

Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. 20040920

1. REQUESTED MOTION:

ACTION REQUESTED: Approve Change Order No. 11 to Barany Schmitt Summers Weaver & Partners Inc. for CN-01-03 Justice Center Expansion, Contract No. 1785, for the New Courtroom Building Phase I Build Out in the amount of \$581,295.00.

WHY ACTION IS NECESSARY: Board approval required.

WHAT ACTION ACCOMPLISHES: The Consultant will provide, under Change Order No. 11, new courtroom building Phase I build out for the Lee County Justice Center Expansion.

2. DEPARTMENTAL CATEGORY:

02 CONSTRUCTION & DESIGN
COMMISSION DISTRICT #:

C2C

3. MEETING DATE:

08-03-2004

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 *Public Works*
- C. DIVISION *Construction & Design*
BY: *Jim Lavender, Director*

7. BACKGROUND:

On June 12, 2001, the Board entered into a Professional Services Agreement with Barany Schmitt Summers Weaver & Partners Inc., under CN-01-03 Justice Center Expansion for an amount of \$76,103.00 (Phase I) with the understanding that future Phases for design, permitting and construction of selected option will be brought back to the Board for approval by change orders.

Summary of Change Orders:

- C.O. #1 in the amount of \$94,775.00 approved by the Board on 3/12/2002
- C.O. #2 in the amount of \$46,398.00 approved 11/21/2002
- C.O. #3 in the amount of \$24,090.00 approved 3/25/2003
- C.O. #4 in the amount of \$18,015.00 approved 3/25/2003
- C.O. #5 in the amount of \$19,400.00 approved 4/10/2003
- C.O. #6 in the amount of \$58,750.00 approved 6/17/2003
- C.O. #7 in the amount of \$8,070.00 approved 10/23/03
- C.O. #8 in the amount of \$288,700.00 approved by the Board on 12/16/2003
- C.O. #9 in the amount of \$627,600.00 approved by the Board on 12/16/2003
- C.O. #10 in the amount of \$1,237,390.00 was approved by the Board

The Dept of Construction & Design is requesting Board approval of this Change Order No. 11, with Barany Schmitt Summers & Weaver & Partners, under CN-01-03 Justice Center Expansion. The Consultant will provide, under Change Order No. 11 new courtroom building Phase I build out for the Lee County Justice Center Expansion, in the amount of \$581,295.00.

Funds will be available from account string: 2086461407.506510.820

Attachments: 1. Three (3) Change Order No. 11 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>RAM 7/20/04</i>				G County Manager
					OA	OM	Risk	GC	
<i>[Signature]</i> 7-14-04	<i>[Signature]</i> 7/14	N/A	<i>[Signature]</i> 7-19-04	<i>[Signature]</i> 7/19/04	<i>[Signature]</i> 7-19-04	<i>[Signature]</i> 7/20/04	<i>[Signature]</i> 7/19/04	<i>[Signature]</i> 7/19/04	<i>[Signature]</i> 7-14-04

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: *7/16/04*
Time: *1 pm*
Forwarded To:
[Signature]
7/19/04

RECEIVED BY
COUNTY ADMIN: *[Signature]*
7/16/04
[Signature]
COUNTY ADMIN
FORWARDED TO: *[Signature]*
7/20/04
3 PM

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

Change Order
 Supplemental Task Authorization

NO.: 11

(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: Lee County Justice Center Expansion - New Courtroom Building Phase I Build-out

CONSULTANT: BSSW Architects, Inc.

PROJECT NO. 2058646

SOLICIT NO.: CN-01-03 CONTRACT NO.: 1785

ACCOUNT NO. 205864631407
506510.520

REQUESTED BY: Betty Schuetzman

DATE OF REQUEST: June 15, 2004

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: June 15, 2004

EXHIBIT "CO/STA-B" COMPENSATION & METHOD OF PAYMENT: DATED: June 15, 2004

EXHIBIT "CO/STA-C" TIME AND SCHEDULE OF PERFORMANCE: DATED: June 15, 2004

EXHIBIT "CO/STA-D" CONSULTANT'S/PROVIDERS ASSOCIATED
SUB-CONSULTANT(S)/SUB-CONTRACTORS: DATED: June 15, 2004

EXHIBIT "CO/STA-E" PROJECT GUIDELINES AND CRITERIA: DATED: June 15, 2004

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

RECOMMENDED:

