

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

Blue Sheet No. 20050408

1. ACTION REQUESTED/PURPOSE:

Approve Supplemental Task Authorization No. 8 to Johnson Engineering, Inc. for CN-02-25 COUNTYWIDE ENVIRONMENTAL CONTRACT, Lee County Contract No. 2245, for the Metro Parkway Extension Mitigation, in the amount of \$133,868.00. Also, approve Budget Transfer from General Fund Reserves in the amount of \$133,868.00.

2. WHAT ACTION ACCOMPLISHES: The Consultant will assist Lee County with surveying and environmental services associated with Florida Department of Transportation's Metro Parkway Extension Mitigation program in Six Mile Cypress Slough Preserve.

3. MANAGEMENT RECOMMENDATION:

4. Departmental Category:

CIB

5. Meeting Date:

04-12-2005

6. Agenda:

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

7. Requirement/Purpose: (specify)

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

8. Request Initiated:

Commissioner _____
 Department _____
 Division Parks & Recreation
 By: John Yarbrough, Director
John Yarbrough

9. Background:

On October 8, 2002 the Board entered into continuing contracts for CN-02-25 MISCELLANEOUS ENVIRONMENTAL CONTRACTS (Permitting, Mitigation, Monitoring and Maintenance) with 8 Consultant firms to perform Environmental Services on an as needed basis through the issuance of a Supplemental Task Authorization. The Consultants and their contract numbers are as follows: Boylan Environmental Consultants (2242); Environmental Consulting & Technology (2243); Florida Environmental Inc. dba EarthBalance (2259); Hans Wilson & Associates (2244); Johnson Engineering, Inc., (2245); Kevin L. Erwin Consulting Ecologist, Inc. (2246); Passarella & Associates, Inc. (2247); and Forestry Resources Vegetation Management (2248).

Supplemental Task Authorizations 1-7 have been previously approved and authorized in the amount of \$251,863.00.

The Parks & Recreation Department is requesting Board approval of Supplemental Task Authorization No. 8 with Johnson Engineering, Inc. under CN-02-25, COUNTYWIDE ENVIRONMENTAL CONTRACT, for the Metro Parkway Extension Mitigation, in the amount of \$133,868.00.

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-Continued on Page 2-

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Analyst	Budget Services	Risk	Grants	Mgr.	County Manager/P.W. Director
<i>J. Yarbrough</i>	<i>Calvin</i>	N/A		<i>K. D. G.</i>	<i>R.M. 3/31/05</i>	<i>3/31/05</i>	<i>3/31/05</i>	<i>3/31/05</i>	<i>3/31/05</i>	<i>[Signature]</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

Rec. by CoAtty
 Date: *3/30/05*
 Time: *3:40*
 Forwarded To:
Co. John
3/31/05

RECEIVED BY
 COUNTY ADMIN: *CA*
3/31/05
4:15 am
 COUNTY ADMIN
 FORWARDED TO: *JK*
3/31/05
4:30 PM

This Supplemental Task Authorization will assist the Lee County Parks & Recreation staff with the coordination of the mitigation bid process, including assistance with bid documents, site visits and mitigation program queries. The scope also includes a mitigation boundary survey, mechanical harvesting delineation and the installation of digital piezometers, and resulting data collection. Johnson Engineering will also provide assistance with construction progress site visits and inspections.

The General Fund Reserves will be reimbursed from funds to be received from a Joint Participation agreement with Florida Department of Transportation previously approved per Blue sheet 20031029 on September 16, 2003.

