

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

Blue Sheet No. 20060393

1. ACTION REQUESTED/PURPOSE:

Approve Addendum to the Construction Manager Agreement (Contract #3220) for the project known as RFQ-05-09 TEN MILE LINEAR PARK PHASE II, to Lodge Construction, Inc., with a Guaranteed Maximum Price of \$1,643,109.00 (includes CM fee of \$114,635.00 or 7.5%). At this time it is being requested that the Board approve waiving of the formal process (if needed) and authorize the use of the Direct material Purchase Orders as provided for in the CM Agreement with Lee County, which allows the County to purchase directly from suppliers of equipment and/or materials as a cost/time saving measure. Also authorize Chairwoman to execute Addendum upon receipt. This project was in the CIP and funds are available within the budget.

2. WHAT ACTION ACCOMPLISHES:

Allows for the Construction Manager to provide Construction Management services for construction of bike path, pedestrian bridges, shelters and landscaping along the Ten Mile Canal between Daniels Parkway and Crystal Drive.

3. MANAGEMENT RECOMMENDATION: Staff recommends approval

4. Departmental Category: 2. C2A		5. Meeting Date: 04-11-2006
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 Public Works Division Construction & Design By: Jim Lavender, Director

Background:

On August 16, 2005, the Board of County Commissioners approved the award of RFQ-05-09 TEN MILE LINEAR PARK PHASE II, to Lodge Construction for the sum of seven and a half (7.5%) percent of the total construction cost of the project. As approved under that blue sheet the Guaranteed Maximum Price (GMP) would be brought back for Board approval.

Therefore, it is being recommended that the Board approve an Addendum to the Construction Manager Agreement (Contract #3220) for the project known as RFQ-05-09 TEN MILE LINEAR PARK PHASE II, to Lodge Construction, Inc., with a Guaranteed Maximum Price of \$1,643,109.00 (includes CM fee of \$114,635.00 or 7.5%).

In order for the County to take advantage of saving the sales tax and as a time saving measure we are requesting authorization to purchase materials from various vendors selected by the construction manager and the County.

Funds are available in account: 20200118700.506540

Attachments: (1) Letter from Lodge Construction dated February 28, 2006

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>J. Lavender</i>		N/A		<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>		<i>[Signature]</i>
					3/25/06	3/29/06	3/29/06		3-27-06

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: <i>[Signature]</i>
3/25/06
4/2/06
COUNTY ADMIN FORWARDED TO: <i>[Signature]</i>
3/30/06
<i>[Signature]</i>

Rec. by CoAtty
Date: 3/28/06
Time: 10:35 AM
Forwarded To: Co. Dir. <i>[Signature]</i>
3/28/06



LODGE CONSTRUCTION, INC.

Contractors · Construction Managers · Design Builders

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(239) 332-4371

Fax (239) 332-0218

E-mail: info@LodgeConstruction.com

LodgeConstruction.com

February 28, 2006

Mr. Ayoub Al-Bahou, P.E.
Lee County Planning and Construction
1500 Monroe Street
4th Floor
Fort Myers, Fl 33901

Re: Contract Amendment letter
Project Name: Ten Mile Canal Linear Park *#2*

Dear Mr. Ayoub Al-Bahou:

Below you will find the adjustment to the contract relative to the GMP and the referenced Contract Articles.

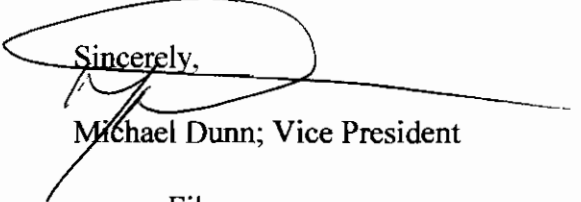
The GMP for the project, Ten Mile Canal Linear Park shall be One million six hundred and forty three thousand one hundred and nine.....00/100 dollars \$1,643,109.00.

(See attach Break Down of GMP Summary)

CM's Compensation. The Owner agrees to pay the CM as compensation for all it's services and work provided for hereunder, including pre-construction and construction services and work, the sum of One hundred and fourteen thousand six hundred and thirty five dollars.....00/100 or 7.50% of the total GMP, plus reimbursable cost as provided for in Exhibit B. Provided that additional CM fee is not due CM, the amount of \$114,635.00 shall represent the entire fee due CM, irrespective of the actual cost of the project as reflected by the Guaranteed Maximum Price (GMP) established by the CM

In the event that the construction schedule is extended by agreement of the Owner and CM due to changes in the project requested by the Owner, CM shall be entitled to additional CM fee of \$19,105.84 per calendar month or \$636.87 per calendar day beyond such period less any fee increase.

Sincerely,


Michael Dunn; Vice President

cc: File