

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

Blue Sheet No. 20060200

1. ACTION REQUESTED/PURPOSE: Accept payment from North Point Lake, LLC as per their Development Agreement in the amount of \$4,067,170.00 into the Three Oaks South project (#4043). Also, approve Budget Amendment Resolution and transfers from District 8 Impact Fees in the amount of \$40,183, District 24 Impact Fees in the amount of \$2,209,817 and Gas Tax Reserves in the amount of \$750,000, amend the FY2005/06-2009/10 CIP accordingly. Award B-06-08 THREE OAKS PARKWAY SOUTH – BONITA BILL STREET TO EAST TERRY STREET, for the Department of Transportation, to the lowest responsive, responsible bidder meeting all bidding requirements, Posen Construction, for a total not-to-exceed amount of \$28,550,646.23, with a final completion time of 630 calendar days. Also, authorize Chairwoman to execute Contract on behalf of the Board. This CIP was anticipated and funds are available.

2. WHAT ACTION ACCOMPLISHES: Allows DOT to accept payment from North Point DRI and authorizes transfer of \$3 million into the Three Oaks South project and provides Lee County with a Contractor for 4.18 miles of new road construction, 4-lane curb and gutter expandable to six lanes in the future, three storm water ponds, 5 foot sidewalk and 8 foot sidewalk, street lighting and five sets of box culverts.

3. MANAGEMENT RECOMMENDATION: Approval recommended.

4. Departmental Category: 09 C9A		5. Meeting Date: 03-21-2006
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)	
	Statute _____	
	Ordinance _____	
	<input checked="" type="checkbox"/> Admin. Code AC-4-4	
	Other _____	
		8. Request Initiated: Commissioner _____ Department Transportation Division _____ By: Scott Gilbertson, Director

9. Background:
 A Development Agreement between Lee County and North Point Lake, LLC was executed on November 1, 2005, which required North Point Lake, LLC to pay the County \$4,067,170 to fulfill their mitigation protocol for transportation impacts of the North Point DRI. The payment has been received by the County and DOT requests that the funds be used for the construction of Three Oaks Parkway South. Funds were deposited into account 20404330700.363249.9004. A transfer of \$3 million is also being requested to cover increased construction costs.

The Department of Transportation submitted a request to Contracts Management to obtain bids for the Three Oaks Parkway South – Bonita Bill Street to East Terry Street. The anticipated cost of the project required the use of the formal advertised, sealed bid procedure.

On the bidding deadline of February 1, 2006, Contracts received four (4) bids. The bids have been reviewed the Department of Transportation, the projects' Consultant, Johnson Engineering, Inc., and it is being recommended that award be made to Posen Construction, for a not-to-exceed amount of \$28,550,646.23.

(continued on page 2)

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>[Signature]</i> 3-7-06	<i>[Signature]</i> 3/3	N/A	<i>[Signature]</i> 3/7/06	<i>[Signature]</i> 3/9/06	<i>[Signature]</i> 3/9/06	<i>[Signature]</i> 3/8/06	<i>[Signature]</i> 3/8/06	<i>[Signature]</i> 3/9/06	<i>[Signature]</i> 3-7-06

11. Commission Action:

Approved
 Deferred
 Denied
 Other

RECEIVED BY COUNTY ADMIN: 3-9-06 907 COUNTY ADMIN FORWARDED TO: 3/9/06 415	Rec. by CoAtty Date: 3/7/06 Time: 3:35 pm. Forwarded To: 3/8/06 Co. mgr.
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Page: 2
Subject: Three Oaks Parkway South

Funds are available in accounts: 20404318808.506540, 20404318824.506540, 20404330700.506540, 20404330709.506540.

