/2/04

Corporate Seal



COUNTY APPROVAL:

By: \_\_\_\_\_  
Date Approved: \_\_\_\_\_  
Department Director  
(Under \$25,000)

By: \_\_\_\_\_  
Date Approved: \_\_\_\_\_  
County Manager (Between  
(\$25,000 and under \$50,000)

By: \_\_\_\_\_  
Date Approved: \_\_\_\_\_  
Chairman  
Board of County Commissioners

CHANGE ORDER AGREEMENT No. 7

or

SUPPLEMENTAL TASK AUTHORIZATION No. \_\_\_\_\_

EXHIBIT "CO/STA-A"

Date: November 18, 2003

SCOPE OF PROFESSIONAL SERVICES

For: Post-Design Services on Summerlin Road Six-Laning

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 14.06** -This task includes Construction Engineering and Inspection Services for CN-01-19 Summerlin Road Six-Laning from Station 1167+00 to 1370+25.83 , Winkler Road from Station 14+38.54 to Station 42+30.30 and Gladiolus Drive from Station 256+75.79 to Station 300+09.96. Inspection staff to include a Bridge Project Engineer and Bridge Senior Inspector. These individuals are qualified to inspect all aspects of the proposed construction to include earthwork, asphalt, roadway items, maintenance of traffic and bridge construction. These individuals will act as an extension of the Lee County Inspection Staff which will report directly to the Lee County Construction Project Manager.

\*Attach additional pages, if needed.

CMO:025  
09/25/01

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- CHANGE ORDER AGREEMENT No. 7  
or  
 SUPPLEMENTAL TASK AUTHORIZATION No. \_\_\_\_\_

EXHIBIT "CO/STA-B"

Date: November 18, 2003

COMPENSATION AND METHOD OF PAYMENT

For: Post-Design Services for Summerlin Road Six-Laning

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.)
14.00	Post-Design Services	\$ 672,685.87	NTE	W.I.P.P.
20.00	Direct Expenses	\$ 64,196.20	LS	
TOTAL		\$736,882.07	NTE	

(Unless list is continued on next page)

CHANGE ORDER AGREEMENT No. 7

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. _____	Adjustment(s) Due to this CO or STA	Summary of Changed Compensation
	Original Contract	\$1,899,999.97	0.00	0.00	\$1,899,999.97
CO#1	Four Laning Winkler Road	0.00	\$162,798.22	0.00	\$162,798.22
CO#1		0.00	0.00	0.00	0.00
CO#2	Expenses	0.00	\$4,064.25	0.00	\$4,064.25
CO#2	Gladiolus Drive Extension	0.00	\$196,029.55	0.00	\$196,029.55
CO#3	North/Westside Sidewalk	0.00	\$234,221.50	0.00	\$234,221.50
CO#3	Summerlin Road Lighting	0.00	\$67,796.64	0.00	\$67,796.64
CO#3	Expenses	0.00	\$30,230.00	0.00	\$30,230.00
CO#4	Summerlin Road and San Carlos Interchange	0.00	\$841,154.17	0.00	\$841,154.17
CO#4	Expenses	0.00	\$38,601.76	0.00	\$38,601.76
CO#5	LCU Conflict Adjustments	0.00	\$48,186.33	0.00	\$48,186.33
CO#5	Expenses	0.00	\$1,800.00	0.00	\$1,800.00
CO#6	LCU Gladiolus & Winkler Relocates	0.00	\$21,761.13	0.00	\$21,761.13
CO#6	Expenses	0.00	\$1,200.00	0.00	\$1,200.00
CO#7	Post Design Services	0.00	0.00	\$672,685.87	\$672,685.87
CO#7	Direct Expenses	0.00	0.00	\$64,196.20	\$64,196.20
TOTAL		\$1,899,999.97	\$1,647,843.55	\$736,882.07	\$4,284,725.59

CMO:026  
09/25/01

CHANGE ORDER AGREEMENT No. 7  
or  
 SUPPLEMENTAL TASK AUTHORIZATION No.

EXHIBIT "CO/STA-C"

Date: November 18, 2003  
TIME AND SCHEDULE OF  
PERFORMANCE

**For:** Post-Design Services on Summerlin Road Six-Laning

**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 A-A	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
14.00	Post-Design Services	600	600
20.00	LS Direct Expenses	600	600

CMO:027  
09/25/01

CHANGE ORDER AGREEMENT No. 7  
or  
 SUPPLEMENTAL TASK AUTHORIZATION No.

EXHIBIT "CO/STA-D"

Date: November 18, 2003

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

For: Post-Design Services for Summerlin Road Six-Laning

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
Post Design Services	None					

CHANGE ORDER AGREEMENT No. 7  
or  
 SUPPLEMENTAL TASK AUTHORIZATION No. \_\_\_\_\_

EXHIBIT "CO/STA-E"

Date: November 18, 2003

PROJECT GUIDELINES AND CRITERIA

for Post-Design Services for Summerlin Road Six-Laning

(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