By: [Signature] 7.6.04
Department Director Date

By: [Signature] 7/8/04
Contracts Mgr Date

APPROVED:

By: _____
*County Attorney's Office Date

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

ACCEPTED:

By: [Signature]
Consultant/Provider

Date Accepted: 6/15/04

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: _____

CHANGE ORDER AGREEMENT No. 11

or

SUPPLEMENTAL TASK AUTHORIZATION No. _____

EXHIBIT "CO/STA-A"

Date: June 15, 2004

SCOPE OF PROFESSIONAL SERVICES

for Lee County Justice Center Expansion – New Courtroom Building Phase I Build-out
(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:

Supplemental task under Professional Service Agreement No. CN-1785

I. **SCOPE OF PROJECT**

Task 1.01 Phase I Interior Build-out

A First Floor Build-out

- Interior build-out improvement for first floor (\pm 10,000 NSF) of New Court House Addition to serve the following functions:
- Security Central Control Center
- Prisoner Receiving and Holding
- Probation Office Suite

B Second Floor Build-out (Litigation Set "A")

Interior build-out improvement for second floor (\pm 10,000 NSF) of New Court House Addition to serve the following functions:

- Large Courtroom (\pm 2200 SF)
- Standard Courtroom (\pm 1800 SF)
- Ancillary Court Support Spaces (refer to Program from Dan Wiley and Assoc.)

C Third Floor Build-out (Litigation Set "D")

Interior build-out improvement for prototypical floor (\pm 10,000 NSF) of New Court House Addition to serve the following functions:

- Three (3) Special Courtrooms (\pm 1200 SF)
- Ancillary Court Support Spaces (refer to Program from Dan Wiley and Assoc.)

D Fifth Floor Build-out (Litigation Set "B")

Interior build-out improvement for prototypical floor (\pm 10,000 NSF) of New Court House Addition to serve the following functions:

- Two(2) Standard Courtroom (\pm 1800 SF)
- Ancillary Court Support Spaces (refer to Program from Dan Wiley and Assoc.)

E Sixth Floor Build-out (Litigation Set "C")

Interior build-out improvement for prototypical floor (\pm 10,000 NSF) of New Court House Addition to serve the following functions:

- Two(2) Standard Courtroom (\pm 1800 SF)
- Two(2) Special Courtroom(s) (\pm 1200 SF)
- Ancillary Court Support Spaces (refer to Program from Dan Wiley and Assoc.)

*Attach additional pages, if needed.

F Ninth Floor Build-out (Prototypical Collegial Judicial)

Interior build-out improvement for prototypical floor (\pm 8,000 NSF) of New Court House Addition to serve the following functions:

- Eleven (11) Judicial/Judicial Assistants Suites
- Judicial Conference/Hearing Room(s)
- Ancillary Support Spaces as prescribed by the Courts Administrator

Task 1.02 – Miscellaneous Services

Miscellaneous Design services as directed and approved by Lee County Design and Construction Project Manager.

Task 1.03 – Reimbursable Expenses

Miscellaneous reimbursable project expenses. (IE Printing, Mileage and postage)

II. SCOPE OF SERVICES PROPOSED:

A Basic Services Proposed

- Architectural design and documentation
- Mechanical systems design and documentation (Central Energy Plant and primary air distribution under separate scope of work)
- Electrical power and lighting (Emergency Generation under separate scope of work)
- Plumbing system design
- Respond to Construction Managers' questions
- Construction phase services including:
 - Bid review and analysis
 - Shop drawing review
 - Site Visits (2 per Month)
 - Pay Application review
 - Substantial and Final Completion review

B Special Services Proposed

- Fire suppression system design and documentation.
- Security system design and documentation
- Communication system design and documentation.