Attachments: 1) Bid Tabulation Sheet
2) Award Recommendation from Johnson Engineering, Inc.
3) Award Recommendation from Lee County DOT

REQUEST FOR TRANSFER OF FUNDS

FUND NAME: Impact Fee-Southwest DATE: 03/06/06 BATCH NO.: _____

FISCAL YEAR: 05-06 FUND NO.: 18824 DOC. TYPE: YB LEDGER TYPE: BA

TO: _____
Capital Projects Transportation Capital Projects
 (Division Name) (Program Name)

NOTE: Please list the account number below in the following order:
 Business Unit (dept/div, program, fund, subfund); Object Account; Subsidiary; Subledger
 (Example: BB 5120100100.503450)

<u>Account Number</u>	<u>Object Name</u>	<u>DEBIT</u>
20404318808.506540	Improvement Construction	\$2,209,817

TOTAL TO: \$2,209,817

FROM: _____
Non-Dept Reserves
 (Division Name) (Program Name)

<u>Account Number</u>	<u>Object Name</u>	<u>CREDIT</u>
GC5890118824.509930	Res. For Future Cap. Outlay	\$2,209,817

TOTAL FROM: \$2,209,817

EXPLANATION: Transfer funds from District 24 Impact Fees to Three Oaks Parkway South for construction costs.

 DIVISION DIRECTOR SIGNATURE/DATE

[Signature] 3/8/06 anel
 DEPARTMENT HEAD SIGNATURE/DATE

DBO: APPROVAL DENIAL

[Signature] 3-9-06
 OPS. ANALYST SIGNATURE DATE

OPS. MGR.: APPROVAL DENIAL

[Signature] 3/9/06
 OPS. MGR. SIGNATURE DATE

CO. MGR.: APPROVAL DENIAL

 CO. MANAGER SIGNATURE DATE

BCC APPROVAL DATE: _____

 BCC CHAIRMAN SIGNATURE

BA. NO. _____ AUTH CODE _____ TRANS DATE _____

REQUEST FOR TRANSFER OF FUNDS

FUND NAME: Impact Fee-Bonita DATE: 03/06/06 BATCH NO.: _____

FISCAL YEAR: 05-06 FUND NO.: 18808 DOC. TYPE: YB LEDGER TYPE: BA

TO: Capital Projects Transportation Capital Projects
 (Division Name) (Program Name)

NOTE: Please list the account number below in the following order:
 Business Unit (dept/div, program, fund, subfund); Object Account; Subsidiary; Subledger
 (Example: BB 5120100100.503450)

<u>Account Number</u>	<u>Object Name</u>	<u>DEBIT</u>
20404318808.506540	Improvement Construction	\$40,183

TOTAL TO: \$40,183

FROM: Non-Dept Reserves
 (Division Name) (Program Name)

<u>Account Number</u>	<u>Object Name</u>	<u>CREDIT</u>
GC5890118808.509910	Res. For Contingencies	\$40,183

TOTAL FROM: \$40,183

EXPLANATION: Transfer funds from District 8 Impact Fees to Three Oaks Parkway South for construction costs.

 DIVISION DIRECTOR SIGNATURE/DATE

[Handwritten Signature] *3/5/06* *ahel*
 DEPARTMENT HEAD SIGNATURE/DATE

DBO: APPROVAL DENIAL

James K. Wolf *3-9-06*
 OPS. ANALYST SIGNATURE DATE

OPS. MGR.: APPROVAL DENIAL

Steve Long *3/9/06*
 OPS. MGR. SIGNATURE DATE

CO. MGR.: APPROVAL DENIAL

 CO. MANAGER SIGNATURE DATE

BCC APPROVAL DATE: _____

 BCC CHAIRMAN SIGNATURE

BA. NO. _____ AUTH CODE _____ TRANS DATE _____

RESOLUTION

Amending the Budget of Transportation Capital Improvements-Fund 30700 to incorporate the unanticipated receipts into Estimated Revenues and Appropriations for the fiscal year 2005-2006.

WHEREAS, in compliance with the Florida Statutes 129.06(2), it is the desire of the Board of County Commissioners of Lee County, Florida, to amend the Transportation Capital Improvements-Fund 30700 budget for \$4,067,170 of the unanticipated revenue from North Point Lake, LLC and an appropriation of a like amount for construction costs and;

WHEREAS, the Transportation Capital Improvements-Fund 30700 budget shall be amended to include the following amounts which were previously not included.

ESTIMATED REVENUES

Prior Total:		97,112,899
Additions		
20404330700.363249.9004	DRI-North Point	4,067,170
Amended Total Estimated Revenues		\$101,180,065

APPROPRIATIONS

Prior Total:		\$97,112,899
Additions		
20404330700.506540	Improvements Construction	4,067,170
20404330700.506540	Improvements Construction	750,000
GC5890130700.509910	Reserves for Contingencies	(750,000)
Amended Total Appropriations		\$101,180,065

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, Florida, that the Transportation Capital Improvements-Fund 30700 budget is hereby amended to show the above additions to its Estimated Revenue and Appropriation accounts.

