

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


**Blue Sheet No. 20070614**

**1. ACTION REQUESTED/PURPOSE:** Approve Supplemental Task Authorization (STA) #2 under CN-06-12 Miscellaneous Professional Services, with Stanley Consultants, Inc., Contract No.3597, for the project known as Ten Mile Canal Best Management Practice, in the amount of \$115,267.00. Authorize Chairman to execute STA on behalf of the Board.

**2. FUNDING SOURCE:** Fund-Capital Improvement Fund; Program-CIP Program; Projects- Ten Mile Canal Improvements and Ten Mile Canal Filter Marsh.

**3. WHAT ACTION ACCOMPLISHES:** Provides a Consultant to perform design and permitting services for the Ten Mile Canal Management Practice.

**4. MANAGEMENT RECOMMENDATION:** Approve

<b>5. Departmental Category:</b> <u>CSD</u>		<b>6. Meeting Date:</b> <u>MAY 01 2007</u>
<b>7. Agenda:</b> <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input type="checkbox"/> Public <input type="checkbox"/> Walk-On	<b>8. Requirement/Purpose: (specify)</b>	
	<input type="checkbox"/> Statute	
	<input type="checkbox"/> Ordinance	
	<input checked="" type="checkbox"/> Admin. Code <u>AC-4-4</u>	
	<input type="checkbox"/> Other	
		<b>9. Request Initiated:</b> Commissioner _____ Department <u>Public Works</u> Division <u>Natural Resources</u> By: <u>Roland Ottolini, Director</u> 

**10. Background:**  
 On June 20, 2006, the Board approved the award of CN-06-12 MISCELLANEOUS PROFESSIONAL SERVICES with a total of nineteen (19) Consultant firms for a contract period of two (2) years with the option of renewal for one (1) additional year. Stanley Consultants, Inc. is one of the selected firms.

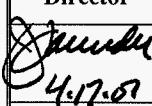
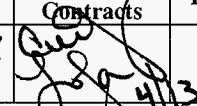
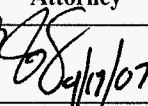

We are requesting approval of Supplemental Task Authorization (STA) No.2 with Stanley Consultants, Inc., to perform design and permitting services for the Ten Mile Canal Best Management Practice in the amount of \$115,267.00.

Funds are available in the following accounts:

20859430100.506510 \$75,000.00  
 20296530100.506510 \$40,267.00

Attachments: 1) Three (3) Supplemental Task Authorizations for execution.

**11. Review for Scheduling:**

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
 4.17.07	 4/13		<u>N/A</u>	 4/17/07	<u>4/19/07</u>	<u>4/19/07</u>	<u>4/19/07</u>	<u>4/19/07</u>	 4.17.07

**12. Commission Action:**

- Approved
- Deferred
- Denied
- Other

Rec. by CoAtty  
 Date: 4/17/07  
 Time: 1:25pm  
 Forwarded To:  
4/17/07  
4:45pm

RECEIVED BY  
 COUNTY ADMIN: PK  
4/18/07  
9am  
 COUNTY ADMIN  
 FORWARDED TO: PK  
4/19/07  
2:15pm

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

Change Order  
 Supplemental Task Authorization

NO.: 02

(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: Miscellaneous Professional services / Ten Mile Canal BMPs

CONSULTANT: Stanley Consultants, Inc. PROJECT NO.: 19473.02 2965 & 8594

SOLICIT NO.: CN-06-12 CONTRACT NO.: 3597 ACCOUNT NO. 20859430100. 506510 \$75,000  
20296530100. 506510 \$40,267

REQUESTED BY: Lee Department of Natural Resources DATE OF REQUEST: March 13, 2007

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: March 13, 2007
- EXHIBIT "CO/STA-B" COMPENSATION & METHOD OF PAYMENT: DATED: March 13, 2007
- EXHIBIT "CO/STA-C" TIME AND SCHEDULE OF PERFORMANCE: DATED: March 13, 2007
- EXHIBIT "CO/STA-D" CONSULTANT'S/PROVIDERS ASSOCIATED SUB-CONSULTANT(S)/SUB-CONTRACTORS: DATED: March 13, 2007
- EXHIBIT "CO/STA-E" PROJECT GUIDELINES AND CRITERIA DATED: March 13, 2007

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

RECOMMENDED:	ACCEPTED	COUNTY APPROVAL:
By: <u>[Signature]</u>	By: <u>Bennett Reinherz</u>	By: _____
Department Director	Consultant/Provider <u>Sr. V.P.</u>	Department Director (Under \$50,000)