Attachments: 1. Three (3) Supplemental Task Authorizations No. 8 for execution.
2. Budget Transfer
3. Letter from FDOT, dated March 14, 2005



Florida Department of Transportation

JEB BUSH
GOVERNOR

March 14, 2005

JOSÉ ABREU
SECRETARY

Mr. Roger Clark
Lee County Parks and Recreation
3410 Palm Beach Boulevard
Fort Myers, Florida 33916

Re: Existing JPA with Lee County for Metro Parkway extension (SR 739) from south of Alico Road to Six Mile Cypress Parkway mitigation in Six Mile Cypress Slough (FM# 195719 1 C8 02)

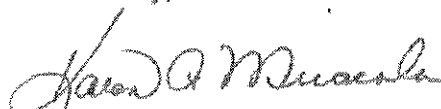
Dear Mr. Clark:

The Department entered into a JPA with Lee County on October 28, 2003 for the above referenced project. This JPA contract completion date is scheduled for October 20, 2005. The county may request a time extension that needs to include justification for delay in writing to the department for approval. There is no issue with extending this contract as needed for the county to complete the mitigation process.

Funding under the JPA became available upon execution of agreement. Payment shall be made upon completion of tasks and submittal of invoices from county to department for this project in accordance with JPA.

If you have any other questions, please don't hesitate to contact me at (239) 461-4300.

Sincerely,


Karen A. Miracola
District LFA/JPA Coordinator

Cc: John Curtis, Johnson Engineering
Mike Rippe, Director of Transportation Development

District One, Southwest Area Office
2295 Victoria Avenue * Post Office Box 1030 * Fort Myers, FL 33902-1030
(239) 461-4300 * (239) 338-2353 (Fax) * MIS 1-98

www.dot.state.fl.us



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

Change Order
 Supplemental Task Authorization

NO. 8

(A Change Order or Supplemental Task Authorization Requires Approval by the Department Director for Expenditures Under \$25,000 or Approval by the County Manager for Expenditures Between \$25,000 and \$50,000 or Approval by the Board of County Commissioners for Expenditures over \$50,000)

CONTRACT/PROJECT NAME COUNTY-WIDE ENVIRONMENTAL CONTRACT - Metro Parkway Extension Mitigation

CONSULTANT Johnson Engineering, Inc. PROJECT NO. _____

SOLICIT NO.: CN-02-25 CONTRACT NO. 2245 ACCOUNT NO. _____

REQUESTED BY: Roger Clark DATE OF REQUEST: March 9, 2005

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 9, 2005
- EXHIBIT "CO/STA-B: COMPENSATION & METHOD OF PAYMENT: DATED: March 9, 2005
- EXHIBIT "CO/STA-C: TIME AND SCHEDULE OF PERFORMANCE: DATED: March 9, 2005
- EXHIBIT "CO/STA-D: CONSULTANT'S/PROVIDERS ASSOCIATED SUB-CONSULTANT(S)/SUB-CONTRACTORS: DATED: March 9, 2005
- EXHIBIT "CO/STA-E: PROJECT GUIDELINES AND CRITERIA: DATED: March 9, 2005

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

RECOMMENDED:

By: [Signature] 3-14-05
Department Director Date

By: _____
Contracts Mgmt Date

APPROVED:

By: _____
*County Attorney's Office Date

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

ACCEPTED:

By: [Signature]
Consultant/Provider

Date Accepted: 3/9/05

Corporate Seal

COUNTY APPROVAL:

By: _____
Department Director
(Under \$25,000)
Date Approved: _____

By: _____
County Manager (Between
\$25,000 and under \$50,000)
Date Approved: _____

By: _____
Chairman
Board of County Commissioners
Date Approved: _____

CHANGE ORDER AGREEMENT No. _____

or

SUPPLEMENTAL TASK AUTHORIZATION No. 8

EXHIBIT "CO/STA-A"

Date: March 9, 2005

SCOPE OF PROFESSIONAL SERVICES

for COUNTY-WIDE ENVIRONMENTAL CONTRACT – Metro Parkway Extension Mitigation

(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:

I. Objective

The purpose of this task is to assist Lee County with surveying and environmental services associated with Florida Department of Transportation's Metro Parkway Extension Mitigation program in Six Mile Cypress Slough Preserve.

