

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

Blue Sheet No. 20051810

1. ACTION REQUESTED/PURPOSE:

Approve Change Order No. 1 to Boyle Engineering under CN-02-09 FT MYERS BEACH WWTP SEWAGE EFFLUENT FILTRATION, Contract No. 2617, for Value Engineering, Construction, Post Construction and Printing in the amount of \$98,716.00. This project was in the CIP and funds are available within the budget. Also, authorize Chairwoman to execute the Change Order.

2. WHAT ACTION ACCOMPLISHES:

The Change Orders provide Lee County with a consultant to provide several tasks usually assigned to a CM.

3. MANAGEMENT RECOMMENDATION: Staff recommends approval of the change order.

4. Departmental Category: 10.

CIOK

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 12-20**
 By: **Rick Diaz, P.E., Director**

9. Background:

On November 4, 2003, the Board of County Commissioners entered into a Professional Services Agreement with Boyle Engineering, under CN-02-09 FT MYERS BEACH WWTP SEWAGE EFFLUENT FILTRATION, for an amount of \$312,131.00.

The Utilities Division is requesting approval of Change Order #1, with Boyle Engineering under CN-02-09 Ft. Myers Beach WWTP Sewage Filtration. The Consultant will provide services under Change order #1 in the amount of \$98,716.00.

Funds are available in account string: 20726148732.506510
 Attachment: Three (3) original Change Orders 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			Analyst	Risk	Grants	Mgr.	<i>[Signature]</i>
					<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	12-20-05

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
 COUNTY ADMIN: *[Signature]*
 12-21-05
 11am
 COUNTY ADMIN
 FORWARDED TO:
 12/21/05
 10:55am

Rec. by CoAtty
 Date: 12/21/05
 Time: 10:05 AM
 Forwarded To:
 Co Admin
 12/21 11AM

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

Change Order
 Supplemental Task Authorization

NO.: 1

(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: FT MYERS BEACH WWTP SEWAGE EFFLUENT FILTRATION

CONSULTANT: BOYLE ENGINEERING

PROJECT NO.: CIP 20-7261

SOLICIT NO.: CN-02-09

CONTRACT NO.: 2617

ACCOUNT NO.: 20-7261-48712-506510

REQUESTED BY: G Semanisin

DATE OF REQUEST: NOVEMBER 7, 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: NOVEMBER 7, 2005
- EXHIBIT "CO/STA-B: COMPENSATION & METHOD OF PAYMENT: DATED: NOVEMBER 7, 2005
- EXHIBIT "CO/STA-C: TIME AND SCHEDULE OF PERFORMANCE: DATED: NOVEMBER 7, 2005
- EXHIBIT "CO/STA-D: CONSULTANT'S/PROVIDERS ASSOCIATED
SUB-CONSULTANT(S)/SUB-CONTRACTORS: DATED: NOVEMBER 7, 2005
- EXHIBIT "CO/STA-E: PROJECT GUIDELINES AND CRITERIA: DATED: NOVEMBER 7, 2005

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

RECOMMENDED: G Semanisin
By: [Signature] 12/20/05
Date: 12/20/05
Department Director

By: [Signature] 12/25/05
Date: 12/25/05
Contracts Mgmt

APPROVED:
By: _____
*County Attorney's Office Date

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

CMO:023
09/25/01

ACCEPTED:
Boyle Engineering Corporation
By: [Signature]
Consultant/Provider
Salvatore D'Angelo, PE, Reg.
Date Accepted: 11/16/05 Vice President

Corporate Seal

COUNTY APPROVAL:
By: _____
Department Director
(Under \$25,000)
Date Approved: _____

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

By: _____
Chairman
Board of County Commissioners
Date Approved: _____

- CHANGE ORDER AGREEMENT No. 1
or
 SUPPLEMENTAL TASK AUTHORIZATION No. _____

EXHIBIT "CO/STA-A"

Date: November 7, 2005

SCOPE OF PROFESSIONAL SERVICES

for FT MYERS BEACH WWTP SEWAGE EFFLUENT FILTRATION

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:

During development of the initial PSA agreement, it was assumed that this project would utilize a Construction Manager for construction. Since then, it was determined that the work would be best accomplished using a conventional construction bid process, therefore there is no CM involvement. Several tasks usually assigned to the CM now fall back onto the Designer.

4. PROCUREMENT SERVICES

Perform Value Engineering (VE) in conjunction with Owners operations staff, and after final design and permitting, evaluate alternate methods or systems which result in either cost savings over the life cycle of the new facility or cost/time/material savings during construction.

- a) VE revisions to civil plans
- b) VE revisions to structural plans.
- c) VE revisions to electrical plans.

5. CONSTRUCTION SERVICES

Additional Constructiion Phase Assistance activities to be performed:

- a) Resident engineer services during construction
- b) Electrical consultant construction inspection services.

