

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

Blue Sheet No. 2005 1205

1. ACTION REQUESTED/PURPOSE: (1) Approve Change Order No. 11 with Hazen and Sawyer, P.C. for an amount not to exceed \$220,080.00 for required design and construction consulting work at the Lee/Hendry Regional Disposal Facility (landfill. (2) Approve a budget transfer from Solid Waste Management Fund reserves, increasing the FY04-05 CIP Budget for the Lee/Hendry Landfill Phase II Project (CIP Proj. # 200924) in the amount of \$395,000.00 and amend the FY 04-05 CIP accordingly.

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

3. MANAGEMENT RECOMMENDATION: Staff recommends approval of the requested motions.

4. Departmental Category: 8 - C8E		5. Meeting Date: 09-06-2005
6. Agenda: <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input type="checkbox"/> Public <input type="checkbox"/> Walk-On	7. Requirement/Purpose: (specify)	
	<input type="checkbox"/> Statute	
	<input type="checkbox"/> Ordinance	
	<input type="checkbox"/> Admin. Code	
	<input checked="" type="checkbox"/> Other	Chg Ord
		8. Request Initiated: Commissioner _____ Department Public Works Division Solid Waste By: Lindsey J. Sampson

9. Background:

The Lee/Hendry County Regional Disposal Facility is a multi-phase facility intended to meet current and future County refuse disposal needs. Portions of the Landfill were constructed in 1996/97 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. The BOCC approved Supplemental Agreement No. 9 in April 2003 (Bluesheet No. 20030518) in the amount of \$533,300 for design and construction services associated with a 25-acre landfill expansion including design, permitting, bidding assistance, and services during construction. The BOCC approved change order no. 10 on 11/16/04 (BS No. 20041470) for the design of a new clarifier, Final LF Cover Design, FI Bldg Code changes, new fuel station, and financial assurance submittals, etc.

This change order is required for additional construction oversight services not included in the original Supplemental Agreement No. 6, including additional bidding oversight for two liner construction projects, additional shop drawing review, and extended construction duration for the leachate treatment system and the larger LF expansion footprint requiring additional construction quality assurance monitoring and review. Technical services and oversight will also be provided during operation of the Leachate Trtmt. Equipment.

Additional capital funds are also requested for the purchase of additional water testing (lab) equipment, landfill equip., and waste water handling equipment

Funds will be available after transfer in CIP Project No. 20092440130

20092440130.506510 (CIP/Lee Hendry Landfill Ph II/SW S95 Construction/Professional Services) and

20092440102.506540

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
<i>J. J. J. 8-24-05</i>	<i>[Signature]</i>	<i>N/A</i>	<i>DAD 8/24</i>		<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

8/25/05 9:50a
Adm. [Signature]

RECEIVED BY
COUNTY ADMIN: [Signature]
8-25-05
11:16 am
COUNTY ADMIN
FORWARDED TO: [Signature]
8/25/05
3:36

_____ SUPPLEMENTAL AGREEMENT No. _____ (Continued)
or
X CHANGE ORDER AGREEMENT No. 11 (Continued)

EXHIBIT "S/COA-A"

Date: 8/15/05

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

ATTACHMENT NO. 1 TO EXHIBIT S/COA-A (7 Pages)

June 14, 2005

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

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

Dear Mr. Sampson:

During the construction of the UF/RO Facility and the Phase 2 Landfill Expansion, additional services have been provided by Hazen and Sawyer, in a number of different areas, resulting in our need to request additional compensation. The key areas of additional work include:

- 1) UF/RO Facility Construction Submittal Review, Coordination and Startup
- 2) UF/RO Operations
- 3) Phase 2 Landfill Expansion Construction Related Services
- 4) Landfill Groundwater Mapping