Duly voted upon and adopted in Chambers at a regular Public Hearing by the Board of County Commissioners on this ____ day of _____, 2006.

ATTEST:
CHARLIE GREEN, EX-OFFICIO CLERK

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

BY: _____
DEPUTY CLERK

CHAIRWOMAN

APPROVED AS TO FORM

OFFICE OF COUNTY ATTORNEY

DOC TYPE YA
LEDGER TYPE BA

**LEE COUNTY BID TABULATION SHEET
FOR
THREE OAKS PARKWAY SOUTH**

BID NO.: B-06-08 **DATE: 02/01/06**

CONTRACTOR	BID BOND	TOTAL NOT-TO-EXCEED AMOUNT
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Posen Construction Steven Funck 50500 Design Lane Shelby Township, MI 48315 Phone 586-731-8442 Fax 586-731-2690	\$1,200,000.00	\$28,550,646.23
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John Carlo, Inc. Steve Monks 16520 So. Tamiami Trail Ft. Myers, FL 33908 Phone 239-481-1643 Fax 239-482-7327	\$1,200,000.00	\$33,321,944.45
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Guymann Construction, Inc. Fred Russell 5686 Youngquist Road Ft. Myers, FL 33912 Phone 239-481-6545 Fax 239-481-9255	\$1,200,000.00	\$34,897,424.22
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Phoenix Construction Services, Inc. Ron Golinowsky 2159 Andrea Lane, Unit D-4 Ft. Myers, FL 33912 Phone 239-985-0052 Fax 239-985-0288	\$1,200,000.00	\$28,950,000.00
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February 6, 2006

Nicole Maxey, P.E.
Lee County Department of Transportation
P.O. Box 398
Fort Myers, FL 33902

**Re: Three Oaks Parkway
Bid Recommendation**

Dear Nicole:

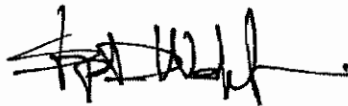
As requested, we have reviewed the bid tabulation for Three Oaks Parkway.

In review of the unit prices indicated for the individual construction items we believe the bid as provided by Posen Construction to be a reasonable bid, reflective of current construction costs for this area. In addition, our review indicates their unit prices are in general agreement with that of the other bidders on this project, indicating no inconsistencies within their overall bid price.

Should you have any questions or comments, please do not hesitate to contact me.

Sincerely,

JOHNSON ENGINEERING, INC.



Stephen D. Webb, P.E.
Project Manager

Crone, Lisa H.

From: Maxey, Nicole C.
Sent: Wednesday, February 08, 2006 8:41 AM
To: Crone, Lisa H.
Subject: RE: Three Oaks - Bid Review & Recommendation

Lisa,

Lee County DOT concurs with the recommendation made by Johnson Engineering regarding the awarding of the bid to Posen Construction. Please prepare the bluesheet for routing to the BOCC for approval of the contract.

Thanks,
Nicole

Nicole C. Maxey, P.E.
Lee County Department of Transportation
1500 Monroe Street
Fort Myers, FL 33901
(239) 479-8569
(239) 479-8520 Fax
www.lee-county.com

From: Crone, Lisa H.
Sent: Wednesday, February 08, 2006 8:40 AM
To: Maxey, Nicole C.
Subject: RE: Three Oaks - Bid Review & Recommendation

Thanks. If you could just drop me a note that you concur with the recommendation, I will get with Eileen on the Blue Sheet.

From: Maxey, Nicole C.
Sent: Wednesday, February 08, 2006 8:29 AM
To: Crone, Lisa H.
Subject: FW: Three Oaks - Bid Review & Recommendation

Lisa,

Here is the letter of recommendation from Johnson Engineering.

Nicole C. Maxey, P.E.
Lee County Department of Transportation
1500 Monroe Street
Fort Myers, FL 33901
(239) 479-8569
(239) 479-8520 Fax
www.lee-county.com

From: Jennifer Chapman [mailto:jchapman@johnsoneng.com]
Sent: Monday, February 06, 2006 4:22 PM
To: Maxey, Nicole C.
Cc: Steve Webb

2/16/2006