

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

Blue Sheet No. 20051747

1. ACTION REQUESTED/PURPOSE: Approve Change Order No. 5 to Pitman-Hartenstein & Associates, Inc. in the amount of \$52,760.00 under CN-99-04 GUNNERY ROAD IMPROVEMENTS FROM STATE ROAD 82 TO DANIELS PARKWAY EXTENSION TO LEE BOULEVARD for Post-Design Services and Miscellaneous Expenses. This Change Order was anticipated and funds are available.

2. WHAT ACTION ACCOMPLISHES: Provides Lee County with a Consultant to provide post-design services for the Gunnery Road Improvements.

3. MANAGEMENT RECOMMENDATION: Approval recommended.

4. Departmental Category: 09' **C9C** **5. Meeting Date:** **12-20-2005**

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 <u>AC-4-4</u> <input type="checkbox"/> Other	8. Request Initiated: Commissioner _____ Department <u>Transportation</u> Division _____ By: <u>Scott Gilbertson, Director</u>
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9. Background:
 On April 27, 1999, the Board approved the Professional Services Agreement award under CN-99-04 GUNNERY ROAD IMPROVEMENTS FROM STATE ROAD 82 OPPOSITE DANIELS PARKWAY EXTENSION TO LEE BOULEVARD, to Pitman-Hartenstein & Associates, Inc., for a contract amount of \$136,744.68.

Change Orders No.'s 1-4 have been approved for this project in a total amount of \$894,678.01. It is requested that Change Order No. 5 be approved in the amount of \$52,760.00, for a total contract amount of \$1,058,582.24.

Funds are available in account string: 20405518803.506540

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					APR 12/8				
					Analyst	Risk	Grants	Mgr.	
<i>[Signature]</i> 12-5-05	<i>[Signature]</i> 12/5	NIA	<i>[Signature]</i> 12/7/05	<i>[Signature]</i> 12/7/05	<i>[Signature]</i> 12/7/05	<i>[Signature]</i> 12/7/05	<i>[Signature]</i> 12/7/05	<i>[Signature]</i> 12/7/05	<i>[Signature]</i> 12-5-05

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
 COUNTY ADMIN
 12-7-05
 2:20
 COUNTY ADMIN
 FORWARDED TO
 12/8/05
 JH

Rec. by CoAtty
 Date: 12/7/05
 Time: 11:45 AM
 Forwarded to:
 Co. Mgr.
 12-7-05

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 \$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: Gunnery Road Improvements from S.R. 82 Opposite Daniels Parkway Extension to Lee Boulevard

CONSULTANT: Pitman-Hartenstein & Assoc., Inc. PROJECT NO.: 4055
SOLICIT NO.: 820 CN NO.: CN-99-04 ACCOUNT NO.: 20405518803.506170
REQUESTED BY: Department of Transportation DATE OF REQUEST: 11/10/05

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: 11/10/05
EXHIBIT "CO/STA-B": COMPENSATION & METHOD OF PAYMENT: DATED: 11/10/05
EXHIBIT "CO/STA-C": TIME AND SCHEDULE OF PERFORMANCE: DATED: 11/10/05
EXHIBIT "CO/STA-D": CONSULTANT'S/PROVIDERS ASSOCIATED
SUB-CONSULTANT(S)/SUB-CONTRACTORS: DATED: 11/10/05
EXHIBIT "CO/STA-E": PROJECT GUIDELINES AND CRITERIA: DATED: 11/10/05

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

RECOMMEND:

By: _____
Department Director Date

By: [Signature] 11/10/05
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
Alan Hartenstein
Executive Vice President
Date Accepted: 11/10/05

Corporate Seal

APPROVED:

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. 5
or
 SUPPLEMENTAL TASK AUTHORIZATION No.

EXHIBIT "CO/STA-A"

Date: 11/10/05

SCOPE OF PROFESSIONAL SERVICES

for Gunnery Road Improvements from S.R. 82 Opposite Daniels Parkway Extension to Lee Boulevard

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 attached Scope of Service.

* Attach additional pages, if needed

TASK 16.00 POST DESIGN SERVICES

Post Design services are considered additional services and will be negotiated later at the direction of the County.

During the construction phase, the Consultant shall furnish professional services to ensure the integrity of the design intent as follows:

Task 16.01 Provide assistance to County in conducting meetings, answer questions, and provide necessary information.

Task 16.02 Site Visits

The Consultant shall make visits to the site at intervals appropriate to the various stages of construction, but a minimum of one (1) visit per month, to observe as an experienced and qualified design professional the progress and quality of the executed work of Contractor(s) and to determine, in general, if such work is proceeding in accordance with the contract documents. It is anticipated that the Consultant will make one (1) visit to the site per week for a duration of 12 months. A written report of each visit shall be prepared and submitted to the County within ten (10) calendar days of the visit.