6. POST CONSTRUCTION SERVICES

Develop testing and start-up methods with performance standards. The activities to be performed consist of the following sub-tasks:

- a) Develop testing and start-up methods along with performance standards

- b) Prepare an update of the County's O&M manuals for the treatment process. The O&M manuals shall include Installation, operation, and maintenance data for each new major equipment item and process. This information shall include the manufacturer's shop drawings, operating instructions, warranty, recommended spare parts and other relevant information.
- c) Process Instrumentation and Control System: The instrumentation and control system layout and strategies shall be mapped. Manual back-up and system over-ride sequences shall also be provided. Figures and diagrams shall be provided outlining the plant process instrumentation and control system.
- d) Up to four volumes of O&M manuals will be updated and shall consist of the items outlined above as well as four 24x36 set of as-built project drawings.
- e) Assist the County staff in the start-up and operator training of the plant. This task includes a total of 24 hours of start-up assistance.

7. PRINTING

Provide a not-to-exceed allowance for printing. Original contract anticipated that all copying and blueprinting would be performed by Construction Manager.

*Attach additional pages, if needed.

CHANGE ORDER AGREEMENT No. 01
 or
 SUPPLEMENTAL TASK AUTHORIZATION No. -

EXHIBIT "CO/STA - B"

Date: 2005 November 7,

COMPENSATION AND METHOD OF PAYMENT

for FT MYERS BEACH WWTP SEWAGE EFFLUENT FILTRATION

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.)
4A	VALUE ENGINEERING	\$15,286	NTE	WIPP
5A	CONSTRUCTION	\$67,222	NTE	WIPP
6	POST CONSTRUCTION	\$10,208	NTE	WIPP
7	PRINTING	\$6,000	NTE	WIPP
TOTAL		\$98,716		

(Unless list is continued on next page)

CHANGE ORDER AGREEMENT No. _____
or
 SUPPLEMENTAL TASK AUTHORIZATION No. _____

EXHIBIT "CO/STA-C"

Date: November 7, 2005

TIME AND SCHEDULE OF PERFORMANCE

for FT MYERS BEACH WWTP SEWAGE EFFLUENT FILTRATION

SECTION 2.00 SUMMARY OF THE IMPACT OF CHANGE(S) IN PROFESSIONAL SERVICES ON THE OVERALL PROJECT TIME AND SCHEDULE OF PERFORMANCE

Pursuant to and in consideration of the changes in the Scope of Professional Services in this CHANGE ORDER or SUPPLEMENTAL TASK AUTHORIZATION AGREEMENT, Exhibit "CO/STA-A", the time and schedule the COUNTY and the CONSULTANT, or SERVICE PROVIDER, has previously agreed to for all of the work to be done under this Professional Services Agreement, or Service Provider Agreement, shall be changed to be as follows:

Phase and/or Task Reference as Enumerated in EXHIBIT >A= and EXHIBIT >CO/STA-A=	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
1	PRELIMINARY DESIGN	42	42
2	FINAL DESIGN	133	175
3	PERMITTING SERVICES	N/A	N/a
4	PROCUREMENT SERVICES	56	N/a
5	CONSTRUCTION SERVICES	511	511
6	POST CONSTRUCTION SERVICES	60	571
7	PRINTING	N/A	N/A

CHANGE ORDER AGREEMENT No. 1

or

~~SUPPLEMENTAL TASK AUTHORIZATION No. _____~~

EXHIBIT "CO/STA - E"

Date: November 7, 2005

PROJECT GUIDELINES AND CRITERIA

for FT MYERS BEACH WWTP SEWAGE EFFLUENT FILTRATION

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:

BASIS FOR CHANGES

Change in Consultants duties during construction. Original contract anticipated that a Construction Manager would be retained to construct the project. Instead, the project will be built utilizing a conventional Competitive Bid Construction Contract. The Consultant will now have a more active role in protecting the Owner and increased oversight over the contractor and their sub-contractors.

ITEM No 4A – VALUE ENGINEERING.

Perform value engineering both pre-bid and post-bid. Value engineering includes savings in time and cost both during construction and over the life cycle of the facility and includes maintenance and durability issues.

ITEM No 5A – ADDITIONAL CONSTRUCTION SERVICES.

Provide additional site visits during construction. Work includes oversight of shop drawing submittals, response to RFI's and other services of the Resident engineer. Provide electrical engineer review and inspection during construction. Perform partial inspections, final inspections and punch-list.

ITEM No 6 – POST CONSTRUCTION SERVICES.

Perform start-up and close-out procedures with new equipment. Update O&M manuals. Integrate new systems with existing plant instrumentation software and revise control logic mapping.

ITEM No 7 – COPYING & PRINTING.

Provide an allowance for printing.

CMO:029
09/25/01