By: <u>Cindy [Signature]</u>	Date Accepted: _____	Date Approved: _____
Contracts Management		
<u>4/12/07</u>		
Date		

(CORPORATE SEAL)

By: \_\_\_\_\_  
County Manager  
(Between \$50,000.01 and \$100,000)

APPROVED: \_\_\_\_\_ Date Approved: \_\_\_\_\_

\*County Attorney's Office \_\_\_\_\_ Date \_\_\_\_\_

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

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

CHANGE ORDER AGREEMENT No. \_\_\_\_\_

or

SUPPLEMENTAL TASK AUTHORIZATION No. 02

EXHIBIT "CO/STA-A"

Date: March 13 2007

SCOPE OF PROFESSIONAL SERVICES

for: CN-06-12 / Ten Mile Canal BMPs

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:

The intent of this Supplemental Task Authorization is to provide design and permitting services and associated tasks for a one (1) mile segment of the Ten Mile Canal in Lee County, Florida. The project is located within the Six Mile Cypress Slough basin. The project spans from Hanson Street to approximately one (1) mile south to the double cell box culvert.

TASK 1.00 DESIGN AND PERMITTING SERVICES

- 1.1 The ENGINEER will review COUNTY data on the Ten Mile Canal (canal segment and drainage system) including existing as-built and right-of-way survey (where available), water control structures including bridge and road crossing data, County issued permit data, and County stormwater discharge criteria. SFWMD basin drainage criteria for the Ten Mile Canal in addition to water quality and flow criteria for Mulloch Creek and Estero Bay, where available, shall be identified. The ENGINEER will review and summarize information obtained from the County, SFWMD and USGS surface and groundwater monitoring network to establish existing conditions for hydrology and water quality.
- 1.2 The ENGINEER will review the existing SFWMD stormwater and consumptive use permits issued for the project vicinity.
- 1.3 The ENGINEER will perform field investigations of the existing vegetation within the project area. The survey boundary is the north-south limits of Hanson Street to one (1) mile south, east to the County right-of-way limit parallel to the Seminole Gulf Railway and west to the County right-of-way limit parallel to Palm Avenue. The scope of services for the vegetation assessment shall include:
  - Wetlands will be delineated following State jurisdictional criteria.
  - Functional assessment and mitigation of wetland impacts shall be performed by application of the UMAM Method.
  - Wetland boundaries shall be staked and flagged for topographical survey.
- 1.4 A topographic and hydrographic survey of the one (1) mile canal segment will be performed by our sub-consultant, Cooner & Associates. The survey boundary is the north-south limits of Hanson Street to one (1) mile south, east to the County right-of-way limit parallel to the Seminole Gulf Railway and west to the County right-of-way limit parallel to Palm Avenue. The survey scope of services shall include:
  - Horizontal and vertical control and survey baseline shall be established. Full cross-sections will be established at 250 ft. intervals along the entire canal

segment.

- The survey shall locate and identify invert elevation and size of culverts at one (1) mile south of Hanson Street and all major drainage features including pipe outfalls associated with the canal segment.
- Where applicable, the survey shall also locate and provide data for bridge and roadway crossing features.
- If during the survey, significant topographic variation occurs, then the survey shall include additional cross-sections to identify this variation.
- Cross-sectional information shall include all major features and the hydrographic portion shall identify the water surface elevation, sediment layer and point of refusal.
- The survey shall be tied to the County right-of-way points and monuments, where available. If the County right-of-way is not available for use by the ENGINEER, then the project survey shall establish the County right-of-way for purposes of identifying the limits of construction on the engineering design plans and specifications.
- The surveyor shall provide the information in both digital (CADD and DTM) and hard copy formats (11X17).
- The survey shall also record X, Y and Z data for the wetland jurisdictional delineation limits and soil boring locations.

1.5 Geotechnical investigations will be performed by our sub-consultant, Dunkelberger Engineering & Testing, Inc. (DET). The geotechnical exploration boundary is the north-south limits of Hanson Street to one (1) mile south, east to the County right-of-way limit parallel to the Seminole Gulf Railway and west to the County right-of-way limit parallel to Palm Avenue. The geotechnical scope of services shall include:

- Subsurface exploration at the project site shall include ten (10) Standard Penetration Test (SPT) borings along the east and west embankments to a depth of 25 ft. below existing grade at 1,000 ft. intervals. The geotechnical summary shall specify construction methodology for re-shaping the embankments to establish a littoral zone component of the stormwater BMP design.
- In each SPT boring, samples will be collected and SPT resistances measured continuously for the top 10 ft. and on intervals of 5 ft. thereafter.
- All SPT borings shall be flagged for field identification by the topographic survey.
- Materials collected will be tested in the laboratory using the Unified Soil Classification System and limited testing on compressive strength and permeability shall also be performed.
- A limited amount (5) of auger samples will be taken from the channel bottom to identify sediment properties including chemical, elutriate analysis and settling velocities.
- The geotechnical survey and summary of results shall also address the extent of exposed cap rock along the embankments, provide an estimate of its spatial extent within the canal bottom and recommend specific construction methods related to the hardness of observed rock.

