

Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. 20041139

1. REQUESTED MOTION:

ACTION REQUESTED: Approve for acceptance and filing with the Clerks Office, Minutes Department, and an after-the-fact emergency under CN-01-09, Barany, Schmitt, Weaver Resolution No. 04-04-31 for STA No. 5, Miscellaneous Architectural Services (Contract No. 1775), for the Repairs to Terry Park (Pigott Stadium) Seating Repairs in the amount of \$93,960.00.

WHY ACTION IS NECESSARY: Board approval is required.

WHAT ACTION ACCOMPLISHES: Provides after-the-fact approval under the emergency Barany, Schmidt, Weaver Resolution for STA No. 5 for the project known as Terry Park (Pigott Stadium) Seating Repairs in the amount of \$93,960.00.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #:

C 2 A

3. MEETING DATE:

09-21-2004

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 Const. & Design
- C. DIVISION
- BY: Jim Lavender

7. BACKGROUND:

On April 20, 2004, under Blue Sheet No. 20040404, Administrative Agenda A2a. the Board approved to declare a limited, temporary, emergency by Resolution No. 04-04-31 for the Repairs to Terry Park (Pigott Stadium) Seating Repairs, which requires certain, immediate and necessary improvements, for the protection of citizens.

Supplemental Task Authorization No. 5 (Contract No. 1775), under CN-01-09 Miscellaneous Architectural Services, for the project known as Repairs to Terry Park (Pigott Stadium) Seating Repairs, in the amount of \$93,960.00 has already been executed by the Chairman of the Board as allowed by Resolution and now requires after-the-fact approval.

Funds are available in account 20201130100.506540.

- Attachment: (1) Copy of executed STA No. 5
 (1) Copy of Blue Sheet No. 20040404

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing of Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
					OA	OM	Risk	GC	
<i>[Signature]</i> 8-31-04	<i>[Signature]</i>	N/A	SAD 09/10/04	<i>[Signature]</i> 9/31/04	<i>[Signature]</i> 7-7-04	<i>[Signature]</i> 9/8/04	<i>[Signature]</i> 9/7/04	<i>[Signature]</i> 9/7/04	<i>[Signature]</i> 8-31-04

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 9/31/04
Time: 3:53
Forwarded To: Co. Admin 9/7/04

RECEIVED BY COUNTY ADMIN: 1
9/2/04
9:55 a.m. 567 EW
COUNTY ADMIN FORWARDED TO: PL
9-9-04
3/p

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

Change Order
 Supplemental Task Authorization

NO.: Five (5)

(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: Misc. Architectural Services
Terry Park Baseball Stadium

CONSULTANT: BSSW Architects, Inc. PROJECT NO.: 202011

SOLICIT NO.: 04-01-09 CONTRACT NO.: 1775 ACCOUNT NO.: _____

REQUESTED BY: Robert Taylor DATE OF REQUEST: 5/19/04

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: 5/19/04

EXHIBIT "CO/STA-B" COMPENSATION & METHOD OF PAYMENT: DATED: 5/19/04

EXHIBIT "CO/STA-C" TIME AND SCHEDULE OF PERFORMANCE: DATED: 5/19/04

EXHIBIT "CO/STA-D" CONSULTANT'S/PROVIDERS ASSOCIATED
SUB-CONSULTANT(S)/SUB-CONTRACTORS: DATED: 5/19/04

EXHIBIT "CO/STA-E" PROJECT GUIDELINES AND CRITERIA: DATED: 5/19/04

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

RECOMMENDED:

By: [Signature] 6/29/04
Department Director Date

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

APPROVED:

By: [Signature]
*County Attorney's Office Date

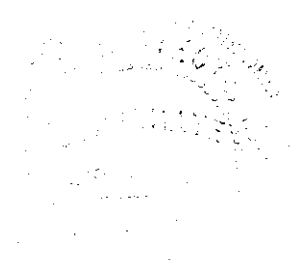
*County Attorney signature needed for over Board level expenditures only.