II. Basic Services

1. **Mitigation bid process assistance** - Assist Lee County Parks and Recreation staff with the coordination of the mitigation bid process. This task will include assistance with bid documents, site visits and meetings with Lee County staff and potential contractors to answer questions pertaining to the mitigation program and facilitate compliance with U.S. Army Corps of Engineers and South Florida Water Management District permit conditions.
2. **Mitigation boundary surveying** - Field locate the limits of the Metro Parkway Extension mitigation area and stake and/or flag the mitigation area boundary in the field. This task entails delineating in the field approximately four (4) miles of the mitigation boundary using sub-meter GPS technology. The boundary will be marked in the field using either wooden lathe or flagging tied to trees. In addition to the required field work, this task includes office research required to obtain digital coordinates for previous mitigation areas, the Six Mile Cypress berm extension project, and the original Six Mile Cypress Slough boundary that are to be excluded from this mitigation program.
3. **Mechanical harvesting delineation** - Field delineate (flag), where necessary, the limits of exotic vegetation mechanical harvesting versus hand harvesting.
4. **Digital piezometer installation & data collection** – Install three (3) digital piezometers at the locations depicted in the agency permit drawings to record daily water levels within the mitigation area. This task includes going onsite twice each year to collect the data from the three (3) piezometers for the required 5-year wetland monitoring period.

5. **Construction, Engineering and Inspection** – This task includes assisting Lee County Parks and Recreation staff with visits to the site and observation of mitigation activities during construction to facilitate compliance with regulatory agency permits. CONSULTANT shall make visits to the site at intervals appropriate to the various stages of construction as CONSULTANT deems necessary in order to observe as a design professional the general progress and quality of the various aspects of Contractor's work. Such visits and observations by CONSULTANT are not intended to be exhaustive or to extend to every aspect of the work in progress, or to involve detailed inspections of the work beyond the responsibilities specifically assigned to CONSULTANT in this Agreement and the Contract Documents. Based on information obtained during such visits and such observations, CONSULTANT shall determine in general if such work is proceeding in accordance with the Metro Parkway Extension mitigation plan and CONSULTANT shall keep Lee County informed of the progress of such work. CONSULTANT shall not, during such visits or as a result of such observations of Contractor's work in progress, supervise, direct or have control over Contractor's work nor shall CONSULTANT have authority over or responsibility for the means, methods, techniques, sequences or procedures of construction selected by Contractor, for safety precautions and programs incident to the work of Contractor or for any failure of Contractor to comply with laws, rules, regulations, ordinances, codes or orders applicable to Contractor's furnishing and performing the work. Accordingly, CONSULTANT neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform its work in accordance with the Contract Documents.
6. **Mitigation monitoring** – This task includes the field data collection, preparation and submittal of the seven (7) required mitigation monitoring reports to the regulatory agencies to document the progress of the mitigation activities. The monitoring program will consist of a Baseline Report, a Time Zero Report and five (5) annual reports that will be submitted to SFWMD and U.S. Army Corps of Engineers staff. Coordination and site visits with agency staff to conduct the final site inspection necessary for agency signoff of the mitigation areas is also included in this task.
7. **Project management** – This task includes overseeing and coordinating with the various sub-project managers responsible for implementing the various disciplines listed in tasks 1 through 6, onsite meetings with Lee County Parks and Recreation staff as needed, preparing monthly work in progress invoices, and other miscellaneous administrative services.