1.6 Develop design plans (scale 1" = 20') and specifications in the form of incorporated notes and details for the structural BMP including the operation and

management of the system. Plan sheets for the 60% and Final (100%) design shall include:

- 1.6.1 Cover Sheet.
- 1.6.2 Legend and Abbreviations.
- 1.6.3 Summary of Quantities.
- 1.6.4 General Notes.
- 1.6.5 Soil Boring Logs.
- 1.6.6 Erosion Control.
- 1.6.7 Plan Layout.
- 1.6.8 Plan and Profiles.
- 1.6.9 Cross Sections.
- 1.6.10 Drainage Details, Dewatering, Spoil Disposal Containment and Recommendations for SWPPP.
- 1.6.11 Construction Detail Sheets, Ingress/Egress, Staging and Construction Limits.
- 1.6.12 Existing Conditions Surveys including County provided information on utilities and NOTE: Contractor shall be responsible for additional research on utilities within the project limits; also technical specification shall address this requirement).

The ENGINEER will prepare the design, plans, and specifications in accordance with the current edition of the following:

- Design criteria information for stormwater BMPs will be reviewed including the SFWMD Environmental Resource Permit Information Manual – Volume IV (2006)
- Section SW BMP 3.02 in The Florida Development Manual – A Guide to Sound Land and Water Management [FDER 1992 (FDEP)].

The ENGINEER will provide five (5) sets of plans and design documentation for COUNTY review at 30% and 60% submittals and prepare ten (10) sets for 100% (Final) submittal. Review sets and final bid plans will be on 11" x 17" sheets. One (1) of the ten (10) sets of plans and specifications will include County provided label information for LDO review. The ENGINEER will provide electronic files of plans and technical specifications.

The ENGINEER will prepare a probable construction cost estimate. Quantity takeoffs and cost estimates will be prepared for the 60% and 100% (Final) submittals. Quantities will be calculated electronically. Cost estimates will be prepared in a spreadsheet format using Microsoft Excel.

The ENGINEER will prepare the Technical Specifications, Special Provisions, and Bid Proposal forms for the project. The COUNTY will complete the remainder of the Contract Documents and incorporate the items furnished by the ENGINEER. The ENGINEER will prepare special provisions as required by the design that will include specifications covering any special construction methods.

- 1.7 The ENGINEER will prepare and submit a SFWMD Standard General Permit application for construction of the structural BMPs within waters of the State. The COUNTY understands the ENGINEER has no control over permit approvals and this scope of work includes only the submission of a SFWMD Standard General application and one (1) Respond to Request for Additional Information for the SFWMD and / or USACOE. The ENGINEER will consult with the U.S. Army

Corps of Engineers for permit requirements. The ENGINEER will prepare and submit a permit application to Lee County Transportation for permission to construct the project within the COUNTY's rights-of-way.

- 1.8 The ENGINEER shall attend one (1) pre-design meeting, three (3) project status and design review meetings with the COUNTY and two (2) regulatory permit meetings.
- 1.9 The ENGINEER shall prepare and submit written Monthly Progress Status Reports to the COUNTY.

**TASK 2.00**    **ADDITIONAL SERVICES**

- 2.1 Additional services may be added by the COUNTY, if necessary, in accordance with the hourly fees on a not-to-exceed basis noted in an executed supplemental task agreement. Upon request by the COUNTY, the ENGINEER shall prepare a fee proposal for any additional services assigned.
- 2.2 Prepare Utility Adjustment Plans using information from the affected utility companies.
- 2.3 Attend one (1) pre-bid meeting and prepare any necessary addendum documents, as well as bid evaluation and recommendation for contract award.
- 2.4 Provide construction engineering and inspection services including certification of record drawings.
- 2.5 If required by conditions of the SFWMD permitting process, the ENGINEER may perform the following as additional services:
  - Preparation, submittal and processing of additional permits (other than the SFWMD Standard General Permit sections of the joint application) as determined by that agency and/or reviewing agencies.
  - Participate in additional meetings as necessary.
  - Provide compliance inspections and monitoring for vegetation establishment within the structural BMP.
  - Prepare a Statement of Completion to permitting agencies following completion of construction. Special provisions may require the Contractor to provide a certified post-construction survey before preparation of Statement of Completion.

