

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

Blue Sheet No. 200⁷0057

1. ACTION REQUESTED/PURPOSE: Approve Supplemental Task Authorization No. 7, under CN-04-14 MISCELLANEOUS UTILITY ENGINEERING DESIGN AND/OR INSPECTION SERVICES for the project known as Lee County Utilities Water and Sewer Engineer of Record, Contract #2922, to Malcolm Pirnie, Inc., in the amount of \$126,500.00. Authorize Chairman execute STA on behalf of the Board.

2. WHAT ACTION ACCOMPLISHES: The Consultant will continue to provide professional engineering services for physical inspection of facilities, review operations for conformance to regulations, review insurance requirements, and evaluate rate and charges with Bond Covenants as necessary to prepare an annual report with evaluation and recommendations for the Lee County Utilities Water and Sewer Engineer of Record.

3. MANAGEMENT RECOMMENDATION: Approval recommended.

4. Departmental Category: 10. Utilities C106		5. Meeting Date: January 23, 2007
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)	
	<input type="checkbox"/> Statute	
	<input type="checkbox"/> Ordinance	
	<input checked="" type="checkbox"/> Admin. Code	AC-4-4
	<input type="checkbox"/> Other	
		8. Request Initiated: Commissioner _____ Department Public Works Division Utilities By: Douglas L Meurer, Director <i>[Signature]</i> For D. Meurer 1-10-07

9. Background:

On August 18, 2004, the Board of County Commissioners approved the award of CN-04-14 Miscellaneous Utility Engineering Design and/or Inspection Services to a total of nineteen (19) firms. Approval is required for STA #7, Contract 2922, under CN-04-14 MISCELLANEOUS UTILITY ENGINEERING DESIGN AND/OR INSPECTION SERVICES, for the project known as "Lee County Utilities Water and Sewer Engineer of Record", in the amount of \$126,500.00, to Malcolm Pirnie Inc. Also authorize Chairwoman to execute STA #7 on behalf of the Board.

Funds are available in account # OD5360648700.503190 (50%) and OD5366248700.503190 (50%)

Attachments: 1. STA #7 for execution (3 ORIGINALS)

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> 1-10-07	<i>[Signature]</i> 1-10-07	N/A		S. Baum 1/11/07	<i>[Signature]</i> 1-11-07	<i>[Signature]</i> 1-11-07	<i>[Signature]</i> 1/11/07	<i>[Signature]</i> 1/11/07	<i>[Signature]</i> 1-10-07

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN:
1/11 9:15 mp
COUNTY ADMIN FORWARDED TO:
1/11 4:00 PR

Rec. by CoAtty
Date: 1/10/07
Time: 4:45pm
Forwarded To:
1/11/07
8:30am

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

Change Order
 Supplemental Task Authorization

NO.: 7

(A Change Order or Supplemental Task Authorization Requires Approval by the Department Director for Expenditures Under \$50,000 or Approval by the County Manager for Expenditures Between \$50,000.01 and \$100,000 or Approval by the Board of County Commissioners for Expenditures over \$100,000)

CONTRACT/PROJECT NAME: Lee County Water and Sewer Engineer of Record FY 06-07

CONSULTANT: Malcolm Pirnie, Inc. PROJECT NO.: _____

SOLICIT NO.: CN-04-14 CONTRACT NO.: 2922 ACCOUNT NO. _____

REQUESTED BY: Douglas Meurer, P.E. DATE OF REQUEST: November 7, 2006

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, 2006

EXHIBIT "CO/STA-B" COMPENSATION & METHOD OF PAYMENT: DATED: November 7, 2006

EXHIBIT "CO/STA-C" TIME AND SCHEDULE OF PERFORMANCE: DATED: November 7, 2006

EXHIBIT "CO/STA-D" CONSULTANT'S/PROVIDERS ASSOCIATED
SUB-CONSULTANT(S)/SUB-CONTRACTORS: DATED: November 7, 2006

EXHIBIT "CO/STA-E" PROJECT GUIDELINES AND CRITERIA DATED: November 7, 2006

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

RECOMMENDED:
By: [Signature] 11-14-2006
Date
Department Director

ACCEPTED
By: [Signature]
Date Accepted: 11-8-06
Consultant/Provider

COUNTY APPROVAL:
By: _____
Date Approved: _____
Department Director (Under \$50,000)

By: [Signature] 1-10-07
Date
Contracts Management

(CORPORATE SEAL)

By: _____
Date Approved: _____
County Manager
(Between \$50,000.01 and \$100,000)