Metro Parkway Extension Mitigation STA 8 (03-09-05)
WORK OUTLINE - "HOURS AND COSTS" EXHIBIT "B"

<i>ITEM</i>	<i>TASK</i>	Ecologist IV \$110.00/Hr. Man Hours	Ecologist III \$99.00/Hr. Man Hours	Ecologist II \$89.00/Hr. Man Hours	Tech IV \$71.00/Hr. Man Hours	Four Man Survey Crew \$146.00/Hr. Man Hours	Surveyor & Mapper III \$105.00/Hr. Man Hours	Total Man Hours	Total Fee
1	Mitigation bid process assistance	8	24					32	\$3,256.00
2	Mitigation boundary surveying		4			200	24	228	\$32,116.00
3	Mechanical harvesting delineation		50	40				90	\$7,990.00
4	Digital piezometer installation & data collection		24	40				64	\$5,416.00
5	Construction, engineering & inspection	16	100	50				166	\$15,460.00
6	Annual mitigation monitoring		320	300	60			680	\$58,740.00
7	Project management		110					110	\$10,890.00
	TOTAL	24	632	430	60	200	24	1370	\$133,868.00

CHANGE ORDER AGREEMENT No. _____

or

SUPPLEMENTAL TASK AUTHORIZATION No. 8

EXHIBIT "CO/STA-B"

Date: March 9, 2005

COMPENSATION AND METHOD OF PAYMENT

for COUNTY-WIDE ENVIRONMENTAL CONTRACT – Metro Parkway Extension Mitigation

(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, 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	Mitigation bid process assistance	\$3,256	LS	W.I.P.P.
2	Mitigation boundary surveying	\$32,116	LS	W.I.P.P.
3	Mechanical harvesting delineation	\$7,990	LS	W.I.P.P.
4	Digital piezometer installation	\$5,416	LS	
5	Construction, engineering and inspection	\$15,460	LS	W.I.P.P.
6	Annual mitigation monitoring reports / agency signoff visit	\$58,740	LS	W.I.P.P.
7	Project management	\$10,890	LS	W.I.P.P.
TOTAL (Unless list is continued on next page)		\$133,868	LS	W.I.P.P.

CHANGE ORDER AGREEMENT No. _____

OR

SUPPLEMENTAL TASK AUTHORIZATION No. 8

EXHIBIT "CO/STA-C"

Date: March 9, 2005

TIME AND SCHEDULE OF PERFORMANCE

for COUNTY-WIDE ENVIRONMENTAL CONTRACT –Metro Parkway Extension Mitigation

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

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
1.00	Mitigation bid process assistance	60	90
2.00	Mitigation boundary surveying	60	120
3.00	Mechanical harvesting delineation	30	60
4.00	Digital piezometer installation / data collect	30	60
5.00	Construction, engineering and inspection	270	270
6.00	Annual mitigation monitoring reports / agency signoff visit	N/A	N/A
7.00	Project management	N/A	N/A

CHANGE ORDER AGREEMENT No. _____

or

SUPPLEMENTAL TASK AUTHORIZATION No. 8

EXHIBIT "CO/STA-C"

Date: **March 9, 2005**

TIME AND SCHEDULE OF PERFORMANCE

for **COUNTY-WIDE ENVIRONMENTAL CONTRACT –Metro Parkway Extension Mitigation**

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

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
1.00	Mitigation bid process assistance	60	90
2.00	Mitigation boundary surveying	60	120
3.00	Mechanical harvesting delineation	30	60
4.00	Digital piezometer installation / data collect	30	60
5.00	Construction, engineering and inspection	270	270
6.00	Annual mitigation monitoring reports / agency signoff visit	N/A	N/A
7.00	Project management	N/A	N/A

CHANGE ORDER AGREEMENT No. _____

or

SUPPLEMENTAL TASK AUTHORIZATION No. 8

EXHIBIT "CO/STA-D"

Date: March 9, 2005

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

for COUNTY-WIDE ENVIRONMENTAL CONTRACT – Metro Parkway Extension Mitigation

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

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 work "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. 8

EXHIBIT "CO/STA-E"

Date: March 9, 2005

PROJECT GUIDELINES AND CRITERIA

for **COUNTY-WIDE ENVIRONMENTAL CONTRACT – Metro Parkway Extension
Mitigation**

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

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