

Lee County Board Of County Commissioners  
Agenda Item Summary

Blue Sheet No. 20051811

1. ACTION REQUESTED/PURPOSE:

Approve waiving of the formal process and authorize the use of Direct Material Purchases, which allows the County to purchase directly from the suppliers as a cost saving measure, under RFP-05-02 THREE OAKS WWTP EXPANSION PROJECT. Authorize Chairwoman to execute Change Order upon receipt.

2. WHAT ACTION ACCOMPLISHES:

Direct Material Purchase benefits include; Sales Tax savings, purchase from various vendors selected by the Design Build Team and the County and time saving measures to meet the schedule requirements.

3. MANAGEMENT RECOMMENDATION: Staff recommends approval.

4. Departmental Category: 10

*C10C*

5. Meeting Date: *01-10-2006*

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 *Public Works*  
Division *Utilities*  
By: *Rick Diaz, P.E., Director*

9. Background:

On May 10, 2005, the Board approved the award and authorized staff to enter into a Design/Build Contract for RFP-05-02 THREE OAKS WWTP EXPANSION PROJECT, with Wharton-Smith, Inc., for a Guaranteed Maximum Price (GMP) amount of \$1,472,000.00, plus an additional contingency fee of \$2,500,000.00 to allow for modifications throughout the project and future expansions.

The Utilities Division is requesting that the Board approve waiving of the formal process and authorize the use of the Direct Material Purchases.

Funds will be available in account string: 20728048713.506540

Attachments: BS #20050576 05/10/05 C10N

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services	County Manager/P.W. Director
<i>J. Smith</i> 12-20-05	<i>[Signature]</i>	N/A	N/A	<i>[Signature]</i>	Analyst <i>[Signature]</i> Risk <i>[Signature]</i> Grants <i>[Signature]</i> Mgr. <i>[Signature]</i>	<i>J. Smith</i> 12-20-05

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: <i>[Signature]</i>
<i>12-21-05</i>
<i>11am</i>
COUNTY ADMIN FORWARDED TO: <i>[Signature]</i>
<i>12/21/05</i>
<i>11am</i>

Rec. by CoAtty
Date: <i>12/21/05</i>
Time: <i>10:45AM</i>
Forwarded To: <i>Co. Admin</i>
<i>12/21 11am</i>

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

**Blue Sheet No. 20050576**

**1. ACTION REQUESTED/PURPOSE:** Concur with the ranking of Proposers by the Qualification Selection Committee for RFP-05-02 THREE OAKS WWTP EXPANSION PROJECT, in the following order of ranking, and authorize contract negotiations to commence with the number one ranked firm: (1) Wharton-Smith, Inc.; (2) Westra Construction Corporation and (3) Carollo Constructors, for the Guaranteed Maximum Price (GMP) of \$19,472,000.00, plus an additional contingency fee of \$2,500,000.00 to allow for modifications throughout the project and future expansions; with a substantial completion of May 29, 2007 and a final project completion of June 29, 2007. Also approve budget transfer from Utilities Reserve for Fund Balances in the amount of \$21,500,000.00 and amend FY 04/05 CIP for Improvements Construction.

**2. WHAT ACTION ACCOMPLISHES:** Provides Lee County with a Design/Build team for Three Oaks Wastewater Treatment Plant. The purpose of the proposed project is to expand the treatment capacity of the Three Oaks WWTP to approximately 6.0 MGD with the ability to expand to 9.0 MGD in the future.

**3. MANAGEMENT RECOMMENDATION:** Staff recommends approval.

**4. Departmental Category:** 10

*CION*

**5. Meeting Date:** *05-10-2005*

**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 Public Works  
 Division Utilities  
 By Rick Diaz, P.E., Director

**9. Background:** The Utilities Division submitted a request to Contracts Management to obtain design/build proposals for RFP-05-02 THREE OAKS WWTP EXPANSION PROJECT. Florida statutes required the use of a formal proposal process due to the expected cost of this service.

Step One of the Design/Build Process:

- Statements of Qualification (SOQ) were due on Thursday, March 10, 2005. A total of six SOQs were submitted by the established deadline date.
- The Qualification Selection Committee met on Wednesday, March 16, 2005. to short-list the qualified firms. The Qualification Selection Committee consisted of the following members: Rick Diaz, Chairman, Utilities Division Director, Tom Mamott, Project Manager, and Ivan Velez, Utilities Deputy Director. Invited Participants: Tom Hill, Utilities Operations Manager and Scott Coovert, Lee County Legal Advisor.
- The short-listed firms were: Carollo Constructors L.C.; Westra Construction Corp; and Wharton Smith, Inc.

**Continued on Page Two**

**10. Review for Scheduling:**

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
<i>J. Velez</i>	<i>J. Velez</i>	N/A	<i>DAZ</i>		Analyst	Risk	Grants	Aggr.	<i>J. Velez</i>
<b>11. Commission Action:</b> <input type="checkbox"/> Approved <input type="checkbox"/> Deferred <input type="checkbox"/> Denied <input type="checkbox"/> Other					Rec. by CoAtty Date: <i>4/27/05</i> Time: <i>10:15</i> Forwarded To: <i>[Signature]</i>		RECEIVED BY COUNTY ADMIN: <i>[Signature]</i> 4-27-05 mp. 10:50am COUNTY ADMIN FORWARDED TO: <i>[Signature]</i> 4/28/05 3PM		

Step Two of the Design/Build Process:

- All three (3) short-listed firms attended the two (2) Mandatory Pre-Bid meetings. They took place on Wednesday, March 23, 2005 at the Three Oaks WWTP site and on Monday, April 4, 2005 at the Community Development/Public Works Center.
- Technical/Price Proposals were due and submitted to the Qualification Selection Committee on Wednesday, April 13, 2005.
- Oral Presentations were conducted on Tuesday, April 19, 2005 by all three (3) short-listed firms.
- The Qualification Selection Committee met On Wednesday, April 20, 2005 to discuss and critique the oral presentations made on April 19, 2005; to publicly open the Price Proposals submitted on April 13, 2005 and to make the selection of the most qualified proposer.
- The Qualification Selection committee unanimously selected the proposer whose proposal was in the best interest for Lee County, Wharton-Smith, Inc.

**Through this Design/Build Process, Lee County was able to save \$16,400,000.00.**

Funds will be available in account string: 20728048713.506540

Attachments: Price Proposal Tab  
Proposer Ranking Sheet  
Wharton-Smith, Inc. Technical/Price Proposal  
Budget Transfer