

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

Blue Sheet No. 20061683

1. ACTION REQUESTED/PURPOSE: Approve Supplemental Task Authorization (STA) No. 5 under contract 1296 to Humiston & Moore Engineers in the amount of \$190,661.00 under CN-99-21 GASPARILLA ISLAND BEACH RESTORATION project. Also authorize Chairman to execute STA on behalf of the Board. This STA was anticipated and funds are available.

2. WHAT ACTION ACCOMPLISHES: Provides for bid phase services, surveys and construction phase services.

3. MANAGEMENT RECOMMENDATION: Approval recommended.

4. Departmental Category: 08

C8A

5. Meeting Date: JAN 16 2007

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 Natural Resources
 Division _____
 By: Roland Ottolini, Director

9. Background:

On February 29, 2000, the Board approved CN-99-21 GASPARILLA ISLAND BEACH RESTORATION PROJECT for a total contract amount of \$617,208.00.

Change Orders 1-4 have been approved for this project in a total amount of \$291,285.00.

It is requested that Change Order No. 5 be approved in the amount of \$190,661.00 for CEI services.

Funds are available in the following accounts: 41302300100. - \$75,692.42
 42302300100. - \$66,407.22
 40302330101. - \$48,561.36

Attachment: Three STA's No. 5 for execution.

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
<i>[Signature]</i> 12-21-06	<i>[Signature]</i> 12-20-06	N/A		<i>[Signature]</i> 12/28/06	Analyst <i>[Signature]</i> 12/28/06	Risk <i>[Signature]</i> 12/28/06	Grants <i>[Signature]</i> 12/28/06	Mgr. <i>[Signature]</i> 12-28-06	<i>[Signature]</i> 12-21-06

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
 COUNTY ADMIN:
 12/28/06 2:30
 " R. K. 3:00
 COUNTY ADMIN
 FORWARDED TO:
 12/28/06 P.R. 4:30

REC'D
 by CO. ATTY.
 12/28/06
 1:06pm
 CO. ATTY.
 FORWARDED TO:
 12/28/06
 2:15pm

**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: Gasparilla Island Beach Restoration Project

CONSULTANT: Humiston & Moore Engineers PROJECT NO.: 403023

SOLICIT NO.:	<u>99-21</u>	CONTRACT NO.:	<u>1296</u>	ACCOUNT NO.	<u>41302300100</u>	<u>\$75,692.42</u>
					<u>42302300100</u>	<u>\$6,407.22</u>
					<u>40302330101</u>	<u>\$48,561.36</u>

REQUESTED BY: Robert Neal DATE OF REQUEST: 10/19/06

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:	<u>04/26/05</u>	<u>10/19/06</u>
EXHIBIT "CO/STA-B"	COMPENSATION & METHOD OF PAYMENT:	DATED:	<u>04/26/05</u>	<u>10/19/06</u>
EXHIBIT "CO/STA-C"	TIME AND SCHEDULE OF PERFORMANCE:	DATED:	<u>04/26/05</u>	<u>10/19/06</u>
EXHIBIT "CO/STA-D"	CONSULTANT'S/PROVIDERS ASSOCIATED SUB-CONSULTANT(S)/SUB-CONTRACTORS:	DATED:	<u>04/26/05</u>	<u>10/19/06</u>
EXHIBIT "CO/STA-E"	PROJECT GUIDELINES AND CRITERIA	DATED:	<u>04/26/05</u>	<u>10/19/06</u>

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

RECOMMENDED:
By: [Signature] 11/21/06
Department Director Date
By: [Signature] 12/14/06
Contracts Management Date

ACCEPTED
By: [Signature]
Consultant/Provider
Kenneth K. Humiston, P.E., Pres.
Humiston & Moore Engineers
Date Accepted: 10/19/06

(CORPORATE SEAL)

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: _____

APPROVED:

*County Attorney's Office Date

* County Attorney signature needed for over Board level expenditures only

mk

CHANGE ORDER AGREEMENT No. _____

or

SUPPLEMENTAL TASK AUTHORIZATION No. _____

EXHIBIT "CO/STA-A"

Date: 10/19/06

SCOPE OF PROFESSIONAL SERVICES

for Gasparilla Island Beach Restoration Project

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 9 Bid Phase Services. Additional Services related to separate bids for the beach fill and erosion control projects, including coordination with Lee County staff for the advertisement for bids, assist the county with scheduling and conducting a Pre-Bid conference to be held at the project site to familiarize prospective bidders with the project and to answer questions from prospective bidders. Consultant will provide interpretation of technical specifications in response to questions from prospective bidders and assist Lee County staff with preparation of addenda to bid documents as may be necessary.

