


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

**Blue Sheet No. 20051222**

**1. ACTION REQUESTED/PURPOSE:** Execute Amendment No. 1 to Contract No. OT040966 with South Florida Water Management District (SFWMD) for the East Lee County Creek Restoration Project (Project No. 8586). Amendment No. 1 extends the term of the agreement to December 20, 2005 and revises Exhibit D, Payment and Deliverable Schedule, to coincide with the new expiration date.

**2. WHAT ACTION ACCOMPLISHES:** Provides additional time to complete contract deliverables.

**3. MANAGEMENT RECOMMENDATION:** Staff supports approval.

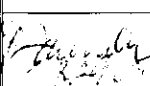
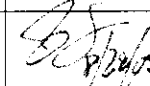
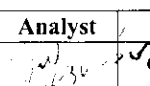
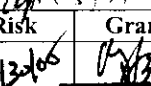
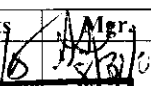
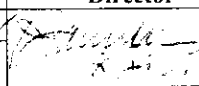
<b>4. Departmental Category:</b> 08 <span style="margin-left: 100px;"><b>C8B</b></span>		<b>5. Meeting Date:</b> <b>09-13-2005</b>
<b>6. Agenda:</b> <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input type="checkbox"/> Public <input type="checkbox"/> Walk-On	<b>7. Requirement/Purpose: (specify)</b>	
	<input type="checkbox"/> Statute	<input type="checkbox"/>
	<input type="checkbox"/> Ordinance	<input type="checkbox"/>
	<input type="checkbox"/> Admin. Code	<input type="checkbox"/>
	<input checked="" type="checkbox"/> Other Agreement	<input type="checkbox"/>
		<b>8. Request Initiated:</b> Commissioner _____ Department <u>Public Works</u> Division <u>Natural Resources</u> By: <b>Roland Ottolini, P.E.</b> 

**9. Background:**

On July 27, 2004, the Board of Commissioners approved Contract OT040966 with the South Florida Water Management District (SFWMD) for the project known as East Lee County Creek Restoration. The scope of services includes removal of exotic vegetation and debris from natural creeks that outfall into the Caloosahatchee River east of the Franklin Locks. The project will also include replanting native vegetation in areas where exotic removal leaves the banks susceptible to erosion. Work has been delayed due to hurricane debris removal. The additional time allotted will provide for additional exotic removal and completion of plantings. There are no additional funding implications.

Attachments: Two (2) original Amendment No. 1 to Contract OT040966.

**10. Review for Scheduling:**

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services			County Manager/P.W. Director
					Analyst	Risk	Grants	
	<b>Cindy Rosten</b>	N/A	<b>BAD 8/29</b>					

**11. Commission Action:**

- Approved
- Deferred
- Denied
- Other

Re: <b>CoAtty</b>
Date: <b>8-24-05</b>
Time: <b>11:15</b>
Forwarded to: <b>Co. Mgr.</b>
<b>8-30-05</b>

RECEIVED BY COUNTY ADMIN:
<b>8/30 945</b>
COUNTY ADMIN FORWARDED TO:
<b>513115</b>
<b>2005</b>



ORIGINAL

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT  
AMENDMENT**

OT040966-A01

**AMENDMENT NO. 01**

**TO CONTRACT NO. OT040966**

**BETWEEN THE**

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

**AND**

**LEE COUNTY**

This **AMENDMENT NO. 01**, entered into on \_\_\_\_\_, to that **CONTRACT** dated September 21, 2004, between "the Parties," the South Florida Water Management District (**DISTRICT**), and Lee County (**COUNTY**).

**WITNESSETH THAT:**

WHEREAS, the **CONTRACT** may be amended with the prior written approval of the parties; and

WHEREAS, the parties wish to amend the Contract in order to extend the period of performance; and revise the Payment & Deliverable Schedule;

NOW THEREFORE, the **DISTRICT** and the **COUNTY**, in consideration of the mutual benefits flowing from each to the other, do hereby agree as follows:

1. The term of the **CONTRACT** is hereby extended by Ninety (90) Days and the expiration date, as amended, is December 20, 2005. This **AMENDMENT NO. 01** shall be effective upon the date of execution by the parties.
2. This **AMENDMENT NO. 01** shall be at no additional cost to the **DISTRICT**.
3. The Payment & Deliverable Schedule is also hereby revised in accordance with Exhibit "D1", attached hereto and made a part of this **AMENDMENT NO.1**.



# SOUTH FLORIDA WATER MANAGEMENT DISTRICT AMENDMENT

4. All other terms and conditions of the **CONTRACT**, as amended, remain unchanged

IN WITNESS WHEREOF, the parties or their duly authorized representatives hereby execute this **AMENDMENT NO. 01** on the date first written above.

## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

By: \_\_\_\_\_  
**Frank Hayden, Procurement Director**

SEWMD PROCUREMENT APPROVED  
By: Patricia Wheeler  
Date: 8-9-05

## LEE COUNTY

By: \_\_\_\_\_

Title: \_\_\_\_\_

EXHIBIT "D1"

PAYMENT AND DELIVERABLE SCHEDULE

This is a cost-share project with funding coming from the District and Lee County. The project is expected to cost approximately \$250,000. The District's share will be \$200,000. Lee County's share will be \$50,000 to include project management time (not to exceed \$10,000).

- A summary deliverable schedule for each task associated with this project is set forth below.
- All deliverables submitted hereunder are subject to review by the District.
- Acceptability of all work will be based on the judgment of the District that the work is technically credible, accurate, precise and timely.
- Payment shall be made to Lee County upon execution of the contract.

<b>Task No.</b>	<b>Deliverables</b>	<b>Payment (Upon contract execution)</b>
1	Identify the work to be performed.	January 14, 2005
2	Written report on removal and transport of debris.	December 1, 2005
3	Written report on re-planting of sites	December 20, 2005
<b>TOTAL</b>		<b>\$ 200,000</b>