

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

**Blue Sheet No. 20040916**

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Approve Supplemental Task Authorization No. 3 (Continuation of STA #1) to Contract #2488, to WilsonMiller Inc., under CN-03-07 Miscellaneous Professional Services – Island Park Regional Mitigation Project, in the amount of \$85,000.00.

**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 #:

**C9A**

**3. MEETING DATE:**

**08-10-2004**

**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 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.

Supplemental Task Authorization #1 was approved and processed for this project in the amount of \$96, 694.00. This supplemental Task Authorization is a continuation of those services under CN-03-07 Miscellaneous Professional Services – Island Park Regional Mitigation Project in the amount of \$85,000.00.

Funds will be available from account string: 20405330700.506510

Attachment: Supplemental Task Authorization #3 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 7/28/04				G County Manager
					OA	OM	Risk	GC	
<i>J. J. Jumper</i> 7.22.04	<i>[Signature]</i>	N/A	<i>DAO</i> 7/22/04 <i>[Signature]</i>	<i>Under</i> <i>[Signature]</i>	<i>[Signature]</i> 7/28/04	<i>[Signature]</i> 7/28/04	<i>[Signature]</i> 7/28/04	<i>[Signature]</i> 7/28/04	<i>J. J. Jumper</i> 7.22.04

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

**Rec. by Colttly**  
 Date: **7/27/04**  
 Time: **2:15 PM**  
 Forwarded To:  
 Budget  
 7/28/04 8:30 AM

**RECEIVED BY**  
 COUNTY ADMIN *[Signature]*  
**7/28/04**  
 9:55 amslt  
 COUNTY ADMIN *[Signature]*  
 FORWARDED TO:  
**7/29/04**  
 8:30 AM

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

Change Order  
 Supplemental Task Authorization

NO.: continuation of 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.: 4053

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

REQUESTED BY: Don Deberry DATE OF REQUEST: 05/18/04

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: July 19, 2004

EXHIBIT "CO/STA-B: COMPENSATION & METHOD OF PAYMENT: DATED: July 19, 2004

EXHIBIT "CO/STA-C: TIME AND SCHEDULE OF PERFORMANCE: DATED: July 19, 2004

EXHIBIT "CO/STA-D: CONSULTANT'S/PROVIDERS ASSOCIATED  
SUB-CONSULTANT(S)/SUB-CONTRACTORS: DATED: July 19, 2004

EXHIBIT "CO/STA-E: PROJECT GUIDELINES AND CRITERIA: DATED: July 19, 2004

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

RECOMMENDED:  
By: [Signature] 7/22/04  
Department Director Date  
By: [Signature] 7/22/04  
Contracts Mgmt Date

ACCEPTED:  
By: [Signature]  
Consultant/Provider  
Date Accepted: 7/20/04  
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: \_\_\_\_\_

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.: continuation of 1

EXHIBIT "CO/STA-A"

Date: July 19, 2004

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

No changes

Task #2 – Field Reconnaissance/Data Collection

Additional field work necessary to complete accurate wetland delineations and update exotic species coverages within the site. Additional field work required to complete UMAM evaluation for onsite habitats. Additional data collection as may be required by regulatory agencies.

Task #3

3.1 - ERP Application Preparation

Additional services to include compilation of a database for tracking UMAM scoring and credit analysis WQ analysis.

3.2 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, FWCC or Lee County. 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 and submit graphics in response to processing of ERP and Corps. permit applications, FWCC, EPA and USFWS review. Provide GIS analytical and database research services in support of permitting.

## Task # 5 – Engineering Services

5.1 Perform drainage basin analysis if requested by regulatory agencies. Produce construction level drawings for Lee County. Coordinate with Lee County and EPA regarding water quality analysis.

### 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, FWCC or Lee County. 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)

Continue coordination with FWC staff for approval of listed species survey; approval of MOU. Prepare a wildlife habitat credit assessment and finalize wildlife management plan.

Prepare and submit responses to issues raised by the FWC during the ERP review.

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

### 7.1 – Application Preparation

Update WRAP scores for project site. Complete preparation of 8½ x 11 exhibits.