Task 11 Surveys. Survey cost increases include expanded scope of surveys resulting from expanded DEP requirements under the approved monitoring plan. The original preconstruction and post construction survey budgets are summarized below to establish the amount of this change order request. This includes shifting the remaining originally budgeted amount for aerial photography and applying it to survey activities with the understanding that Lee County will be assuming responsibility for aerial photography.

Task 14 Construction Phase Services will include; attendance at a preconstruction conference with the County, the Contractor and the DEP representative; attend weekly construction progress meetings with the Contractor and the County; daily monitoring of construction activities and progress by a representative of Humiston & Moore Engineers on the basis of 10 hours per day on-site construction observations; coordination between the Contractor and the County regarding the Contractor's required submittals; daily reporting of construction activities and permit compliance including required DEP submittals; coordination with the contractor on beach fill progress surveys to be performed by the contractor, and verification of the Contractor's estimates of pay quantities from those surveys; coordination with the contractor on derelict structure removal and verification of Contractor's estimates of pay quantities for derelict structure removal; and review the Contractor's requests for payment and make recommendations to the County regarding the accuracy of the payment request amounts.

*Attach additional pages, if needed.

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

EXHIBIT "CO/STA-B"

Date: 10/19/06

COMPENSATION AND METHOD OF PAYMENT

for Gasparilla Island Beach Restoration Project

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.)
9	Bid Phase Services	11,160.00	L.S.	W.I.P.P.
11	Surveys	21,466.00	L.S.	W.I.P.P.
14	Construction Phase Services	158,035.00	L.S.	W.I.P.P.
TOTAL		190,661.00		

(Unless list is continued on next page)

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

EXHIBIT "CO/STA-C"

Date: 10/19/06

TIME AND SCHEDULE OF PERFORMANCE

for Gasparilla Island Beach Restoration Project

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	Project Coordination	915	1410
2	Sand Search	639	780
3	Local Option	121	90
4	Design	557	1080
5	DEP Permitting	670	1080
6	Corps Permitting	729	1080
7	Funding	669	1290
8	Specifications	622	1140
9	Bid	639	1140
10	Opinion Probable Costs	547	780
11	Hydro. & Topo. Surveys	730	1290
12	Vibracore	654	780
13	Biological Survey	487	1140
14	Construction Phase Svcs.	150	314

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

EXHIBIT "CO/STA-D"

Date: 10/19/06

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

for Gasparilla Island Beach Restoration Project

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
Survey	Sea Diversified Inc 4640 Lipscomb Street Suite 12 Palm Bay, Florida 32905		X		X	

CHANGE ORDER AGREEMENT No. 5

or

SUPPLEMENTAL TASK AUTHORIZATION No. _____

EXHIBIT "CO/STA-E"

Date: 10/19/06

PROJECT GUIDELINES AND CRITERIA

for Gasparilla Island Beach Restoration Project

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

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

Invoices for construction phased services shall be based on construction observations extending 10hrs per day, seven days per week with office support provided as needed. A maximum value of \$50,000 per calendar month is established for providing full coverage of construction. Payments shall be pro-rated to reflect the actual level of effort provided.

The increase in proposed services from the original agreement comes at the request of the County, under the anticipation of an extended construction period from 84 days to 150 days with representation 10 hrs as opposed to 8, and an increased level of effort planned for by the Consultant's Project Manger. The total budget for construction phased services shall not exceed \$250,000, (\$91,965 authorized in the original agreement and \$158,035 in CO#5). A breakdown of anticipated maximum costs is provided on the attached page E2.