Task 16.03 Shop Drawings

The Consultant shall review, reject, and/or approve shop drawings, which each Contractor is required to submit, but only for conformance with the design concept of the project and compliance with the contract documents. Also, Consultant shall determine the acceptability, subject to County approval, of substitute materials and equipment proposed by Contractors. All this work will be scheduled, transmitted, and received by the construction Management Professional in accordance with the terms of his contract.

Task 16.04 Clarifications

The Consultant will respond to requests of the County for necessary clarifications and interpretations of the contract documents. This task will also include the revisions to drawings and specifications necessary for any change order required during construction.

Task 16.05 Final Inspection

The Consultant shall participate in a pre-final inspection for the purpose of determining if the project is substantially complete, and participate in the preparation of a written "punch list" of all incomplete, defective, or deficient items.

The Consultant shall participate in a final inspection together with County and Contractor representatives to assure that all "punch list" items are completed and the work is indeed completed in accordance with all contract documents. Upon completion of the final inspection, certify in writing, that the work in place is acceptable, subject to any conditions therein expressed, and the Consultant shall prepare Engineer's certification letter to permit agencies. Note if the Consultant does not perform site visits, the Consultant cannot perform final certification to the agencies.

Task 16.06 The Consultant shall furnish revised construction drawings with one 11"x17" hard copy and electronic file disks, based upon the marked-up prints, drawings, and other data furnished by the Contractor to the Consultant. These record drawings shall not show any changes from the original plans, which do not exceed tolerances listed:

- < Elevation greater than .0833 feet;
- < Horizontal stationing greater than 1.0 feet;
- < Distances greater than 1.0 feet;
- < Structure dimensions greater than .0833 feet;
- < Material changes (all);
- < Product changes (all).

- A. Collect Data
- B. Review Data
- C. Plot Data.
- D. Certify and submit two (2) plan sets along with electronic disks.

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

EXHIBIT "CO/STA-B"

Date: 11/10/05

COMPENSATION AND METHOD OF PAYMENT

for Gunnery Road Improvements from S.R. 82 Opposite Daniels Parkway Extension to Lee Boulevard

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 "CO/STA-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.)
1.00	Public Involvement Program	\$ 0	LS	W.I.P.P.
2.00	Engineering and Land Surveys	\$ 0	LS	W.I.P.P.
3.00	Geotechnical Services	\$ 0	LS	W.I.P.P.
4.00	Env. Inventory/Hazard. Material Rpt.	\$ 0	LS	W.I.P.P.
5.00	Design Alternatives	\$ 0	LS	W.I.P.P.
6.00	Comparative Analysis	\$ 0	LS	W.I.P.P.
7.00A	Roadway Plans	\$ 0	LS	W.I.P.P.
7.00B	Bridge and Structures Plans	\$ 0	LS	W.I.P.P.
7.00C	Box Culvert	\$ 0	LS	W.I.P.P.
8.00	Utility Relocation Plans	\$ 0	LS	W.I.P.P.
9.00	Right-of-Way Maps	\$ 0	LS	W.I.P.P.
10.00	Signalization/Street Lighting Plans	\$ 0	LS	W.I.P.P.
11.00	Signing/Pavement Marking Plans	\$ 0	LS	W.I.P.P.
12.00	Not Used	\$ 0	LS	W.I.P.P.
13.00	Permits	\$ 0	LS	W.I.P.P.
14.00	Final Bidding/Contract Documents	\$ 0	LS	W.I.P.P.
15.00	Advisory Services During Bidding	\$ 0	LS	W.I.P.P.
16.00	Post-Design Services	\$ 49,760.00	NTE	W.I.P.P.
	Miscellaneous Expenses	\$ 3,000.00	NTE	W.I.P.P.
TOTAL (Unless list is continued on next page)		\$52,760.00	NTE	

CHANGE ORDER AGREEMENT No. 5

or

SUPPLEMENTAL TASK AUTHORIZATION No.

