

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

Blue Sheet No.20070640

1. ACTION REQUESTED/PURPOSE: Approve Supplemental Task Authorization (STA) No. 5 under CN-06-12 MISCELLANEOUS PROFESSIONAL SERVICES, with PBS&J, Contract #3618, for the project known as Phase 2A DFIRM (Digital Flood Insurance Rate Map) Appeals and Protests Submission and Review in the amount of \$21,560.00. Also approve a Request for Transfer of Funds in the amount of ~~\$12,075.00~~ ^{\$12,075.00} from General Fund Reserves to the Flood Insurance Study Results Evaluation, project 408543. *ekw*

2. FUNDING SOURCE: Fund-General Fund; Program-Major Maintenance Program;Project-Flood Insurance Study Results Evaluation.

3. WHAT ACTION ACCOMPLISHES: Provides a consultant to generate and review all appeals and protests of the preliminary DFIRMs (Digital Flood Insurance Rate Map) for the County.

4. MANAGEMENT RECOMMENDATION: Approve

5. Departmental Category:

C8E

6. Meeting Date:

MAY 01 2007

7. Agenda:

- Consent
- Administrative
- Appeals
- Public
- Walk-On

8. Requirement/Purpose: (specify)

- Statute
- Ordinance
- Admin. Code AC-4-4
- Other

9. Request Initiated:

Commissioner _____
 Department Public Works
 Division Natural Resources
 By: Roland Ottolini, Director

10. Background:

On June 6, 2003 the Board approved the award of CN-03-07 MISCELLANEOUS PROFESSIONAL SERVICES with a total of eighteen (18) consultant firms and on June 20, 2006 approved the award of CN-06-12 MISCELLANEOUS PROFESSIONAL SERVICES with a total of nineteen (19) Consultant firms. PBS&J is one of the selected firms under both contracts.

SUMMARY OF STA'S

CN-03-07	APPROVED	DESCRIPTION	AMOUNT
STA #5	06/03/2003	DFIRM Data Review	\$29,745.00

CN-06-12	APPROVED	DESCRIPTION	AMOUNT
STA #4	06/20/2006	Phase 2 DFIRM Flood Hazard Review	\$60,770.00
STA #5	06/20/2006	Phase 2A DFIRM Appeals/Protests	\$21,560.00

Total STA's approved and authorized for related work to date	\$112,075.00
---	---------------------

Funds are available in the following account: 4085430100.503190

Attachments: 1) Three (3) Supplemental Task Authorizations for execution
 2) Request for Transfer of Funds

11. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
<i>Summers</i> 4-17-07	<i>Summers</i> 4/19/07	N/A	<i>SAO</i> 4/11	<i>Summers</i> 4/19/07	Analyst <i>ekw</i> 4/19-07	Risk <i>ekw</i> 4/19/07	Grants <i>ekw</i> 4/19/07	Mgr. <i>ekw</i> 4/19/07	<i>Summers</i> 4-17-07

12. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
 COUNTY ADMIN: *ekw*
 4/19/07 @ 1:45 *mp.*
 COUNTY ADMIN
 FORWARDED TO: *Summers*
 4/20/07 1:52 *mp.*

Rec. by CoAtty
 Date: *4/19/07*
 Time: *10:40am*
 Forwarded To:
4/19/07
1:40pm

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

Change Order
 Supplemental Task Authorization

NO.: 5

(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 - Phase 2A DFIRM Appeals and Protests Submission and Review

CONSULTANT: PBS&J PROJECT NO.: 408543

SOLICIT NO.: CN-06-12 CONTRACT NO.: 3618 ACCOUNT NO. 40854300100. 503190

REQUESTED BY: Natural Resources-Anura Karuna-Muni DATE OF REQUEST: March 16, 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 16, 2007

EXHIBIT "CO/STA-B" COMPENSATION & METHOD OF PAYMENT: DATED: March 16, 2007

EXHIBIT "CO/STA-C" TIME AND SCHEDULE OF PERFORMANCE: DATED: March 16, 2007

EXHIBIT "CO/STA-D" CONSULTANT'S/PROVIDERS ASSOCIATED
SUB-CONSULTANT(S)/SUB-CONTRACTORS: DATED: March 16, 2007

EXHIBIT "CO/STA-E" PROJECT GUIDELINES AND CRITERIA DATED: March 16, 2007

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

RECOMMENDED:
By: [Signature] Date

By: [Signature] 4/16/07 Date
Contracts Management

ACCEPTED
By: [Signature]
Consultant/Provider

Date Accepted: 3/27/07

(CORPORATE SEAL)
Richard M. Grubel
Senior Vice President

APPROVED:

*County Attorney's Office Date

* County Attorney signature needed for
over Board level expenditures only

CMO:023
03/14/2006

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

Date Approved: _____

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

Date Approved: _____

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

Date Approved: _____

- CHANGE ORDER AGREEMENT No. _____
or
 SUPPLEMENTAL TASK AUTHORIZATION No.5

EXHIBIT "CO/STA-A"

Date: March 16, 2007

SCOPE OF PROFESSIONAL SERVICES

for Miscellaneous Professional Services - Phase 2A DFIRM Appeals and Protests Submission and Review

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:

TASK 15.00 MISCELLANEOUS SERVICES

Phase 2a: DFIRM Appeals and Protests Submission and Review

Generate and review all appeals and protests of the preliminary DFIRMs for the County. The review will evaluate the 21 appeals and protests received by the County. The intent of this review is to identify the completeness and technical merit of each appeal as well as identify any additional information that typically would be required for FEMA to accept the appeal or protest. Another objective of this phase is to generate appeals and protests for the County based on areas of concern identified by both the county and PBS&J. This review will require approximately two weeks from the receipt of all necessary data.

The deliverable products for this phase include:

- A report documenting the appeals or protests developed by PBS&J to be submitted to FEMA
- HEC-RAS models for the appeals or protests identified by PBS&J, modified as documented in the report
- GIS shapefiles for the appeals or protests identified by PBS&J, modified as documented in the report
- a technical memo reviewing the 21 appeals or protests submitted to the county not submitted by PBS&J
- a PowerPoint presentation illustrating the results of the PBS&J appeals/protests and the review of appeals/protests submitted by others suitable for presentation to public officials
- two color printed copies and one color PDF copy of all reports and graphics above will be provided to Lee County

*Attach additional pages, if needed.

CHANGE ORDER AGREEMENT No.
or
 SUPPLEMENTAL TASK AUTHORIZATION No. 5

EXHIBIT "CO/STA-B"

Date: March 16, 2007

COMPENSATION AND METHOD OF PAYMENT

for Miscellaneous Professional Services - Phase 2A DFIRM Appeals and Protests Submission and Review

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.)
Task 15.00	MISCELLANEOUS SERVICES	\$21,560.00	L.S.	W.I.P.P.
TOTAL		\$21,560.00	L.S.	

(Unless list is continued on next page)

CHANGE ORDER AGREEMENT No. _____

or

SUPPLEMENTAL TASK AUTHORIZATION No. 5

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. <u>1-4</u>	Adjustment(s) Due to this CO or STA	Summary of Changed Compensation
STA No. 1	Veteran's Ditch and Nunn Lake Support Service		\$83,000.00	\$0.00	
STA No. 2	Westbound Left Turn Lane at Joel Blvd and Country Club Parkway		\$98,375.00	\$0.00	
STA No. 3	Northbound Left Turn Lane at Williams and 5 th Street		\$119,705.00	\$0.00	
STA No. 4	Phase II DFIRM Flood Hazard Extents Review		\$60,770.00	\$0.00	
STA No. 5	Phase IIA DFIRM Appeals and Protests Submission and Review		\$0.00	\$21,560.00	
TOTAL			\$361,850.00	\$21,560.00	\$383,410.00

CHANGE ORDER AGREEMENT No. _____

SUPPLEMENTAL TASK AUTHORIZATION No. 5

EXHIBIT "CO/STA-C"

Date: March 16, 2007

TIME AND SCHEDULE OF PERFORMANCE

for Miscellaneous Professional Services - Phase 2A DFIRM Appeals and Protests Submission and Review

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 AA@	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
TASK 15.00	MISCELLANEOUS SERVICES	90 Days	90 Days

CHANGE ORDER AGREEMENT No. _____

or

SUPPLEMENTAL TASK AUTHORIZATION No. 5

EXHIBIT "CO/STA-C"

Date: March 16, 2007

TIME AND SCHEDULE OF PERFORMANCE

for Miscellaneous Professional Services - Phase 2A DFIRM Appeals and Protests Submission and Review

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. _____

SUPPLEMENTAL TASK AUTHORIZATION No. 5

EXHIBIT "CO/STA-D"

Date: March 16, 2007

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

for Miscellaneous Professional Services - Phase 2A DFIRM Appeals and Protests Submission and Review

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	None					

D1 of D1

CHANGE ORDER AGREEMENT No. _____

or

SUPPLEMENTAL TASK AUTHORIZATION No. 5

EXHIBIT "CO/STA-E"

Date: March 16, 2007

PROJECT GUIDELINES AND CRITERIA

for Miscellaneous Professional Services - Phase 2A DFIRM Appeals and Protests Submission and Review

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