

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

Blue Sheet No. 20050281

1. REQUESTED MOTION:

ACTION REQUESTED: Approve utilization of piggybacking on the City of Sanibel's Price Agreement, which was formally bid, for Mechanical Removal of Exotic Trees at various locations within Lee County with Ronald W. Klebart for the Parks & Recreation department. The total project amount will not exceed \$500,000.00 and includes purchase orders 55234 in the amount of \$12,474 and 63339 in the amount of \$20,870.00. This project has the funds available within the budget. This agreement is in effect until November 15, 2006.

WHY ACTION IS NECESSARY: Board approval required.

WHAT ACTION ACCOMPLISHES: Allows the Parks & Recreation department to immediately begin the mechanical removal of exotics in the Conservation 20/20 preserves.

2. DEPARTMENTAL CATEGORY:

COMMISSION DISTRICT #:
11 Parks & Recreation

C11B

3. MEETING DATE:

03-15-2005

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 _____
- C. DIVISION *Parks & Recreation*
- BY: *John Yarbrough, Director*

John Yarbrough 3-1-05

7. BACKGROUND:

On January 20, 2005, Contracts Management received a request from the Parks & Recreation Department to utilize the City of Sanibel's contract for the mechanical removal of exotic trees with Ronald W. Klebart.

Section 5.0, "Piggybacking", of the Lee County Contracts Manual allows Lee County to utilize the bids/contracts of other governmental entities that have gone through a competitive process.

The Parks & Recreation Department and the Contracts Management office have verified the specifications used. As required, permission has been received from the City of Sanibel and Ronald W. Klebart, to utilize this contract.

Therefore, approval is being requested to utilize piggybacking on the City of Sanibel's Price Agreement, which was formally bid, for Mechanical Removal of Exotic Trees at various locations within Lee County with Ronald W. Klebart.

Funding is available in the following account string: KH5723030105.503190.216.

- Attachments: 1. Copy of City of Sanibel's contract with Ronald W. Klebart
2. Letter dated February 4, 2004 from the City of Sanibel approving Lee County's use of the contract
3. Letter from Ronald W. Klebart dated February 16, 2004.

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
					OA	OM	Risk	GC	
<i>John Yarbrough</i>	<i>[Signature]</i>	N/A		<i>[Signature]</i>					<i>[Signature]</i>
				<i>Scheduling 3/2/05</i>		<i>3/3/05</i>	<i>3/2/05</i>	<i>3/3/05</i>	

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: <i>3/1/05</i>
Time: <i>3:30</i>
Forwarded To: <i>[Signature]</i>

RECEIVED BY COUNTY ADMIN:
<i>3/2/05</i>
<i>10am</i>
COUNTY ADMIN FORWARDED TO:
<i>3/3/05</i>
<i>[Signature]</i>

Contract

THIS CONTRACT, made this 20th day of November, by and between the CITY OF SANIBEL, FLORIDA, a Florida municipal corporation, hereinafter called the "CITY", and Ronald W. Klebart, a commercial contractor, hereinafter called the "CONTRACTOR".

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The CONTRACTOR will commence the mechanical removal of exotic vegetation from City managed properties on an as-needed basis. The CITY reserves the right to direct that only some portions of the work be done.

2. The CONTRACTOR will furnish all of the material, supplies, tools, equipment, labor and other services necessary for the successful completion of the work described herein.

3. The CONTRACTOR will commence the work required within fourteen (14) calendar days after date of the Notice to Proceed on assigned projects and agrees to be available on a continuous basis within the contract period to complete the work as specified in the document entitled "Scope of Work, Mechanical Removal of Exotic Vegetation on City Managed Properties", a copy of which is attached hereto as Attachment 1 and incorporated herein.

4. The CONTRACTOR agrees to perform all of the work as more fully described in the Scope of Work (Attachment 1), as follows:

Exotic tree removal or land contouring by heavy duty tracked root rake/excavator (trackhoe) including one machine and one operator:

Price per acre for projects under 10 acres in size: \$750.00

Price per acre for projects over 10 acres in size: \$650.00

Price per hour for projects under 10 acres: \$100.00

Price per hour for projects over 10 acres: \$90.00

Land contouring by heavy duty front end loader including one machine and one operator:

Price per hour for projects under 10 acres: \$75.00

Price per hour for projects over 10 acres: \$65.00

5. This contract will be in effect from the date of signage to November 15, 2006.

6. Payment for work will under this contract will be based on the per acre price unless otherwise agreed to by the City.

7. Payment for work done shall be in accordance with the City's Prompt Payment Policy, Sanibel Code.

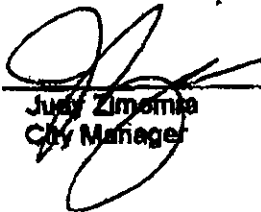
8. This Agreement shall be binding upon all parties hereto and their successors, and assigns. CONTRACTOR shall not assign this contract without written permission from the CITY.

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in two (2) counterparts, each of which shall be deemed an original on the date first above written.


(SEAL)

OWNER:

CITY OF SANIBEL

By: 
Judy Zimonia
City Manager

ATTEST:


Name:
Title: Deputy City Clerk


(SEAL)

CONTRACTOR:

Ronald W. Kiebart

By: 
Ronald W. Kiebart
Contractor

ATTEST:


Name:
Title: Deputy City Clerk

Mechanical Removal of Exotic Trees on City Managed Properties
Scope of Work

The City of Sanibel is assigning a qualified contractor(s) to mechanically clear multiple properties of both privately and publicly owned conservation land of Brazilian pepper and Australian pine on Sanibel Island. Such properties will typically be dominated by exotic trees, often with less than 15% of a project site supporting significant areas of native plants. Any areas within a particular project site that are dominated by native plants or open water wetlands will need to be avoided by the contractor. Vehicles that are track mounted are necessary for work in wetland areas so as to minimize rutting of soils. Tire mounted vehicles are acceptable in drier areas.