### 7.2 – Application Support

Conduct at least one (1) tour of the PROJECT site with CORPS, to finalize wetland jurisdictional boundaries. Provide additional information and modifications to the permit application as required by CORPS and Lee County. Prepare materials/exhibits/information for and attend up to three (3) meetings with the CORPS staff to facilitate processing of the application. In addition provide liaison with CORPS staff during their processing of the application. Liaison may require one or more trips to West Palm Beach for meetings with Corps supervisory staff. 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 at least one (1) tour of the PROJECT site with EPA. Submit filter marsh design and water quality assessment of improvements to EPA for review. Prepare and submit responses to issues raised by the EPA during the 404 permit review. Prepare for and conduct three (3) meetings with representatives of EPA. Liaison with EPA may require travel to West Palm Beach to meet with EPA supervisory staff. Finalize Memorandum of Understanding prepared by Lee County for signature by EPA for the PROJECT.

Task #9 – Fish & Wildlife Service (FWS)

Submit materials/exhibits/information, completed Listed Species report and 404 permit application information to FWS. Prepare for and conduct at least one (1) tour of the PROJECT site with FWS. Prepare for and conduct two (2) meetings with representatives of FWS. Liaison with FWS may require travel to Vero Beach to meet with supervisory staff. Coordinate with FWS staff for approval of listed species survey and wildlife credit assessments.

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. Edit plans as requested by Service.

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

or

SUPPLEMENTAL TASK AUTHORIZATION No.: continuation of 1

EXHIBIT "CO/STA-B"

Date: July 19, 2004

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/Proj. Coord.	10,000	LS	WIPP
2.0	Field Reconnaissance/Data Collection	\$15,000	"	WIPP
3.0	ERP	\$20,000	"	WIPP
4.0	GIS	\$5,000	"	WIPP
5.0	Engineering	\$5,000	"	WIPP
6.0	FWC	\$5,000	"	WIPP
7.0	US Army Corps	\$15,000	"	WIPP
8.0	EPA	\$6,000	"	WIPP
9.0	FWS	\$4,000	"	WIPP
TOTAL		\$85,000		

(Unless list is continued on next page)

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

or

SUPPLEMENTAL TASK AUTHORIZATION No. 3

**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&amp;2</u>	Adjustment(s) Due to this CO or STA	Summary of Changed Compensation
STA 1	Island Park Mitigation		\$96,695.00		\$96,695.00
STA 2	Island Park Stewardship		\$27,000.00		\$27,000.00
STA 3	Island Park Mitigation (Cont #1)			\$85,000.00	\$85,000.00
TOTAL					\$208,695.00

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

or

SUPPLEMENTAL TASK AUTHORIZATION No.: continuation of 1

EXHIBIT "CO/STA-C"

Date: July 19, 2004

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
2.0	Data Collection (UMAM	15	15
3.1	ERP Submittal	30	30
3.2	Application Support	300	330
6.0	FWC	45	
7.1	Corps Submittal	30	30
7.2	Corps Application Support	240	500
8.0	EPA	45	
9.0	FWS	45	



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

EXHIBIT "CO/STA-C"

Date: July 19, 2004

TIME AND SCHEDULE OF PERFORMANCE

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

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
1.0	General Consultation	600	600
2.0	Data Collection	5	35
3.0*	ERP Application Preparation & Support		330
4.0	GIS Services	20	
5.0	Engineering Services	150	
6.0	Florida Fish & Wildlife Conservation Commission (FWC)	45	
7.0**	Corps Application Preparation & Support	370	500
8.0	Environmental Protection Agency (EPA)	45	
9.0	US Fish & Wildlife Services (FWS)	45	
*GIS, Eng. and FWC coord. occur simultaneous w/ERP processing and RAI responses			
**GIS, Eng., EPA and FWS coord. occur simultaneous w/Corp. application processing and RAI responses. Corps permit application is not complete until ERP is issued.			

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

or

SUPPLEMENTAL TASK AUTHORIZATION No.: continuation of 1

EXHIBIT "CO/STA-D"

Date: July 19, 2004

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.: continuation of 1

EXHIBIT "CO/STA-E"

Date: July 19, 2004

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