**TASK 3.00**    **COUNTY RESPONSIBILITIES**

- 3.1 Provide phase reviews of design submittals.
- 3.2 Sign SFWMD permit applications and pay permit fees.
- 3.3 Furnish existing right-of-way maps.
- 3.4 Furnish front-end documents and assemble final contract documents.
- 3.5 Coordinate LDO approval with the City.
- 3.6 Obtain specific written permission from property owners or the authorized representatives for surveying and soils tests, and other engineering tasks to be conducted on private property, as necessary.

\*Attach additional pages, if needed.

CHANGE ORDER AGREEMENT No.

SUPPLEMENTAL TASK AUTHORIZATION No. 02

EXHIBIT "CO/STA-B"

Date: March 13, 2007

COMPENSATION AND METHOD OF PAYMENT

for CN-06-12/ Ten Mile Canal BMP's

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.)
1.1	Review Existing Conditions Data	\$4,018.00	LS	
1.2	Review Existing SFWMD Permits	\$2,387.00	LS	
1.3	Existing Vegetation Field Assessment	\$6,970.00	LS	
1.4	Topographic and Hydrographic Survey	\$11,162.00	LS	
1.5	Geotechnical Investigations	\$9,710.00	LS	
1.6	BMP Plans, Specifications and Construction Cost Estimates	\$48,589.00	LS	
1.7	SFWMD General and County ROW Construction Permitting	\$17,181.00	LS	
1.8	Project Meetings (6)	\$8,380.00	LS	
1.9	Monthly Project Status Reports	\$3,513.00	LS	
	Reimbursables	\$3,357.00	NTE	
TOTAL		\$115,267.00		

(Unless list is continued on next page)

CHANGE ORDER AGREEMENT No. \_\_\_\_\_

SUPPLEMENTAL TASK AUTHORIZATION No. 02

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. _____	Adjustment(s) Due to this CO or STA	Summary of Changed Compensation
STA 1	Texas Street Sidewalk		\$50,000.00		
STA 2	Ten Mile Canal BMP's			\$115,267.00	
TOTAL			\$50,000.00	\$115,267.00	\$165,267.00



CHANGE ORDER AGREEMENT No. \_\_\_\_\_

or

SUPPLEMENTAL TASK AUTHORIZATION No. 02

EXHIBIT "CO/STA-C"

Date: March 13, 2007

TIME AND SCHEDULE OF PERFORMANCE

for: CN-06-12 / Ten Mile Canal BMPs

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 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 For this CO or STA
1.1 - 1.3	Research permits / Field reiview of conditions and wetlands delineation	14 Days	14 Days
1.4	Survey	22 Days	22 days
1.5	Geotechnical	21 Days	21 days
1.6 - 1.8	Design	90 Days	112 days

CHANGE ORDER AGREEMENT No. \_\_\_\_\_

or

SUPPLEMENTAL TASK AUTHORIZATION No. 02

EXHIBIT "CO/STA-C"

Date: March 13, 2007

TIME AND SCHEDULE OF PERFORMANCE

for: CN-06-12 / Ten Mile Canal BMPs

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

CHANGE ORDER AGREEMENT No. \_\_\_\_\_

or

SUPPLEMENTAL TASK AUTHORIZATION No. 02

EXHIBIT "CO/STA-D"

Date: March 13, 2007

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

for: CN-06-12 / Ten Mile Canal BMPs

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
Surveying	Cooner & Associates 5670 Zip Drive Fort Myers, FL 33905 Phone: 239.277.0722 Fax: 239.277.7179		x		x	
Geotechnical Investigations	Dunkelberger Engineering & Testing, Inc. 8260 Vico Court, Unit B Sarasota, FL 34240 Phone: 941.379.0621 Fax: 941.379.5061		x		x	

CHANGE ORDER AGREEMENT No. \_\_\_\_\_

or

SUPPLEMENTAL TASK AUTHORIZATION No. 02

EXHIBIT "CO/STA-E"

Date: March 13, 2007

PROJECT GUIDELINES AND CRITERIA

for: CN-06-12 / Ten Mile Canal BMPs

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