Overview of Additional Services

- 1) UF/RO Facility Construction

- a. Submittal Review

Our scope of services included review of Contractor submittals for schedules, equipment and installation for the numerous components to be incorporated into the UF/RO Facility. We reviewed submittals provided first by Lodge Construction beginning in late 2003 and then by Wright Construction from mid 2004 through the present time. A large number of submittals had to be reviewed several time to assure that comments were properly incorporated by the Construction Manager and their subcontractors and suppliers. This process required significantly more effort than could have been anticipated by Hazen and Sawyer or Lee County. This important review process is expected to continue until facility startup in July, 2005.

b. Coordination and Startup

In our original scope, and in the original Construction Manager contract, the construction was scheduled for completion in six months, or the middle of 2004. Under the current Construction Manager, the completion of the project is expected in July 2005. Hazen and Sawyer has spent considerable engineering resources to coordinate the activities of the Construction Manager, their subcontractors and suppliers since early 2004. We have also expended a considerable amount of time and expenses coordinating directly with suppliers and subcontractors. This work, which generally falls under the responsibility of the Construction Manager is considered by both Lee County and Hazen and Sawyer as critical to the successful completion of the project, but was not anticipated at the time our original scope was developed.

Hazen and Sawyer anticipates that significant engineering hours will be required during the UF/RO startup process, which is anticipated to take three to four weeks to complete. According to the current schedule, UF/RO startup will be completed in July, 2005.

2) UF/RO Operations Consulting

Hazen and Sawyer proposes to assist the County and the Construction Manager in evaluating the UF/RO during its first year of operations. The goals of these engineering services are to review facility operations data, to assess performance and to recommend adjustments to improve the efficiency of operations. In addition, Hazen and Sawyer will identify nonconforming equipment or components and provide Lee County personnel with assistance on equipment warranty issues.

3) Phase 2 Landfill Construction

a. Expansion Area CQA

In our original 2003 scope of services, we assumed that the Phase 2 expansion area would be 12 to 15-acres in size and require approximately 18 weeks to construct. Increasing quantities of refuse disposed in Lee County and overall efficiency in construction and operations resulted in a Phase 2 expansion area of 25-acres (Cell 5 and Cells 7 through 10). This expansion was permitted by the FDEP. Although this did not significantly impact the design or permitting phase of the project, it had significant impact on the construction related cost. Cell 5 was completed in December 2004 (and is now in operation) and construction of Cells 7-10 is currently underway. The Contractor has been issued an extension in the construction schedule and construction is expected to be complete by August 2005, which represents a construction schedule of more than 40 weeks. Hazen and Sawyer requests additional compensation for the additional office and

field time to complete Construction Quality Assurance (CQA) activities required for issuance of an Operations Permit by FDEP.

b. Bid Documents and Record Documentation Reports

Our original scope anticipated that the construction would be completed by a single contractor as a single construction project. To best meet its disposal needs, Lee County broke the construction project into two separate contracts that allowed the completion of Cell 5 for immediate disposal operations. Hazen and Sawyer prepared, at the County's request, separate Construction Drawings and Specifications for each of the contracts. In addition, we reviewed submittals from two contractors, often covering similar components. We had anticipated that review of only a single set of submittals would be required.

Upon completion of Cell 5, Hazen and Sawyer prepared a Record Documentation Report that documents the CQA testing, analyses and observation that supports the Construction Certification. Such a Certification, prepared, signed and sealed by Hazen and Sawyer's Engineer of Record, is required prior to FDEP issuance of the Operations Permit. Since the expansion area was divided into two projects, Hazen and Sawyer will issue a second Record Documentation Report upon completion of Cells 7-10. This second report is not in our scope of services.

4) Groundwater Mapping

The County is required to map groundwater flow characteristics on a semi-annual basis. Hazen and Sawyer is assisting the County by preparing the Groundwater Maps for submittal to the FDEP and adjacent property owners. Work associated with three sets of Groundwater Maps is considered out of our original scope of services and is related to the extension in the Phase 2 Expansion construction schedule.