C Services Excluded from Proposal

- Spatial programming (performed by Dan Wiley Associates)
- Detailed cost estimating.
- Extensive value engineering revisions (beyond 50% construction document phase)
- Furniture system design and specification.
- Shell building and common area service under separate proposal.
- Reuse and/or modification of "Prototypical" floor designs

CHANGE ORDER AGREEMENT No. 11
or
 SUPPLEMENTAL TASK AUTHORIZATION No. _____

EXHIBIT "CO/STA-B"

Date: 15 June 2004

COMPENSATION AND METHOD OF PAYMENT

for Lee County Justice Center Expansion – New Courtroom Building Phase I Build-out
(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.)
Task 1.01a	Schematic Design (10%)	\$ 54,630	LS	WIPP
Task 1.01b	Design Development (20%)	\$ 109,256	LS	WIPP
Task 1.01c	Construction Documents (45%)	\$ 245,832	LS	WIPP
Task 1.01d	Bidding/Negotiations (5%)	\$ 27,318	LS	WIPP
Task 1.01e	Construction Admin (20%)	\$ 109,259	LS	WIPP
Task 1.02	Miscellaneous Tasks (NTE)	\$ 25,000	NTE	WIPP
Task 1.03	Reimbursable Expenses (NTE)	\$ 10,000	NTE	WIPP
TOTAL		\$ 581,295		

(Unless list is continued on next page)

CHANGE ORDER AGREEMENT No. 11

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
		\$ 76,103.00			
C.O. #1	Elevator Addition		\$ 94,775.00		\$ 170,878.00
C.O. #2	Pod "B"		\$ 46,398.00		\$ 217,276.00
C.O. #3	Pod "C"		\$ 24,090.00		\$ 241,366.00
C.O. #4	Value Engineering		\$ 18,015.00		\$ 259,381.00
C.O. #5	Master Plan Update		\$ 19,400.00		\$ 278,781.00
C.O. #6	Pod "A" Third Floor		\$ 58,750.00		\$ 337,531.00
C.O. #7	Survey of Existing Bldng Conditions SunTrust		\$ 8,070.00		\$ 345,601.00
C.O. #8	Phase/Remodel SunTrust		\$ 288,700.00		\$ 634,301.00
C.O. #9	Justice Center Remodeling (Phase II)		\$ 627,600.00		\$ 1,261,901.00
C.O. #10	Addition of Pods E & F, Pedestrian Bridge, Elevator Add. @ SunTrust Outdoor Plaza		\$ 1,237,390.00		\$ 2,499,291.00
C.O. #11	New Courtroom Building Phase I Build-out			\$ 581,295.00	\$ 3,080,586.00
TOTAL		\$ 76,103.00	\$ 2,423,188.00	\$ 581,295.00	\$ 3,080,586.00

CHANGE ORDER AGREEMENT No. 11
or
 SUPPLEMENTAL TASK AUTHORIZATION No. _____

EXHIBIT "CO/STA-C"

Date: June 15, 2004

TIME AND SCHEDULE OF PERFORMANCE

for

(Enter Project Name from Page 1 of the
Change Order or Supplemental Task Authorization Agreement)

SECTION 2.00 SUMMARY OF THE IMPACT OF CHANGE(S) IN PROFESSIONAL SERVICES ON
THE OVERALL PROJECT TIME AND SCHEDULE OF PERFORMANCE

Pursuant to and in consideration of the changes in the Scope of Professional Services in this CHANGE ORDER or SUPPLEMENTAL TASK AUTHORIZATION AGREEMENT, Exhibit "CO/STA-A", the time and schedule the COUNTY and the CONSULTANT, or SERVICE PROVIDER, has previously agreed to for all of the work to be done under this Professional Services Agreement, or Service Provider Agreement, shall be changed to be as follows:

Phase and/or Task Reference as Enumerated in EXHIBIT "A" and EXHIBIT "CO/STA-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
	N.A.		

CHANGE ORDER AGREEMENT No. 11
or
 SUPPLEMENTAL TASK AUTHORIZATION No. _____

EXHIBIT "CO/STA-D"

Date: June 15, 2004

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

for Lee County Justice Center Expansion -- New Courtroom Building Phase I Build-out
(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 work "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
M/E/P/FP	TLC Engineering for Architecture 1400 Colonial Blvd., Suite 203 Fort Myers, FL 33907		X			X
Security	Kroll Security Services Group 1025 Main Street Bastrop, TX 78602		X			X

CHANGE ORDER AGREEMENT No. 11

or

SUPPLEMENTAL TASK AUTHORIZATION No. _____

EXHIBIT "CO/STA-E"

Date: June 15, 2004

PROJECT GUIDELINES AND CRITERIA

for Lee County Justice Center Expansion – New Courtroom Building Phase I Build-out

(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.)

"None"