

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

Blue Sheet No. 20051309

**1. ACTION REQUESTED/PURPOSE:** Approve Supplemental Task Authorization (STA) No. 2 , under CN-02-25, MISCELLANEOUS ENVIRONMENTAL CONTRACT, to Kevin L. Erwin Consulting Ecologist, Inc., Contract No. 2246, in the amount of \$69,000.00 for the Prairie Pines Preserve. Also, authorize Chairman to execute STA on behalf of the Board. This STA was anticipated and funds are available.

**2. WHAT ACTION ACCOMPLISHES:** Provides Lee County with a consultant for the design, permitting and limited construction inspection of resource-based public recreational facilities for the preserve and detailed meetings with County staff.

**3. MANAGEMENT RECOMMENDATION:** Approval recommended.

<b>4. Departmental Category:</b> 11 <span style="margin-left: 100px;"><i>CIIA</i></span>		<b>5. Meeting Date:</b> <i>10-11-2005</i>
<b>6. Agenda:</b> <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input type="checkbox"/> Public <input type="checkbox"/> Walk-On	<b>7. Requirement/Purpose: (specify)</b>	
	<input type="checkbox"/> Statute	
	<input type="checkbox"/> Ordinance	
	<input checked="" type="checkbox"/> Admin. Code	<i>AC-4-4</i>
	<input type="checkbox"/> Other	
		<b>8. Request Initiated:</b> Commissioner _____ Department <u>Parks &amp; Recreation</u> Division _____ By: <i>John Yarbrough, Director</i> <i>John Y</i>

**9. Background:**

On October 8, 2002, the Board entered into continuing contracts for CN-02-25 Miscellaneous Environmental Contracts (Permitting, Mitigation, Monitoring and Maintenance) with eight (8) Consultant firms to perform environmental 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.

This Supplemental Task Authorization will provide professional consulting services for the design, permitting and limited construction inspection of resource-based public recreational facilities as indicated on the Master Site Plan of the land stewardship plan for the preserve and detailed meetings with County staff. These facilities include a parking area, restroom, bridges for pedestrians, equestrians and mountain bikers, picnic area, shared and/or separate trails for hiking, mountain biking and equestrian use, and observation platforms/blinds. The parking area will be located adjacent to US 41.

Funds are available in account string: <sup>H</sup> ~~K~~<sup>S</sup> 5723030105.50610.217 <sup>K</sup>

Attachment: Four (4) Supplemental Task Authorizations No. 2 for execution.

**10. Review for Scheduling:**

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
<i>[Signature]</i>	<i>[Signature]</i>	N/A			<i>CIIA 9/22</i>				
					Analyst	Risk	Grants	Mgr.	
					<i>9/21/05</i>	<i>9/21/05</i>	<i>9/21/05</i>	<i>9/22/05</i>	<i>[Signature]</i>

**11. Commission Action:**

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN. <i>[Signature]</i>	REC'D. BY CO. ATTY. <i>[Signature]</i>
<i>9-21-05</i>	<i>9-21-05</i>
<i>H-12</i>	<i>5:30am</i>
COUNTY ADMIN. FORWARDED TO: <i>[Signature]</i>	CO. ATTY. FORWARDED TO:
<i>9/22</i>	
<i>4:30</i>	

*BH*

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

Change Order  
 Supplemental Task Authorization

NO.: 2

(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: County Wide Environmental Consulting Services – Prairie Pines Preserve

CONSULTANT: Kevin L. Erwin Consulting Ecologist, Inc.