Additional Services Cost Summary

<u>Item</u>	<u>Additional Fees</u>
UF/RO Facility	
• Submittal Review	\$22,750
• Coordination and Startup	\$38,725
UF/RO Operations Consulting	\$37,300
Phase 2 Landfill Construction	
• Expansion Area CQA	\$96,500
• Bid Documents and Record Documentation Reports	\$29,000
Groundwater Mapping	\$5,200
Total	\$229,475

Lindsey Sampson, P.E.
June 14, 2005
Page 4 of 4

We respectfully request that the Supplemental Agreement No. 6 limit be increased by \$229,475 to cover the additional work performed. Upon your preliminary review and approval, we will submit a Change Order (County format) for your use.

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, Jr., P.E.
Senior Associate

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

COPY

SUMMARY OF CONSTRUCTION SCHEDULES LEE/HENDRY REGIONAL LANDFILL PHASE 2 EXPANSION - CELLS 5 AND 7-10 CONSTRUCTION

CELL 5 CONSTRUCTION

March, April, 2004	CELL 5 EARTHWORK BID DOCUMENTS PREPARED
April 21, 2004	CELL 5 EARTHWORK CONTRACT BID
July 9, 2004	FDEP PERMIT
	CELL 5 EARTHWORK CONTRACT AWARDED
Early June, 2004	ERC MOB
August 2, 2004	ORIGINAL COMPLETION DATE
September 22, 2004	TIME EXTENSIONS FROM CO#1, #2 AND #3
October 1, 2004	SEC NOTICE TO PROCEED
October 28, 2004	CELL 5 EARTHWORK SUBSTANTIAL COMPLETION
December 20, 2004	CELL 5 SUBSTANTIAL COMPLETION
December 15, 2004	ORIGINAL CELL 5 COMPLETION DATE
December 17, 2004	CELL 5 CCC

CELL 7-10 CONSTRUCTION

May, June, 2004	CELL 7-10 BID DOCUMENTS PREPARED
	CELL 7-10 BID
	CELL 7-10 BID AWARD
July 15, 2004	ADDENDUM NO. 1 ELECTRICAL AND MECHANICAL
October 1, 2004	SEC NOTICE TO PROCEED
March 30, 2005	ORIGINAL COMPLETION DATE (180 DAYS)
May 1, 2005	CO#1 TIME EXTENSION (60 DAYS)
June 20, 2005	CO#2 REQUEST (50 DAYS)
September 1, 2005	SUBSTANTIAL COMPLETION (ESTIMATED)

H&S BUDGET

March, 2004	Verbal Communication and verbal County direction to prepare construction drawings
	Verbal Communication that Project was well behind schedule and that our CQA budget would likely be exceeded
December, 2004	Prepared and submitted hour summary of H&S expenditures to date for construction related tasks.
March, 2005	This was updated monthly
April 15, 2005	Submitted updated budget summary, estimated fee to complete and list of budget assumptions
May, 2005	Updated budget projections based upon extended contractor schedule
June 15, 2005	Submitted final draft of change order request to County

LEE COUNTY PHASE 2 CONSTRUCTION BUDGET

MAIN ASSUMPTIONS

UPDATED 8/12/05 to Reflect Updated Contractor Schedule
(October 2005 Final Completion)

ASSUMPTION	ACTIVITY
Expansion Area to be 12-15 acres in size	Phase 2 is 25-acres
18 weeks of Construction	50+ weeks anticipated
Single Contract	Project broken into 2 parts, 2 General Contractors hired. Two sets of Contract Drawings, Addenda
Single Record Documentation Report	Two Reports required; one for Cell 5 and one for Cells 7-10

ORIGINAL CONSTRUCTION BUDGET:	\$288,200
INVOICED THROUGH June 30, 2005	\$245,916
SPENT THROUGH JUNE ^{ALTA} 1, 2005, EST	\$321,900
BUDGET REMAINING, EST.	\$ 0
OUT OF SCOPE SERVICES TO DATE:	
• Bid Documents and Record Documentation Report	\$ 29,000
• Groundwater Drawings	\$ 6,200
• Construction Quality Assurance (Estimated Fee to Complete)	\$59,400
Total:	\$ 94,600

AMOUNT OF REQUEST:

SPENT TO DATE:	\$321,900
ESTIMATED FEE TO COMPLETE:	<u>+\$ 59,400</u>
SUBTOTAL	\$381,300
MINUS UNSPENT FEE	<u>-\$ 0</u>
ORIGINAL CONSTRUCTION BUDGET:	<u>-\$288,200</u>
 ADDITIONAL FEE REQUESTED:	 \$93,100

LEE COUNTY PHASE 2 CONSTRUCTION BUDGET

CONSTRUCTION BUDGET SUMMARY THROUGH JUNE 1, 2005

UPDATED 8/12/05 to Reflect Updated Contractor Schedule

(October 2005 Final Completion)

CONSTRUCTION ACTIVITY	ORIGINAL BUDGET	SPENT TO DATE	ESTIMATED FEE TO COMPLETE	TASK TOTAL
Prepare Cell 5 Construction Drawings & Specs	\$0	\$6,730	\$0	\$6,730
Prepare Cells 7-10 Construction drawings, Specs & Addenda	\$0	\$10,900	\$0	\$10,900
Cell 5 Construction Management/Meetings	\$6,000	\$13,506	\$0	\$13,506
Cells 7-10 Construction Management /Meetings	\$11,500	\$19,500	\$3,000	\$22,500
Cell 5 Shop Drawing Review	\$4000	\$6,240	\$0	\$6,240
Cells 7-10 Shop Drawing Review	\$4000	\$13,500	\$1,140	\$14,640
Cell 5 CQA	\$101,000	\$89,593	\$0	\$89,593
Cells 7-10 CQA	\$142,700	\$131,287	\$39,770	\$171,057
Cell 5 Record Documentation Report	\$19,000	\$22,860	\$0	\$22,860
Cells 7-10 Record Documentation Report	\$0	\$1,600	\$14,860	\$16,460
Groundwater Drawings	\$0	\$6,200	\$600	\$6,800
Totals	\$288,200	\$321,916	\$59,370	\$381,286

Note: Total of \$59,370 fee to complete includes \$16,460 for Cells 7-10 Record Documentation Report, all remaining Construction Related Activities and remaining groundwater drawings.

_____ SUPPLEMENTAL AGREEMENT No. _____ (Continued)

or

X CHANGE ORDER AGREEMENT No. 11 (Continued)

EXHIBIT "S/COA-B"

Date: 8/15/05

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).

Task Number	Task Title	Amount of Compensation	Indicate Basis of Compensation LS or NTE	If Applicable Indicate (W.I.P.P.)
40430-007	UF/RO Construction/Startup	\$88,980	NTE	WIPP
40430-008	UF/RO Operations	\$37,500	NTE	WIPP
40565-005	Phase 2 Landfill Expansion – Construction Related Services	\$93,600	NTE	WIPP
40565-006	Backup Generator Design	\$0	NTE	WIPP
TOTAL		\$220,080.00	NTE	WIPP

(Unless list is continued on next page)

_____ SUPPLEMENTAL AGREEMENT No. _____ (Continued)

or

X CHANGE ORDER AGREEMENT No. 11 (Continued)

EXHIBIT "S/COA-B"

Date: 6/14/05

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. ___ or Change Order Nos. _1-10__	Adjustment(s) due to this Supplemental Agreement No. _____ or Change Order No. __11_____	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 #9	\$336,782.00	\$3,785,553.00	\$533,300.00	\$4,655,635.00
Phase VI	CO #8	\$336,782.00	\$4,318,853.00	\$0.00	\$4,655,635.00
Phase VI	CO #10	\$336,782.00	\$4,318,853.00	\$63,340.00	\$4,718,975.00
Phase IV	CO #11	\$336,782.00	\$4,382,193.00	\$220,080.00	\$4,939,055.00
TOTAL		\$336,782.00	\$4,382,193.00	\$220,080.00	\$4,939,055.00

**CONSULTANT'S
SCHEDULE OF FEES**

CONSULTANT: HAZEN AND SAWYER, P.C.

<u>Employee Category</u>	<u>Hourly Billing Rate</u>
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