

**LEE COUNTY BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

**BLUE SHEET NO: 20041470**

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Approve Change Order No. 10 with Hazen and Sawyer, P.C. at an amount not to exceed \$63,340.00 for required design and construction consulting work at the Lee/Hendry Regional Disposal Facility (landfill) that was not included in the original (Supplemental Agreement #6) scope of services.

**WHY ACTION IS NECESSARY:** Board approval is required for services exceeding \$50,000.00.

**WHAT ACTION ACCOMPLISHES:** Provides funds for additional engineering services for infrastructure requirements at the regional landfill.

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

**C8F**

**3. MEETING DATE:**  
**11-16-2004**

**4. AGENDA:**

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

**5. REQUIREMENT/PURPOSE:**

- (Specify)*
- STATUTE
  - ORDINANCE
  - ADMIN. CODE
  - OTHER SA

**6. REQUESTOR OF INFORMATION:**

A. COMMISSIONER:  
B. DEPARTMENT: Lee County-Public Works  
C. DIVISION/SECTION: Solid Waste Division  
BY: Lindsey Sampson, Solid Waste Director  
DATE: 11/3/04

**7. BACKGROUND:**

The Lee/Hendry County Regional Disposal Facility is a multi-phase facility intended to meet future County refuse disposal needs. Portions of the Landfill were constructed in 1996 and 1997 and the County began operations at the landfill in late 2002.

The BOCC approved Supplemental Agreement No. 6 in September 2001 (Bluesheet No.20010967-DSW) in the amount of \$328,550.00 for design and construction services associated with the landfill permitting and operation including the north Leachate Storage Pond, revised operations and maintenance facilities, revised leachate treatment system design and pilot testing.

This change order is required for additional services not included in the original Supplemental Agreement scope of work, including, changes to the operations and maintenance buildings required in part by the 2002 Florida Building Code changes, changes to the fuel tanks for a more efficient fueling station, preparation of FDEP required Final Cover Design details and associated Financial Assurance forms, rental of leachate treatment system pilot unit, design of settling/clarifier equipment to improve the treatment systems' performance as determined by pilot testing, and additional bidding services for leachate treatment system.

Funds will be available in CIP Project No. 20092440130  
20092440130.506510  
(CIP/Lee Hendry Landfill Ph II/SW S95 Construction/Professional Services)

**8. MANAGEMENT RECOMMENDATIONS:**

**9. RECOMMENDED APPROVAL**

DEPARTMENT DIRECTOR	PURCHASING OR CONTRACTS	HUMAN RESOURCES	COUNTY ATTORNEY	OTHER	COUNTY ADMINISTRATION				COUNTY MANAGER
					OA	OM	Risk	GC	
<i>[Signature]</i> Lavender Date: 11-3-04	<i>[Signature]</i> Date: 11/3	NA Date:	<i>[Signature]</i> Date: 11/3/04	Date:	<i>[Signature]</i> 11-4-04	<i>[Signature]</i> 11/11/04	<i>[Signature]</i> 11/4/04	<i>[Signature]</i> 11/4/04	<i>[Signature]</i> Lavender Date: 11-3-04

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

**Rec. by CoAtty**  
Date: 11/3/04  
Time: 2:05  
**Forwarded To:**  
Co. Admin.  
11/4/04

**RECEIVED BY**  
**COUNTY ADMIN:**  
*[Signature]*  
11/4/04  
9:25 AM  
**COUNTY ADMIN**  
**FORWARDED TO:**  
5:30 PM  
11/4

LEE COUNTY PROFESSIONAL SERVICE AGREEMENT  
SUPPLEMENTAL AGREEMENT/CHANGE ORDER – TYPE B

     Supplemental Agreement  
X Change Order

No:   8  10  

(A Type B Supplemental Agreement or Change Order Requires Approval by the Board of County Commissioners)

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Lee/Hendry County Regional Disposal Facility – Phase 2

CONTRACT/PROJECT NAME: Construction Expansion  
CONSULTANT: Hazen and Sawyer, P.C. PROJECT NO.:                       
CONTRACT NO.: C9331012 (JDE) CN NO.: 92-04 (421)  
REQUESTED BY: Solid Waste Div., Lee Co. DATE OF REQUEST: 10/04/04

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Upon the completion and execution of this Supplemental Agreement or Change Order by both parties the Consultant is authorized to and shall proceed with the following:

EXHIBIT "S/COA-A": SCOPE OF PROFESSIONAL SERVICE: DATED: 10/04/04

EXHIBIT "S/COA-B": COMPENSATION & METHOD OF PAYMENT: DATED: 10/04/04

All of which are attached hereto and are made a part of this Supplemental Agreement or Change Order.