PROJECT NO.: 8800-

SOLICIT NO.: CN-02-25

CONTRACT NO.: 2246

ACCOUNT NO.: ~~KH57220 30105 503100~~

KH5723030105.506510.217

REQUESTED BY: Roger Clark

DATE OF REQUEST: August 26, 2005

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: August 26, 2005
- EXHIBIT "CO/STA-B: COMPENSATION & METHOD OF PAYMENT: DATED: August 26, 2005
- EXHIBIT "CO/STA-C: TIME AND SCHEDULE OF PERFORMANCE: DATED: August 26, 2005
- EXHIBIT "CO/STA-D: CONSULTANT'S/PROVIDERS ASSOCIATED  
SUB-CONSULTANT(S)/SUB-CONTRACTORS: DATED: August 26, 2005
- EXHIBIT "CO/STA-E: PROJECT GUIDELINES AND CRITERIA: DATED: August 26, 2005

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

RECOMMENDED:

By: [Signature] 9/7/05  
Department Director Date

ACCEPTED:

By: [Signature]  
Consultant/Provider  
(Print Name) KEVIN L. ERWIN

COUNTY APPROVAL:

By: \_\_\_\_\_  
Department Director  
(Print Name) \_\_\_\_\_  
(Under \$25,000)

By: [Signature] 9/13/05  
Contracts Mgmt Date

Date Accepted: \_\_\_\_\_

Date Approved: \_\_\_\_\_

Corporate Seal

By: \_\_\_\_\_  
County Manager (Between  
(\$25,000 and under \$50,000)  
Date Approved: \_\_\_\_\_

APPROVED:

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

By: \_\_\_\_\_  
Chairman  
Board of County Commissioners  
Date Approved: \_\_\_\_\_

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

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

or  
 SUPPLEMENTAL TASK AUTHORIZATION No. 2

EXHIBIT "CO/STA-A"

Date: 8/26/05

SCOPE OF PROFESSIONAL SERVICES

for Prairie Pines Preserve

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:

This project involves the design, permitting and limited construction inspection of resource based public recreational facilities as indicated on the Master Site Plan (page 63) of the land stewardship plan for the preserve and detailed during meetings with County staff. These facilities include a parking area, restroom, bridges for pedestrians, equestrians and mountain bikers, picnic area, shared and/or separate trails for hiking, mountain biking an equestrian use, and observation platforms/blinds. The parking area will be located adjacent to US 41 as indicated on the plan. Lee County will provide their own landscape architect and architecture services.

\*Attach additional pages, if needed.

CHANGE ORDER AGREEMENT No.  
 SUPPLEMENTAL TASK AUTHORIZATION No. 2\_

EXHIBIT "CO/STA-B"

Date: 8/26/05

COMPENSATION AND METHOD OF PAYMENT

for Prairie Pines Preserve

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	Site Evaluation and Staking	\$18,500		
2	Jurisdictional Determination	\$2,235		
3	Protected Species Assessment	\$4,565		
4	Project Design	\$15,550		
5	Project Coordination	\$12,150		
6	Construction Plans and Specifications	\$7,000		
7	Construction Administration	\$9,000		
<b>TOTAL</b>		<b>\$69,000.00</b>		

(Unless list is continued on next page)



CHANGE ORDER AGREEMENT No. \_\_\_\_\_  
or  
 SUPPLEMENTAL TASK AUTHORIZATION No. 2

EXHIBIT "CO/STA-C"

Date: 8/26/05

TIME AND SCHEDULE OF PERFORMANCE

for Prairie Pines Preserve

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 AA@	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
Task 1	Site Evaluation and Staking	45	45
Task 2	Jurisdictional Determination	21	59
Task 3	Protected Species Assessment	21	73
Task 4	Project Design	30	80
Task 5	Project Coordination	150	230
Task 6	Construction Plans and Specifications	30	250
Task 7	Construction Administration	180	430

CHANGE ORDER AGREEMENT No. \_\_\_\_\_  
or  
 SUPPLEMENTAL TASK AUTHORIZATION No. 2

EXHIBIT "CO/STA-D"

Date: 8/26/05

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

for Prairie Pines Preserve

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 Consultant=s Insurance Coverage	
		Yes	No	Type	Yes	No
Engineering Services	J.W. Ebner Consulting, Inc. 2025 SE 44 <sup>th</sup> Street Cape Coral, FL 33904		X		X	

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

or  
 SUPPLEMENTAL TASK AUTHORIZATION No. 2

EXHIBIT "CO/STA-E"

Date: 8/26/05

PROJECT GUIDELINES AND CRITERIA

for Prairie Pines Preserve

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