

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

Blue Sheet No. 20051611

1. ACTION REQUESTED/PURPOSE:

Approve waiving of the formal process for BW-06-01 for Consulting Representation Services, for Lee County Visitor & Convention Bureau, to LLW Consultants, in the amount of \$150,000.00/annually for a total contract term of 3 years (Yr. 1 Sept 2005 – Sept 2006); (Yr. 2 Oct. 2006 – Sept. 2007); and (Yr. 3 Oct. 2007 – Sept 2008). Further authorize Chairman to execute the Service Provider Agreement upon receipt.

2. WHAT ACTION ACCOMPLISHES:

Provides for a continuation of lobbying services with an experienced consultant with the South Florida Water Management District while taking an active role in water resource management.

3. MANAGEMENT RECOMMENDATION:

Staff Recommends Approval

4. Departmental Category: 1.

AIA

5. Meeting Date:

11-22-2005

6. Agenda:

- Consent
- Administrative
- Appeals
- Public
- Walk-On

7. Requirement/Purpose: (specify)

- Statute
- Ordinance
- Admin. Code *AC-4-4*
- Other

8. Request Initiated:

Commissioner _____
 Department *VCB*
 Division *VCB*
 By: D.T. Minich, Director

9. Background:

VCB has been utilizing the services of LLW Consultants for the past 18 months (under BW-05-05), to help develop an approach that would give us the best opportunity to make an impact. In order to continue this effort it will be in the best interest of Lee County to make a full commitment to using the unique services of LLW Consultants as we seek a stronger voice with SFWMD with regard to the management of Lake Okeechobee. We do not want to lose the valuable ground gained in the last year and a half. The relationships developed are critical to the success of our effort to seek a stronger voice with the SFWMD and the other agencies that impact our water resources.

We are therefore requesting approval to waive the formal process and continue services with LLW Consultants for the next three years (through September 30, 2008).

Funds are available in Account #HB5520117400.503490

Attachment 1. Justification Memo

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services			County Manager/P.W. Director
					Analyst	Risk	Grants	
<i>DM 11-2-05</i>	<i>Cindy Johnson</i>			<i>Yudica</i>	<i>JRN</i>	<i>11/11/05</i>	<i>11/11/05</i>	<i>11-7-05</i>

11. Commission Action:


- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: <i>TD</i>
<i>11/4/05</i>
<i>3:00 pm</i>
COUNTY ADMIN <i>TD</i>
FORWARDED TO: <i>TD</i>
<i>11-9-06</i>
<i>11 am</i>

Rec. by CoAtty
Date: <i>11/4/05</i>
Time: <i>11:50 AM</i>
Forwarded To:
<i>Co-Mgr.</i>
<i>11-4-05</i>

MEMORANDUM

TO: Cindy Logan

FROM: D.T. Minich, CDME 

DATE: October 19, 2005

RE: Request for Bid Waiver – LLW Consultants, LLC

Approximately 18 months ago the Lee County Tourist Development Council decided to take a much more active role in water resource management as it relates to identifying and protecting the water resources upon which Lee County, its residents, and our economy rely upon. These water resources include our beaches, the Caloosahatchee River at its estuaries, and the proper management of Lake Okeechobee.

This decision was an acknowledgment of the direct relationship between a strong tourism based economy and the protection of our natural resources. With Lee County tourism contributing over \$2 billion to the local economy each year, it is imperative that we make every effort to communicate with the agencies managing Lake Okeechobee – the South Florida Water Management District (SFWMD) and the U.S. Army Corps of Engineers.

The lead consultant for LLW, John Fumero, previously served as General Counsel for the SFWMD, as well as Director of the SFWMD's Office of Legislative and Governmental Affairs (OLGA). Mr. Fumero's insight to the organization has been of immense benefit in guiding us through the bureaucracy of the SFWMD, Army Corps and other natural resources agencies.

Since we began utilizing their services, LLW has been attending a number of meetings on our behalf. These meetings include:

- SFWMD Governing Board meetings
- SFWMD Water Resource Advisory Commission meetings, including specific meetings on Lake Okeechobee management
- SFWMD Regional Water Supply Plan Committee meetings – both the Lower East Coast and Lower West Cost meetings
- The Southern Regional Project Delivery Team ("RPDT") meetings for implementation of Comprehensive Everglades Restoration Plan ("CERP") projects
- The South Florida Ecosystem Restoration Task Force ("Task Force") and Working Group meetings

In addition LLW has:

- Helped provide a stronger voice for Lee County and the Tourist Development Council in the implementation of CERP and decisions impacting the Caloosahatchee Estuary, such as Lake Okeechobee management
- Worked closely with Lee County's staff to identify and prioritize issues
- Begun developing a strategic plan to address these issues and best represent Lee County's interest
- Established a reporting system by which key County staff is provided monthly reports on meetings and events of interest to the County
- Advised Lee County on the process of CERP implementation to ensure meaningful participation and input into the projects most likely to provide benefits to the Estuary
- Monitored, tracked and reported on the progress of the C-43 CERP project and Southwest Florida Feasibility Study ("SWFFS")
- Provided technical and legal review of key project implementation documents for the C-43 Reservoir, including the Basis of Design Report ("BODR")
- Helped facilitate stronger coordination with the highest levels of leadership at the Army Corps and SFWMD on the implementation of ongoing and new initiatives to address water quality in the C-43 Basin, including a Caloosahatchee Basin Water Quality Basin Study
- Provided legal review on potential causes of action to address Lake Okeechobee management issues
- Provided an overview of potential legislative initiatives to address the relationship between Lake Okeechobee management and discharges to the Caloosahatchee Estuary, including amendments to the Lake Okeechobee Protection Act ("LOPA")

We feel it is in the best interest of Lee County to continue to use the unique services of LLW Consultants. The relationships developed during the last year and a half are critical to the success of our effort to seek a stronger voice with the SFWMD and the other agencies that impact our water resources. We do not want to lose the valuable ground we have gained over the last 18 months, and ask that a bid waiver be granted in order to proceed with this effort.

The cost of this contract will not exceed \$150,000 annually.