APPROVED: _____
*County Attorney's Office Date

Date Approved: _____
By: _____
Chairwoman
Board of County Commissioners
(Over \$100,000)
Date Approved: _____

* County Attorney signature needed for
over Board level expenditures only



CMO:023
03/14/2006

CHANGE ORDER AGREEMENT No. _____

or

SUPPLEMENTAL TASK AUTHORIZATION No. 7

EXHIBIT "CO/STA-A"

Date: November 7, 2006

SCOPE OF PROFESSIONAL SERVICES

for Lee County Utilities Water and Sewer Engineer of Record FY 06-07

(Enter Project Name from Page 1 of the
Change Order or Supplemental Task Authorization)

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:

See Attachment No. 1

*Attach additional pages, if needed.

ATTACHMENT NO. 1

SCOPE OF PROFESSIONAL SERVICES

SECTION 1 - GENERAL SCOPE STATEMENT

The CONSULTANT shall provide and perform professional which constitutes the GENERAL SCOPE of the BASIC SERVICES under the covenants, terms, and provisions of this SUPPLEMENTAL TASK AUTHORIZATION NO. 7:

This project requires the Consultant to provide Professional Engineering Services for physical inspection of facilities, review operations for conformance to regulations, review insurance requirements and evaluate rates and charges for compliance with Bond Covenants as necessary to prepare an annual report, and the preparation of the Annual Report with evaluations and recommendations. Also, the consultant may be required to provide miscellaneous services for the Utility Department.

This Supplemental Task Authorization No. 7 covers a one-year period commencing on October 1, 2006 and ending on September 30, 2007. The work scope and corresponding not-to-exceed budget for STA-7 is \$126,500.

SECTION 2 - TASKS

Pursuant to the GENERAL SCOPE of the BASIC SERVICES stated herein above, the CONSULTANT shall perform all services and/or work necessary to complete the following task(s) and/or provide the following item(s) which are enumerated to correspond to the task(s) and/or items set forth in EXHIBIT "B" entitled "COMPENSATION AND METHOD OF PAYMENT".

TASK 100 - ANNUAL COMPREHENSIVE REPORT FOR FISCAL YEAR 2006

The Annual Comprehensive Report will be a single document prepared to provide an overview of the Water and Sewer systems and to evaluate the County's compliance with certain bond convenient provisions related to the Consulting Engineer for Fiscal Year (FY) 2005-06, beginning on October 1, 2005. Ten (10) copies of the draft report will be submitted to the Director of the Division of Lee County Utilities (Director) for his review. The final report will reflect comments of the Director of the Department of Public Works. Twenty (20) copies of the final report will be submitted following acceptance by the Board of the Lee County Commissioners of the annual report of the Lee County Water and Sewer System. The work of the Consultant shall address the following items in order to make recommendations for maintenance, insurance, operation and repair:

PHYSICAL INSPECTION

This task is essentially the annual field inspection of the Water and Sewer System component by the Engineer. The physical condition of the system is determined.

A. Water System

1. Walk-through physical inspection of the major water facilities, including wells, water treatment plants, storage tanks and pumping facilities
2. Comment and make recommendations concerning operations, maintenance and renewal, repair and replacement needs.
3. Review and comment on selected reports and records, including water treatment plant monthly operating reports.
4. Prepare a list of deficiencies encountered and make recommendations of the required improvements to correct such deficiencies to bring facilities into compliance with contractual requirements and industry standards.
5. Calculate and discuss the amount of unaccounted-for-water.
6. Calculate and discuss capacity utilization of the system.
7. Make recommendations on Capital Improvement Projects needed for the next five (5) years.

B. Wastewater System

1. Walk-through physical inspection of the major wastewater facilities, including major lift stations, selected manhole/sewers and wastewater treatment plants.
2. Comment and make recommendations concerning operation, maintenance and renewal, repair and replacement needs.
3. Review and comment on selected reports and records, including wastewater treatment plant monthly operating reports.
4. Prepare a list of deficiencies encountered and make recommendations of the required improvements to correct such deficiencies to bring facilities into compliance with contractual requirements and industry standards.
5. Calculate and discuss capacity utilization of the system.
6. Make recommendations on Capital Improvement Projects needed for the next five (5) years.

COMPLIANCE WITH REGULATORY REQUIREMENTS

This task provides an opinion on the compliance or noncompliance of the system operations with various local, regional, state and federal regulatory requirements placed upon the County's utility system.

- A. List water and sewer operations requirements.
- B. Compare system operations with requirements.
- C. Review permit records and comment on compliance with operations permits.