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

RECOMMENDED:

ACCEPTED:

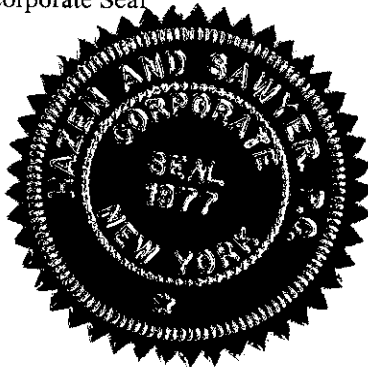
APPROVED:

By: *Lindsay Lopez*  
Department Director Date 11/2/04  
By: *[Signature]*  
Dept. of Public Works Date 11/3/04

By: *Albert Mui*  
Consultant  
Date Accepted: 10/22/04

By: \_\_\_\_\_  
Chairman  
BOARD OF COUNTY COMMISSIONERS  
Date Approved: \_\_\_\_\_

Corporate Seal



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

CSD:063  
REV:03/06/96

\_\_\_\_\_ SUPPLEMENTAL AGREEMENT No. \_\_\_\_\_ (Continued)

or  
X CHANGE ORDER AGREEMENT No. 10 (Continued)

EXHIBIT "S/COA-A"

Date: 10/04/04

SCOPE OF PROFESSIONAL SERVICES

for Revised Scope of Services Lee/Hendry County Regional Disposal Facility – Phase 1 Expansion

\_\_\_\_\_

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

SECTION 1.00 SUPPLEMENT(S) TO, OR 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, or changed, so that the CONSULTANT, or SERVICE PROVIDER, shall provide and perform the following professional services, tasks, or work as a supplement to, or change to, the scope of services previously agreed to and authorized:

(List each previously established phase or task to be supplemented, or changed, and provide a comprehensive description of the services, tasks, or work resulting from the Supplement(s) or Change(s).)

SCOPE OF SERVICES IS INCLUDED IN ATTACHMENT NO. 1 TO EXHIBIT S/COA-A

October 4, 2004

Lindsey Sampson, P.E. Director  
**LEE COUNTY**  
**Division of Solid Waste**  
1500 Monroe Street  
Ft. Myers, Florida 33902

Updated Request for Additional Services (Change Order)  
Lee/Hendry County Regional Disposal Facility  
Supplemental Agreement No. 6 (Reference)

No. 10

Dear Mr. Sampson:

As discussed at a meeting in your office on August 6, 2004, Hazen and Sawyer is submitting this updated Request for Additional Services for the above referenced project. Our original request was submitted to Lee County on February 10, 2004. It was agreed that we would submit more detailed backup information to support the cost of the out-of-scope services completed by Hazen and Sawyer.

During the course of this project, additional services have been provided by Hazen and Sawyer, in a number of different areas, resulting in our need to request additional compensation. Work items are discussed by task as identified in Supplemental Agreement No. 6. The key areas of additional work include:

- 1) Task 2 - Leachate Treatment System Pilot Testing
- 2) Task 3 - Leachate Treatment System Design
- 3) Task 4 - Operation and Maintenance Facilities Design
- 4) Task 6 - Services During Bidding
- 5) Task 8 - Additional Services
  - Operations Building
  - Financial Assurance and Final Cover Design and Permitting

A description of the additional services for each task follows. A table summarizing the cost per task is provided.

## **Overview of Additional Services**

### ***Task 2 - Leachate Treatment System Pilot Testing***

Our scope of services did not include the rental of the pilot unit (\$15,000). To date, the rental fee for the pilot unit has been taken from funds budgeted for Hazen and Sawyer labor associated with this task, prohibiting us from billing those labor costs to the County. We request that additional funds be budgeted to cover these costs.

### ***Task 3 - Leachate Treatment System Design***

Pretreatment settling using a Lamella Plate Settler was not originally part of the scope of this project, however after the pilot test was performed it was determined that pre-settling would enhance the overall performance of the system. In addition to this out-of-scope equipment, the County requested contiguous platform access to the plate settler, existing equalization basin and sand filter. This has resulted in approximately 215 additional engineering hours at an additional cost of \$16,710 to complete the work. We request that the County increase the task amount in the Agreement to include the additional services related to design of the leachate system.

### ***Task 4 - Operation and Maintenance Facilities Design***

#### **a. Operations Buildings**

Our scope of services included review of the original design of the 10,000 sf Operations Building (included in the 1993 Permit Drawings) and updating of the design to conform with new building and electrical codes and to complete interior building detail as directed by the County.

