

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

Blue Sheet No. 20060819

1. ACTION REQUESTED/PURPOSE:

Approve Supplemental Task Authorization (STA) No. 5 to Malcolm Pirnie, Inc., under CN-04-14 MISCELLANEOUS UTILITY ENGINEERING DESIGN AND/OR INSPECTION SERVICES: Olga WTP Phase I & II CEI. Services, Contract No. 2922, in the amount of \$187,000.00. This project was in the CIP (7265) and funds are available within the budget. Also, authorize Chairwoman to execute Change Order on behalf of the Board.

2. WHAT ACTION ACCOMPLISHES: Lee County with a Consultant to: include design, bidding, and construction for the Olga WTP Phases 1 & II CEI. Services.

3. MANAGEMENT RECOMMENDATION: Staff recommends approval.

4. Departmental Category: 10

CIOF

5. Meeting Date: 6-27-06

6. Agenda:

7. Requirement/Purpose:
(specify)

8. Request Initiated:

- Consent
- Administrative Appeals
- Public Walk-On

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

Commissioner _____
Department Public Works
Division Utilities
By: *W. Velez*, Acting Director

9. Background: On August 17, 2004 the Board of County Commissioners approved the award of CN-04-14 MISCELLANEOUS UTILITY ENGINEERING DESIGN AND/OR INSPECTION SERVICES with a total of nineteen (19) firms: for a contract period of two (2) years with the option of renewal for one (1) additional year.

On September 14, 2004, under Blue Sheet No. 20041079-UTL, the Board approved entering into negotiations with Malcolm Pirnie, Inc. for engineering services to be provided for the Wastewater System Master Plan between the City of Fort Myers and Lee County.

STA No. 2 was approved by the Board in the amount of \$350,000.00 for the Olga Water Treatment Plant Improvements.

It is being requested that the Board approve STA #5 to provide additional services, (Olga WTP Phase I & II CEI. Services), to Malcolm Pirnie Inc., in the amount of \$187,000.00.

Funds are available in account string 20726548730.506510

Attachment: Three (3) original Supplemental Task Authorizations 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> 6-14-06	<i>[Signature]</i>	N/A		<i>[Signature]</i> 6/14/06	Analyst <i>[Signature]</i> 6-14	Risk <i>[Signature]</i> 6-14-06	Grants <i>[Signature]</i> 6/14/06	Mgr. <i>[Signature]</i> 6/14/06	<i>[Signature]</i> 6-14-06

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
COUNTY ADMIN.
6-14-06 *[Signature]*
11:40
COUNTY ADMIN
FORWARDED TO:
[Signature]
6-14-06

Rec. by CoAtty
Date: 6/14/06
Time: 10:40am
Forwarded To:
Admin 6-14-06

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: Misc. Utility Engineering Design and/or Inspection Services - DLGA WTP
PHASE I & II C.E.T. SERVICES

CONSULTANT: Malcolm Pirnie, Inc. PROJECT NO.: 20726548730.506510

SOLICIT NO.: CN-04-14 CONTRACT NO.: 2922 ACCOUNT NO. _____

REQUESTED BY: Ivan Velez, P.E. DATE OF REQUEST: May 12, 2006

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: May 12, 2006
- EXHIBIT "CO/STA-B" COMPENSATION & METHOD OF PAYMENT: DATED: May 12, 2006
- EXHIBIT "CO/STA-C" TIME AND SCHEDULE OF PERFORMANCE: DATED: May 12, 2006
- EXHIBIT "CO/STA-D" CONSULTANT'S/PROVIDERS ASSOCIATED
SUB-CONSULTANT(S)/SUB-CONTRACTORS: DATED: May 12, 2006
- EXHIBIT "CO/STA-E" PROJECT GUIDELINES AND CRITERIA DATED: May 12, 2006

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

RECOMMENDED:
 By: [Signature] 6/5/06
 Department Director Date
 By: [Signature] 6/13/06
 Contracts Management Date