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 Change Order Nos. <u>1, 2, 3, 4</u>	Adjustment(s) due to this <u>CO 5</u> or STA	Summary of Changed Compensation
1.00	Public Involvement Program	\$ 10,966.00	\$ 0.00	\$ 0.00	\$10,966.00
2.00	Engineering and Land Surveys	\$ 21,923.68	\$ 165,037.36	(\$ 25,600.45)	\$161,360.59
3.00	Geotechnical Services	\$ 4,174.00	\$ 19,011.00	\$ 0.00	\$23,185.00
4.00	Env. Inventory/Hazard. Material Rpt.	\$ 23,820.00	\$ 11,138.45	\$ 0.00	\$34,958.45
5.00	Design Alternatives	\$ 40,036.00	\$ 0.00	\$ 0.00	\$40,036.00
6.00	Comparative Analysis	\$ 22,030.00	\$ 0.00	\$ 0.00	\$22,030.00
7.00A	Roadway Plans	\$ 0.00	\$ 384,035.50	\$ 0.00	\$384,035.50
7.00B	Bridge and Structures Plans	\$ 9,378.00	\$ 43,580.00	\$ 0.00	\$52,958.00
7.00C	Box Culvert Plans	\$ 0.00	\$ 20,676.00	\$ 0.00	\$20,676.00
8.00	Utility Relocation Plans	\$ 2,002.00	\$ 24,637.50	\$ 0.00	\$26,639.50
9.00	Right-of-Way Maps	\$ 0.00	\$ 72,609.20	\$ 0.00	\$72,609.20
10.00	Signalization/Street Lighting Plans	\$ 0.00	\$ 31,566.00	\$ 0.00	\$31,566.00
11.00	Signing/Pavement Marking Plans	\$ 0.00	\$ 35,824.00	\$ 0.00	\$35,824.00
12.00	Not Used	\$ 0.00	\$ 0.00	\$ 0.00	\$0.00
13.00	Permits	\$ 2,415.00	\$ 23,923.00	\$ 0.00	\$26,338.00
14.00	Final Bidding/Contract Documents	\$ 0.00	\$ 17,128.00	\$ 0.00	\$17,128.00
15.00	Advisory Services During Bidding	\$ 0.00	\$ 8,536.00	\$ 0.00	\$8,538.00
16.00	Post Design Services	\$ 0.00	\$ 0.00	\$ 49,760.00	\$49,760.00
	Miscellaneous Expenses	\$ 0.00	\$4,500.00	\$ 3,000.00	\$7,500.00
STA #2			\$ 32,474.00		\$32,474.00
TOTAL		\$136,744.68	\$894,678.01	\$52,760.00 <i>HE</i>	\$1,058,582.24

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

EXHIBIT "CO/STA-C"

Date: 11/10/05

TIME AND SCHEDULE OF PERFORMANCE

for Gunnery Road Improvements from S.R. 82 Opposite Daniels Parkway Extension to Lee Boulevard

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 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	Public Involvement Program	NA	NA
2.00	Engineering and Land Surveys	NA	NA
3.00	Geotechnical Services	NA	NA
4.00	Environmental Inventory and Hazardous Material Report	N/A	N/A
5.00	Design Alternatives	NA	NA
6.00	Comparative Analysis	NA	NA
7.00A	Roadway Plans	NA	NA
7.00B	Bridge and Structures Plans	NA	NA
7.00C	Box Culvert Plans	NA	NA
8.00	Utility Relocation Plans	NA	NA
9.00	Right-of-Way Maps	NA	NA
10.00	Signalization/Street Lighting Plans	NA	NA
11.00	Signing/Pavement Marking Plans	NA	NA
12.00	Not Used	NA	NA
13.00	Permits	NA	NA
14.00	Final Bidding/Contract Documents	NA	NA
15.00	Advisory Services During Bidding	NA	NA
16.00	Post Design Services	540	540

CHANGE ORDER AGREEMENT No. 5

or

SUPPLEMENTAL TASK AUTHORIZATION No.

EXHIBIT "CO/STA-C"

Date: 11/10/05

TIME AND SCHEDULE OF PERFORMANCE

for Gunnery Road Improvements from S.R. 82 Opposite Daniels Parkway Extension to Lee Boulevard

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	Public Involvement Program	NA	NA
2.00	Engineering and Land Surveys	NA	NA
3.00	Geotechnical Services	NA	NA
4.00	Environmental Inventory and Hazardous Material Report	NA	NA
5.00	Design Alternatives	NA	NA
6.00	Comparative Analysis	NA	NA
7.00A	Roadway Plans	NA	NA
7.00B	Bridge and Structures Plans	NA	NA
7.00C	Box Culvert Plans	NA	NA
8.00	Utility Relocation Plans	NA	NA
9.00	Right-of-Way Maps	NA	NA
10.00	Signalization/Street Lighting Plans	NA	NA
11.00	Signing/Pavement Marking Plans	NA	NA
12.00	Not Used	NA	NA
13.00	Permits	NA	NA
14.00	Final Bidding/Contract Documents	NA	NA
15.00	Advisory Services During Bidding	NA	NA
16.00	Post Design Services	540	540

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

EXHIBIT "CO/STA-D"

Date: 11/10/05

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

for Gunnery Road Improvements from S.R. 82 Opposite Daniels Parkway Extension to Lee Boulevard

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. 5
or
 SUPPLEMENTAL TASK AUTHORIZATION No.

EXHIBIT "CO/STA-E"

Date: 11/10/05

PROJECT GUIDELINES AND CRITERIA

for Gunnery Road Improvements from S.R. 82 Opposite Daniels Parkway Extension to Lee Boulevard

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 work "None" in the space below.)

None