We reviewed the 1993 building design, evaluated the structural design and the interior lighting design and updated the structural and electrical specifications to address the 2002 Florida Building Code requirements. We also incorporated the design elements requested by Lee County and Waste Management provided to us in December 2001 and January 2002. This included reducing the building size from 10,000 sf to 6,500 sf and adding office trailers to the north of the Operations Building.

The design was modified in March 2002 to add a second Operations Building. The original building, now referred to as the Maintenance Building, was redesigned to include maintenance bays, a storage room and restrooms with showers. Work for the new building, the Operations Building, which included offices, meeting areas, kitchen and restroom facilities, was performed under Task 8 (additional services).

The revised Maintenance Building size and use resulted in a complete redesign of mechanical and electrical systems. Architectural details of the building,

# HAZEN AND SAWYER

Lindsey Sampson, P.E.  
October 4, 2004  
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especially the restrooms, were modified or added as required. These details varied considerably from the original design. The HVAC system was completely redesigned to include updated equipment as well as to include features requested by the County. In addition, the original septic lift station was replaced by a package system designed by Hazen and Sawyer. The septic system design was never submitted to permitting agencies since Hendry County preferred to complete its own design.

We prepared 60 and 90% drawings and incorporated the County's review comments for the two buildings. Approved drawings and specifications were provided for permitting as well as for construction.

Because of the revisions to the Maintenance Building, we have expended significantly more engineering and architectural hours than were budgeted to evaluate and update the previous design (1993 version). We request that this task budget be increased by \$12,650 to cover the additional services.

b. Fuel Tanks

We evaluated the structural slab design as well as the electrical and instrumentation design of the original facility, which included a 10,000-gallon diesel fuel tank and a 2,000-gallon unleaded fuel tank. At the request of the County the design was modified to incorporate an 8,000-gallon Convault tank, then subsequently modified to use a 6,000-gallon Convault tank. These changes resulted in a more economical and effective facility. However, it required modification of the design plans and specifications to incorporate the smaller tanks and revised electrical requirements.

### **Task 6 - Services During Bidding**

The scope of services for this project was developed based on preparation of one bid package. The County requested Hazen and Sawyer to divide the project into individual equipment packages for potential savings from Contractor markup and overhead. The individual bid packages were developed; however after further review by the County it was determined that the contract administration for three bid packages could cause coordination issues with the entire project. Therefore, the bid packages were reconsolidated into a single package. The additional cost spent on this effort was approximately \$2,880.

### **Task 8 – Additional Services**

An allowance for out of scope services of \$50,000 was included in Supplemental Agreement No. 6 to account for unanticipated additional services needed to complete design, permitting and construction for this project. By mutual agreement, the following tasks were completed under in the Additional Services task:

# HAZEN AND SAWYER

Lindsey Sampson, P.E.

October 4, 2004

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a. Operations Building

The design of the new Operations Building (discussed under Task 4 above) was completed under in this task.

b. Financial Assurance and Final Cover Design and Permitting

Hazen and Sawyer completed significant work relative to the development of Financial Assurance documentation and Final Cover Plans for Closure design. These items, which were not included in the original Scope of Work, were prepared and submitted to the County and FDEP, and several FDEP requests for additional information were addressed. As part of the review of Financial Assurance documentation, FDEP required a complete design for the Phase I Final Cover, including detailed grading plans, details and narrative. This could not have been anticipated by either Lee County or Hazen and Sawyer, but the work was required in order for Lee County to receive an Operations Permit for the landfill.

The combined cost of the services described above exceeded the allowance provided under Task 8 (Additional Services) of Supplemental Agreement No. 6 by a total of \$16,100.

## Additional Services Cost Summary

<u>Item</u>	<u>Additional Fees</u>
Task 2 - Leachate Treatment System Pilot Testing	\$ 15,000
Task 3 - Leachate Treatment System Design	\$ 16,710
Task 4 - Operation and Maintenance Facilities Design	\$ 12,650
Task 6 - Services During Bidding	\$ 2,880
Task 8 - Additional Services	\$ 16,100
<b>Total</b>	<b>\$ 63,340</b>

Tasks 3, 4, 6 and 8 include Hazen and Sawyer labor and expenses, while the \$15,000 requested for Task 2 was a straight pass through equipment rental cost which was already paid to TriSep Corporation by Hazen and Sawyer. We respectfully request that the Supplemental Agreement No. 6 limit be increased by \$63,340 to cover the additional work performed. The necessary Change Order forms (County format) are attached for your use.