ACCEPTED
 By: [Signature]
 Consultant/Provider
 Date Accepted: 5-12-06

COUNTY APPROVAL:
 By: [Signature]
 Department Director (Under \$50,000)
 Date Approved: 6/5/06

(CORPORATE SEAL)

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

APPROVED:

 *County Attorney's Office Date

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

CMO:023
03/14/2006



CHANGE ORDER AGREEMENT No. _____

or

SUPPLEMENTAL TASK AUTHORIZATION No.5

EXHIBIT "CO/STA-A"

Date: May 12, 2006

SCOPE OF PROFESSIONAL SERVICES

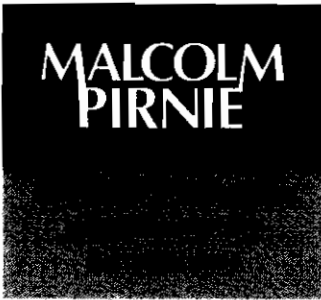
for Misc. Utility Engineering Design and/or Inspection Services

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 Attachment "A"

*Attach additional pages, if needed.



Malcolm Pirnie, Inc.
4315 Metro Parkway
Suite 520
Fort Myers, FL 33916
T: 239.332.1300
F: 239.332.1789
www.pirnie.com

ATTACHMENT "A"

Malcolm Pirnie is pleased to provide Lee County Utilities (LCU) this requested scope of work for CMA Services for the Olga Water Treatment Plant Improvements, Parts 1 and 2. For this project, Malcolm Pirnie will act as an extension of LCU's existing staff, managing the day-to-day aspects of the project while keeping LCU integrated in the decision-making processes. Our goal is to provide LCU with a smooth and efficient project delivery while minimizing the time burden on LCU staff. The scope of services is described in the following sections, and assumes that LCU will provide a part-time field inspector at the site.

SCOPE OF SERVICES

TASK 100 - Project Management

Malcolm Pirnie will perform the following project management tasks during this project:

- Manage and coordinate project activities and personnel to control costs and maintain the project schedule. Coordinate the project activities (i.e. shutdowns, tie-ins, etc.) as necessary with LCU personnel.
- Maintain project records.
- Prepare Monthly Project Progress/Status Reports of sufficient detail to support monthly billings. The monthly report shall be consistent with the billing period.
- Submit monthly invoices to LCU.
- Provide internal quality control for deliverables prior to submission to LCU.
- Review and monitor the Contractor's Project Management Plan

TASK 200 - Cost Management

The goal of this task is to control the construction costs. Specific tasks related to this phase include, but are not limited to, the following:

- Review and recommend approval, rejection, or approval with modifications of periodic pay requests.
- Review all Change Order requests and make recommendations to LCU. Coordinate with the Lee County Contracts Department regarding the preparation and issuance of appropriate Change Order documents.

- Review all Claims and make recommendations to LCU.

TASK 300 - Time Management

The goal of this task is to ensure that the construction is completed in accordance with the project schedule. Specific tasks related to this phase include, but are not limited to, the following:

- Review Construction Schedule.
- Monitor Construction Schedule.
- Review Contractor's requests for schedule adjustments and provide recommendations to LCU. Prepare LCU requests for schedule adjustments and deliver to Contractor.

TASK 400 - Quality Management

The goal of this task is to ensure that the construction is completed in accordance with the design drawings and specifications. Specific tasks related to this phase include, but are not limited to, the following:

- Establish and implement coordination and communication procedures among LCU, MP, and the Contractor.
- Establish and implement a program to monitor the quality of the construction. On-site inspection services shall be coordinated with LCU field inspectors to ensure that a representative (either LCU or MPI) is on site during critical construction activities.
- Review LCU inspection log reports and photographs.
- Examine the Contractor's requests for information, shop drawings, samples, substitutions, and other submittals to determine the anticipated effect on compliance with the Project requirements, budget, and schedule.
- Conduct biweekly on-site meetings with LCU and the Contractor. MP shall prepare and distribute notes after each meeting.
- Review field test data (e.g. density tests, concrete tests, etc.) and make recommendations as necessary.
- Review Contractor's Record Drawings.
- Review and monitor punch list remediation.