The City anticipates completing multiple projects in the near future using a contractor and/or contractors utilizing several different types of heavy equipment as funding is available. In particular, all funding and permitting is in place for the Sanibel Gardens Preserve Restoration Project which will be started in Fall 2001.

Part 1. Root Rake work for Brazilian pepper and small to medium-sized Australian pines

The work will be accomplished by large, heavy duty tracked and/or tire-mounted vehicles equipped with root rakes and all trees within the area to be cleared (including scattered additional exotic or insignificant native trees mixed in with the pepper) will be completely uprooted and stacked in separate piles (not windrows) as large and as far apart as practicable. Following initial clearing the contractor is responsible for completely clearing vegetative debris laying on the ground and stacking same on adjacent piles using a front-end loader. Due to extensive wetlands at most project sites, large trackhoes such as Komatsu #200-size or equivalent will be the equipment of choice. Any excessive rutting is to be re-graded prior to completion of work.

Price per acre for projects under 10 acres in size: \$750.00

Price per acre for projects over 10 acres in size: \$650.00

Price per hour for projects under 10 acres: \$100.00

Price per hour for projects over 10 acres: \$90.00

Initial mobilization fee for each project: \$200.00

Part 2. Land contouring by heavy duty front end loader including one machine and one operator:

Price per hour for projects under 10 acres: \$75.00

Price per hour for projects over 10 acres: \$65.00

Initial mobilization fee for each project: \$200.00

For all project parts:

The contractor will coordinate closely with City staff members in order to minimize environmental impacts of the project, to avoid any damage to private or public property and to save significant specimen native trees or stands of trees within the areas to be cleared. Any gopher tortoise burrows discovered during the work operation must be immediately flagged and reported to the City's project manager. The City and other public or private property owners will be responsible for all necessary herbicide treatment of exotic trees following clearing.

Additional Conditions:

1. The contractor will not be allowed any extra compensation for work conditions with which said bidder could have become fully informed, but failed to do so.
2. A City of Sanibel Occupational License is required of successful bidder prior to award of contract. All contractors and any sub-contractors must be fully licensed and insured. All contractors must have at least one on-site holder of a valid City of Sanibel Vegetation Contractor Competency Card or sign-up for the course and test to attain said card within fourteen (14) days of contract date and successfully attain the card within 90 days of contract date.
3. Additional tree removal and other restoration work, such as fence construction, earth moving, pond construction and debris removal may be added to the project by mutual City/Contractor agreement as field conditions warrant and funds permit. The price for such extra work will be figured and agreed upon based on bid calculations for similar designated tasks.
4. Contractor must comply with the Florida Public Entity Crimes Act and file the required affidavit.
5. The City reserves the right to cancel this contract at any time if the contractor is not getting the work required on any assigned project covered by this scope of work done effectively and/or in a timely manner. Such determination of effectiveness and adequate progress shall be made solely by City staff.

February 4, 2004

Mr. Jim Green
Terry Park Land Stewardship
Lee County Government
P.O. Box 398
Fort Myers, Fl. 33902-0398

Re: Long-term City of Sanibel Contract with Ronald Klibart

Dear Jim:

As discussed previously on the phone, City staff has no problem with Lee County "piggy-backing" on the City's contract with Ronald Klibart. Ronnie has done an exceptional job of exotic plant removal and earth moving for the City and is a highly skilled operator of heavy equipment. We trust that if Ronnie is working on a County project and the City needs to use his services for a project, that we can work out an equitable plan to share his time.

If you have any additional questions concerning this issue or his contract, please don't hesitate to call me at: #472-3700.

Sincerely,



Robert K. Loflin
Natural Resources Director



City of Sanibel

800 Dunlop Road
Sanibel, Florida 33957-4096

AREA CODE - 239

CITY COUNCIL	472-4135
ADMINISTRATIVE	472-3700
BUILDING	472-4555
EMERGENCY MANAGEMENT	472-3111
FINANCE	472-9615
LEGAL	472-4359
PARKS & RECREATION	472-9075
PLANNING	472-4136
POLICE	472-3111
PUBLIC WORKS	472-6397
UTILITIES	472-1008

Land Clearing - Grading - Fill - Trucking



Ronald W. Klebart
4506 SW 9th Avenue
Cape Coral, FL 33914
Mobile: (239) 229-6291
Office: (239) 542-2201
Fax: (239) 542-8539

February 16, 2004

Jim Green
Lee County Parks and Recreation
3410 Palm Beach Blvd.
Fort Myers, FL 33916

RE: Sanibel Contract

Mr. Green:

This is in regard to my current contract I have with the City of Sanibel. I have discussed the matter with Rob Loflin in regard to Lee County Parks and Recreation piggy backing of the existing City of Sanibel contract. Rob Loflin agreed that there should not be a problem.

I have cleared over 300 acres on Sanibel of exotics, re-dug parts of the Sanibel River and dug several dozen ponds for birds, alligators and wildlife to restore the area back to it's natural state. I have also done over 60 acres for the Sanibel Captiva Conservation Foundation. You may contact Brad Smith with any questions on my work performed for the SCCF. A majority of my work consists of exotic removal in sensitive wetland areas.

I look forward to hearing from you in the next few days. You can reach me on my mobile at 239-229-6291 if you have any questions or need additional documentation.

Thank you very much.

Sincerely,

Ronald W. Klebart
President

RWK/ms