INSURANCE (WATER AND WASTEWATER SYSTEMS)

This task reviews and comments upon the type and level of insurance carried. Includes a review of property insurance only, not liability, or opinions regarding insurance types and premiums.

- A. Identify items to be covered.
- B. Review existing coverage.
- C. Comment and recommend as appropriate.

REVIEW OF COMPLIANCE WITH BOND COVENANTS

This task addresses compliance with the fiscal provisions of the bond resolution of the water and sewer systems.

- A. Determine if rates and charges have been sufficient to provide for and pay operation and maintenance expenses and the required debt service with coverage based on input from the County's rate consultant. Make comments or recommendations concerning the need for future rate studies.
- B. Review the Renewal and Replacement Account payments.
- C. Review with the Director of the Division of Lee County Utilities and discuss the compliance of any sale of any components of the water and sewer systems with the provisions of the bond resolution.
- D. Determine whether the sale of any additional pari passu bonds has met the requirements of the bond resolution.
- E. Review with the Director of the Division of Lee County Utilities and discuss the compliance of the County's utility system regarding the rendering of any free service of any nature.

ANNUAL REPORT PREPARATION

This task presents the most important findings in a written report.

- A. Summarize major events in the water and sewer system during the Fiscal Year.
- B. Summarize highlights of the annual fiscal and physical inspection of the water and sewer system.
- C. Provide an overview of the administration and management of the utility.
- D. Incorporate into the report, as an appendix, the Financial Tables to be furnished by the County as required by Florida Statute 153.
- E. Make recommendations as appropriate based upon the level of detail of the report.

TASK 200 - ADDITIONAL SERVICES

Upon verbal or written authorization from the Utilities Director the Engineer shall provide additional services, which may include the following:

Conduct technical engineering analyses, evaluations and reviews, general consultation, and presentations, as authorized in writing by the Director of the Division of Lee County Utilities or his designee, of relevant issues concerning the operation, maintenance or construction improvements of the water and sewer system.

The scope and fees for additional services will be determined when such services are authorized.

TASK 300 – EMERGENCY SERVICES

Upon verbal or written authorization from the Utilities Director the Engineer shall provide emergency services. The scope and fees for such services will be determined when such services are authorized.

CHANGE ORDER AGREEMENT No.
or
 SUPPLEMENTAL TASK AUTHORIZATION No. 7_

EXHIBIT "CO/STA-B"

Date: Nov 7, 2006

COMPENSATION AND METHOD OF PAYMENT

for Lee County Utilities Water and Sewer Engineer of Record FY 06-07

(Enter Project Name from Page 1 of the
Change Order or Supplemental Task Authorization)

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.)
100	Engineer of Record Annual Report	\$126,500	NTE	
200	Additional Services	TBD		
300	Emergency Services	TBD		
TOTAL		\$126,500	NTE	

(Unless list is continued on next page)

CHANGE ORDER AGREEMENT No. _____

or

SUPPLEMENTAL TASK AUTHORIZATION No. 7

SECTION 2.00 SUMMARY OF CHANGE(S) IN COMPENSATION

Pursuant to and in consideration of the change(s) in the Scope of Professional Services set forth in the CHANGE ORDER or AGREEMENT, Exhibit "CO/STA-A", the compensation the COUNTY has previously agreed to pay to the CONSULTANT, or SERVICE PROVIDER, as set forth in Exhibit "B" of the Professional Services Agreement, or Service Provider Agreement, shall be changed to be as follows:

Section/Task Number	Section/Task Name	Compensation In the Basic Agreement	Adjustment(s) by Previous CO or STA Nos. 1-6	Adjustment(s) Due to this CO or STA	Summary of Changed Compensation
STA-1	VA Update		\$42,000		\$42,000
STA-2	WW System Master Plan		\$350,000		\$350,000
STA-3	Lee County WTE Facility		\$283,347		\$283,347
STA-4	VA Update		\$49,000		\$49,000
STA-5	Olga WTP Phase 1 & 2 CEI Svcs		\$187,000		\$187,000
STA-6	I&I Evaluations		\$240,000		\$240,000
STA-7	LCU Water & Sewer Engineer of Record			\$126,500	\$126,500
TOTAL			\$1,151,347	\$126,500	\$1,277,847

ATTACHMENT No. 1 TO EXHIBIT B

Date: November 7, 2006

CONSULTANT'S PERSONNEL HOURLY RATE SCHEDULE***

For: Lee County Water and Sewer Engineer of Record

Consultant or Sub-Consultant Name: _____ Malcolm Pirnie, Inc.