TASK 500 - Contract Administration

The goal of this task is to ensure that all terms and conditions of the construction contract are followed throughout the duration of the project. Specific tasks related to this task include, but are not limited to, the following:

- Attend Pre-Bid conference
- Conduct Pre-construction conference

- Establish and implement procedures for reviewing and processing requests for clarification and interpretations of the Contract Documents, shop drawings, samples, and other submittals, contract schedule adjustments, change order proposals, written proposals for substitutions, payment applications, and other submittals.
- Prepare documentation as required for the administration of the contract other than documents prepared by the Lee County Contracts Department.

SCHEDULE

If no unforeseen difficulties are encountered, Malcolm Pirnie will complete the Scope of Services outlined above within 365 calendar days after Notice to Proceed.

COMPENSATION

Malcolm Pirnie will provide this scope of services under the terms and conditions of Contract CN-04-14 Misc. Utility Engineering Design and/or Inspection Services for a not-to-exceed fee of \$187,000. The hourly rate schedule for this scope is included as Attachment No. 1.

ATTACHMENT NO. 1

RATE SCHEDULE⁽¹⁾

Position	Hourly Rate
Project Officer	\$270
Senior Associate	\$225
Associate	\$206
Senior Project Manager/Engineer/Scientist	\$180
Project Manager/Engineer/Senior Technician/Account Manager	\$150
Project Engineer/Scientist/Technician/Account Specialist	\$128
Engineer/Scientist/Technician	\$109
Admin Support	\$84

⁽¹⁾ Rates shown are contract rates discounted for FY 05-06.

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

EXHIBIT "CO/STA-B"

Date: May 12, 2006

COMPENSATION AND METHOD OF PAYMENT

for Misc. Utility Engineering and/or Inspection Services

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.)
100	Project Management	\$31,900	ES	WIPP
200	Cost Management	\$25,950	ES	WIPP
300	Time Management	\$15,450	ES	WIPP
400	Quality Management	\$97,500	ES	WIPP
500	Contract Administration	\$16,200	ES	WIPP
TOTAL		\$187,000 /	NTE	

(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. 1-4	Adjustment(s) Due to this CO or STA	Summary of Changed Compensation
STA-1	VA Update		\$42,000		\$42,000
STA-2	WW System Master Plan		\$350,000		\$350,000
STA-3	Lee County WTE Facility		\$283,347		\$283,347
STA-4	VA Update		\$49,000		\$49,000
STA-5	Olga CMA Svcs			\$187,000	\$187,000
TOTAL			\$724,347	\$187,000	\$911,347

CHANGE ORDER AGREEMENT No. _____

SUPPLEMENTAL TASK AUTHORIZATION No. 5

EXHIBIT "CO/STA-C"

Date: May 12, 2006

TIME AND SCHEDULE OF PERFORMANCE

for Misc. Utility Engineering and/or Inspection Services

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
100	Project Management	365	365
200	Cost Management	365	365
300	Time Management	365	365
400	Quality Management	365	365
500	Contract Administration	365	365

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

EXHIBIT "CO/STA-C"

Date: May 12, 2006

TIME AND SCHEDULE OF PERFORMANCE

for Misc. Utility Engineering and/or Inspection Services

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
NONE			

CHANGE ORDER AGREEMENT No. _____

or
 SUPPLEMENTAL TASK AUTHORIZATION No. 5

EXHIBIT "CO/STA-D"

Date: May 12, 2006

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

for Misc. Utility Engineering and/or Inspection Services

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						

CHANGE ORDER AGREEMENT No. _____

or

SUPPLEMENTAL TASK AUTHORIZATION No. _____

EXHIBIT "CO/STA-E"

Date: May 12, 2006

PROJECT GUIDELINES AND CRITERIA

for Misc. Utility Engineering and/or Inspection Services

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