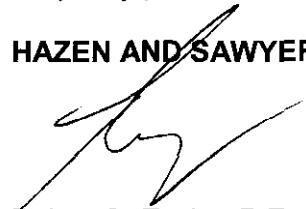
# HAZEN AND SAWYER

*Lindsey Sampson, P.E.*  
*October 4, 2004*  
*Page 5 of 5*

Hazen and Sawyer appreciates the opportunity to work with Lee County on the Lee/Hendry County Regional Disposal Facility. We will gladly meet with you at your convenience to discuss this information in further detail. In the interim, if you have any questions or require additional information, please contact us.

Very truly yours,

**HAZEN AND SAWYER, P.C.**



Robert B. Taylor, P.E.  
Senior Associate

Attachment

c: *Laura Gray*  
*Albert Muniz*  
*David Laliberte*  
*John Bove*  
*40430*



\_\_\_\_ SUPPLEMENTAL AGREEMENT No. \_\_\_\_ (Continued)  
or  
X CHANGE ORDER AGREEMENT No. 10 (Continued)

EXHIBIT "S/COA-B"

Date: 10/04/04

COMPENSATION AND METHOD OF PAYMENT

For Revised Scope of Services Lee/Hendry County Regional Disposal Facility – Phase 1 Expansion

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

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, or changed services, tasks, or work as set forth and enumerated in the Scope of Services set forth in this SUPPLEMENTAL AGREEMENT, or CHANGE ORDER AGREEMENT, Exhibit "S/COA-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).

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REV:04/21/93

Boca:40430F001

Task Number	Task Title	Amount of Compensation	Indicate Basis of Compensation LS or NTE	If Applicable Indicate (W.I.P.P.)
1	Leachate Pond Construction Documents	\$16,500	NTE	
2	Leachate Pilot Testing	\$40,800	NTE	WIPP
3	Leachate System Design	\$96,860	NTE	WIPP
4	O&M Facility Design	\$39,850	NTE	WIPP
5	Landfill Maintenance Evaluation	\$5,900	NTE	
6	Services During Bidding	\$8,680	NTE	WIPP
7a	Services During Landfill and O&M Facility Construction	\$65,900	NTE	
7b	Services During Leachate Plant Construction	\$51,300	NTE	
8	Additional Services	\$66,100	NTE	WIPP
TOTAL		\$391,890		

(Unless list is continued on next page)

*Amended Fee for STA #6 (R/S)*

\_\_\_\_\_ SUPPLEMENTAL AGREEMENT No. \_\_\_\_\_ (Continued)  
or  
X CHANGE ORDER AGREEMENT No. 2/10 (Continued)

EXHIBIT "S/COA-B"

Date: 10/04/04

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 SUPPLEMENTAL AGREEMENT, or CHANGE ORDER AGREEMENT, Exhibit "S/COA-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 Supplemental Agreement Nos. <u>1-6</u> or Change Order Nos. <u>1-6</u>	Adjustment(s) due to this Supplemental Agreement No. <u>7</u> or Change Order No. _____	Summary Of Changed Compensation
Phase I	Prelim. Design	\$336,782.00			\$336,782.00
Phase II, III, IV	Design and Supp. Ag. #1	\$336,782.00		\$1,989,543.00	\$2,326,325.00
Phase II, III, IV	STA #2 and Supp. Ag. #2	\$336,782.00	\$1,989,543.00	\$307,081.00	\$2,633,406.00
Phase IV, V	STA #3	\$336,782.00	\$2,296,624.00	\$1,121,324.00	\$3,754,730.00
Phase VI	STA #4	\$336,782.00	\$3,417,948.00	\$0.00	\$3,754,730.00
Phase VI	CO #5	\$336,782.00	\$3,417,948.00	\$39,055.00	\$3,793,785.00
Phase VI	SA #6	\$336,782.00	\$3,457,003.00	\$328,550.00	\$4,122,335.00
Phase VI	SA # <u>7</u>	\$336,782.00	\$3,785,553.00	\$533,300.00	\$4,655,635.00
Phase VI	CO #8	\$336,782.00	\$3,785,553.00	\$0.00	\$4,655,635.00
Phase VI	CO # <u>10</u>	\$336,782.00	\$3,785,553.00	\$63,340.00	\$4,718,975.00
TOTAL		\$336,782.00	\$3,785,553.00	\$4,382,193.00	\$4,718,975.00

**CONSULTANT'S  
SCHEDULE OF FEES**

**CONSULTANT: HAZEN AND SAWYER, P.C.**

<b><u>Employee Category</u></b>	<b><u>Hourly Billing Rate</u></b>
Vice President	\$150
Associate (Also includes Senior Associate and Senior Scientist)	\$130
Principal Engineer (Also includes Principal Scientist)	\$90
Engineer	\$80
Associate Engineer	\$70
Designer	\$75
Drafter	\$55
Administrative Assistant	\$45
Secretarial	\$40