(A separate Attachment No. 1 should be included for each Sub-Consultant)

(1) Project Position or Classification (Function to be Performed)	(2) Current Direct* Payroll Average Hourly Rate	(3) Multiplier**	(4) Hourly Rate to be Charged (Column 2x3)
Project Officer			\$241
Senior Associate / Senior Project Manager			\$192
Associate / Project Manager			\$176
Senior Project Engineer Scientist / Technician / Professional			\$157
Project Engineer / Scientist / Technician / Account Mgr.			\$143
Engineer / Technician / Scientist / Professional / Account Spec.			\$130
Technical / Administrative Support			\$88

NOTE:

- * Direct Payroll hourly rate means the actual gross hourly rate paid.
- ** Indicate applicable multiplier for indirect personnel costs, general administrative and overhead costs, and profit
- *** A separate personnel hourly rate schedule should also be attached for each Sub-Consultant listed in Exhibit "D".

CHANGE ORDER AGREEMENT No. _____

SUPPLEMENTAL TASK AUTHORIZATION No. 7

EXHIBIT "CO/STA-C"

Date: November 7, 2006

TIME AND SCHEDULE OF PERFORMANCE

for Lee County Utilities Water and Sewer Engineer of Record FY 06-07

(Enter Project Name from Page 1 of the
Change Order or Supplemental Task Authorization Agreement)

SECTION 1.00 CHANGES FOR THIS CHANGE ORDER OR SUPPLEMENTAL TASK AUTHORIZATION AGREEMENT

The time and schedule of completion for the various phases or tasks required to provide and perform the services, tasks, or work set forth in this CHANGE ORDER or SUPPLEMENTAL TASK AUTHORIZATION AGREEMENT, Exhibit "CO/STA-A", entitled "Scope of Professional Services" attached hereto is as follows:

Phase and/or Task Reference as Enumerated in EXHIBIT <input type="checkbox"/> A <input type="checkbox"/>	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 For this CO or STA
100	Engineer of Record Annual Report	365	
200	Additional Services	365	
300	Emergency Services	365	

CHANGE ORDER AGREEMENT No. _____

SUPPLEMENTAL TASK AUTHORIZATION No. 7

EXHIBIT "CO/STA-C"

Date: November 7, 2006

TIME AND SCHEDULE OF PERFORMANCE

for Lee County Utilities Water and Sewer Engineer of Record FY 06-07

(Enter Project Name from Page 1 of the Change Order or Supplemental Task Authorization Agreement)

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 <input type="checkbox"/> A <input type="checkbox"/> and EXHIBIT <input type="checkbox"/> CO/STA-A <input type="checkbox"/>	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
	None		

CHANGE ORDER AGREEMENT No. _____
 SUPPLEMENTAL TASK AUTHORIZATION No. 7

EXHIBIT "CO/STA-D"

Date: November 7, 2006

CONSULTANT'S, OR SERVICE PROVIDER'S, ASSOCIATED SUB-CONSULTANT(S) AND SUBCONTRACTOR(S)

for Lee County Utilities Water and Sewer Engineer of Record FY 06-07

(Enter Project Name from Page 1 of the Change Order or Supplemental Task Authorization Agreement)

CONSULTANT, or SERVICE PROVIDER, intends to engage the following sub-consultant(s) and/or sub-contractor(s) to assist the CONSULTANT, or SERVICE PROVIDER, in providing and performing the services, tasks, or work required under this CHANGE ORDER, or SUPPLEMENTAL TASK AUTHORIZATION AGREEMENT.

(If none, enter the word "none" in the space below.)

Service and/or Work to be Provided or Performed	Name and Address of Individual or Firm	Disadvantaged, Minority or Women Business Enterprise, (If Yes, Indicate Type)			Sub-Consultant Services are Exempted from Prime Consultant=s Insurance Coverage	
		Yes	No	Type	Yes	No
	NONE					

CHANGE ORDER AGREEMENT No. _____

or

SUPPLEMENTAL TASK AUTHORIZATION No. 7

EXHIBIT "CO/STA-E"

Date: November 7, 2006

PROJECT GUIDELINES AND CRITERIA

for Lee County Utilities Water and Sewer Engineer of Record FY 06-07

(Enter Project Name from Page 1 of the
Change Order or Supplemental Task Authorization Agreement)

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:

(If none, enter the word "None" in the space below.)

ITEM No. 1

None

CMO:029
09/25/01