ACCEPTED:

By: [Signature]
Consultant/Provider

Date Accepted: 5/19/04

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: [Signature]
Chairman
Board of County Commissioners
Date Approved: 4/20/04

CHANGE ORDER AGREEMENT No.

or

SUPPLEMENTAL TASK AUTHORIZATION No. Five (5)

EXHIBIT "CO/STA-A"

Date: 19 May 2004

SCOPE OF PROFESSIONAL SERVICES

for TERRY PARK BASEBALL STADIUM

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-

A. Demolition of:

1. Entire Structure - Edge of First Base dugout to Right Field
- Edge of Third Base dugout to Left Field
2. Press Box
3. Roof deck of center sections of "original" stadium
4. Roof purlins of same (if further inspection suggests replacement)
5. Miscellaneous under-structure elements
6. Sloped ramps aligning with the edge of first base and third base dugouts
7. Two dugouts

B. New work to consist of the rehabilitation of the center sections of the "original" stadium with seating for 1,000± spectators in seats and benches at bleachers. The work shall generally consist of:

1. Replacement of sheet metal roofing (and roof purlins, as required).
2. Design new press box to accommodate 6 persons.
3. Repair and rebuild all deteriorated structural connections.
4. New fully accessible ramps located at the edge of the first and third base dugout areas.
5. Design 2 new concrete dugouts, 60' in length with roof.
6. Repair of existing guard rails to meet present code requirements. Potential use of 2" x 2" hardware cloth material installed over existing guard rails.
7. Security fencing to prevent public use of areas under seating sections.
8. New bench seating at bleachers and seats at concrete platform to match existing.
9. New aluminum or wood plank deck TBD.
10. Add aluminum or wood plank toe kicks, TBD.
11. Sand blast entire structural steel frame using monitored ventilation techniques and sample testing. Residue must be collected and removed from site. Monitoring by an independent testing agency.
12. Application of a high performance paint finish system.
13. New lighting in seating areas. Security lighting under seating sections.
14. New life-safety systems.
15. New signage.
16. Site area vacated by partial demolition of stadium: Sodded, filled and landscaped area (park-like) to serve as an overflow seating area.

C. Miscellaneous

1. Confirm with City of Fort Myers Building Official the degree of freedom from code requirements that the "historic" designation will allow.
2. Develop Master Plan concept: Sense of entry and central plaza which ties three baseball diamonds together. Existing historic Pigott Stadium plaque and signage must be preserved. Design and relocate new replica of memorial.

Master Plan to include schematic design and site location of new restrooms, ticket sales booth and concession.

* * * * *

*Attach additional pages, if needed.

CHANGE ORDER AGREEMENT No.
or
 SUPPLEMENTAL TASK AUTHORIZATION No. Five (5)

EXHIBIT "CO/STA-B"

Date: 19 May 2004

COMPENSATION AND METHOD OF PAYMENT

for TERRY PARK BASEBALL STADIUM

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.	Pre-Design	\$ 1,500	LS	WIPP
2.	Historic Research Master Planning	2,850	LS	WIPP
3.	As-Built Documentation of Remaining Bleacher Structure and Memorial	5,460	LS	WIPP
4.	Soil Borings	2,250	LS	WIPP
5.	Seating Vendor Coordination	2,500	LS	WIPP
6.	Lighting Design Stadium Seating	1,250	LS	WIPP
	Lighting Design Commons Area	1,150	LS	WIPP
7.	Service Building Design Concept	6,750	LS	WIPP
8.	Construction Documents – Remaining stadium modified with addition of new press box, dug outs, ramps, etc.			
	Architectural	28,000	LS	WIPP
	Structural Engineering	20,500	LS	WIPP
TOTAL		- continued -		

(Unless list is continued on next page)

Task Number	Task Title	Amount of Compensation	Indicate Basis of Compensation LS or NTE	If Applicable Indicate (W.I.P.P.)
9.	Construction Administration, Field Observation Architectural Structural	\$ 8,350 6,750	LS LS	WIPP WIPP
10.	Reimbursables - Estimated	1,650	NTE	N/A
11.	Site Survey Information Allowance	5,000	NTE	N/A
TOTAL		\$ 93,960		

CHANGE ORDER AGREEMENT No.
or
 SUPPLEMENTAL TASK AUTHORIZATION No. Five (5)

EXHIBIT "CO/STA-C"

Date: 19 May 2004

TIME AND SCHEDULE OF PERFORMANCE

for TERRY PARK BASEBALL STADIUM

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"	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.	Pre-Design	15	15
2.	Historic Research Master Planning	30	25
3.	As-Built Documentation of Remaining Bleacher Structure and Memorial	30	40
		15	45
4.	Soil Borings	15	45
5.	Seating Vendor Coordination	30	55
6.	Lighting Design Stadium Seating	30	55
	Lighting Design Commons Area	15	60
7.	Service Building Design Concept	15	75
8.	Construction Documents -		
	Remaining stadium modified with addition of new press box, dug outs, ramps, etc.		
	Architectural	45	95
	Structural Engineering	35	100
9.	Construction Administration, Field Observation		
	Architectural	75	175
	Structural	75	175
10.	Reimbursables - Estimated	N/A	
11.	Site Survey Information Allowance	N/A	
	TOTAL		175

CHANGE ORDER AGREEMENT No.

or

SUPPLEMENTAL TASK AUTHORIZATION No. Five (5)

EXHIBIT "CO/STA-D"

Date: 19 May 2004

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

for Terry Park Baseball Stadium

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
Structural Engineer	Bob Rude Structures, Inc. 3612 Evans Avenue Fort Myers, FL 33901		X			X
Mech/Elect Engineer	Anchor Engineering Consultants, Inc. 1520 Royal Palm Square Blvd., Suite 260 Fort Myers, FL 33919		X			X
Surveyor	E. F. Gaines Surveying Services 8481 Yorkshire Lane Fort Myers, FL 33919	X				X

CHANGE ORDER AGREEMENT No.
or
 SUPPLEMENTAL TASK AUTHORIZATION No. Five (5)

EXHIBIT "CO/STA-E"

Date: 19 May 2004

PROJECT GUIDELINES AND CRITERIA

for Terry Park Baseball Stadium

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 work "None" in the space below.)

"None"

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

Blue Sheet No. 20040404

1. REQUESTED MOTION:

ACTION REQUESTED: Declare a limited, temporary, emergency by Resolution for repairs to Terry Park (Pigott Stadium) Seating Repair which requires certain, immediate and necessary improvements, for the protection and safety of the stadium assets and customers. Also request Board approve emergency funding for Terry Park (Pigott Stadium) Seating Repair. Approve budget transfer of \$1,000,000 from CIP reserves and amend the FY 03/04 CIP.

WHY ACTION IS NECESSARY: Board of County Commissioners' approval is required for any Emergency Declarations.

WHAT ACTION ACCOMPLISHES: Allows the County to proceed with certain, immediate improvements to the Stadium.

**2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT # 02**

A2A

3. MEETING DATE:

04-20-2004

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:
(Specify)**

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER
- B. DEPARTMENT Construction & Design
- C. DIVISION
- BY: Jim Lavender

7. BACKGROUND: Terry Park (Pigott Stadium) seating has been deemed structurally unsafe. The steel structure has deteriorated beyond repair. The stadium field has been officially declared a Nationally Registered Historic site. Terry Park is one of the major "landmarks" in Lee County and has a very rich history, not only for Spring Training, but also for thousands of Lee County residents. Additionally, the direct and indirect financial impacts are estimated at more than \$18 million from the four fields at Terry Park.

Staff is evaluating the current condition of the seating structure at Terry Park to determine if demolition or restoration is the best alternative with the goal of preserving the "historic value" of the facility. This will enable the public to continue to use Terry Park and make the park more conducive to current events and activities.

The adoption of a "Temporary, Limited Emergency" Resolution for the Department of Construction and Design's procurement purposes will assist in the expeditious implementation of the needed improvements.

In the FY 04/05 budget, a budget of \$500,000 was established for the Rutenberg Community Center. This project scope has been reconsidered and the funding no longer required. Hence, this project will be deferred at this time which will enable us to use the funds to reimburse fund #301 for half of the funding required to repair the Terry Park seating.

-continued on Page Two

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>Javender 4.7.04</i>	<i>[Signature] 4/7/04</i>	<i>N/A</i>	<i>[Signature] 4/8/04</i>	<i>[Signature] 4/8/04</i>	OA <i>[Signature] 4/8/04</i>	QM <i>[Signature] 4/8/04</i>	Risk <i>[Signature] 4/8/04</i>	GC <i>[Signature] 4/8/04</i>	<i>Javender 4.7.04</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: *4/8/04*
Time: *8:30 am*
Forwarded To:
Co. Atty
4/8/04

RECEIVED BY
COUNTY ADMIN: *[Signature]*
12:10 pm
4.8.04
COUNTY ADMIN
FORWARDED TO: *[Signature]*
4-8-04
4:30 pm

BACKGROUND (Continued)

Much like the Temporary Emergency Resolution that was developed and adopted by the Board earlier for the repairs to the Sanibel Bridges and Causeway facilities, the GES acquisition, and repairs to the City of Palms Stadium 1) all vendor contracts will come to the Board for approval, although some may be "after the fact" 2) County standards and qualifications for vendors will remain the same and 3) the Resolution will be temporary in nature, in this case, for only one (1) year upon its approval by the Board.

The proposed Resolution is for the sole purpose of expediting the procurement of vendors, materials and projects in order to repair the seating at Terry Park.

Staff recommends approval of the Temporary, Emergency Procurement Resolution to be effective for one (1) year from adoption.

Funds will be available in account 20201130100.506540.