

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

Blue Sheet No. 20060346

1. ACTION REQUESTED/PURPOSE: Approve Supplemental Task Authorization (STA) No. 9 under CN-00-04 MISCELLANEOUS CIVIL ENGINEERING DESIGN AND/OR INSPECTION SERVICES, to Hole Montes, Inc., for Imperial Street Additional Services in the amount of \$105,930.00. Also, authorize Chairwoman to execute STA on behalf of the Board. This STA was anticipated and funds are available.

2. WHAT ACTION ACCOMPLISHES: Provides Lee County with a Consultant to for Final Right of Way Maps, Legal Descriptions and Parcel Sketches, Permit Applications and Revisions, Final Roadway and Bridge Plans and Final Signalization, Signing and Marking Plans for Imperial Street.

3. MANAGEMENT RECOMMENDATION: Approval Recommended.

4. Departmental Category: 09 C9A		5. Meeting Date: 04-11-2006
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 AC-4-4 <input type="checkbox"/> Other	8. Request Initiated: Commissioner _____ Department Transportation Division _____ By: Scott Gilbertson, Director

9. Background:
On June 20, 200, the Board approved CN-00-04 MISCELLANEOUS CIVIL ENGINEERING DESIGN AND/OR INSPECTION SERVICES with a total of twenty firms.

STA's No. 1 through No. 8 have been approved for this project in a total amount of \$918,511.00. It is requested that STA No. 9 be approved for final documents on Imperial Street in the amount of \$105,930.00.

Funds are available in the following account: 20406018808.506510

Attachments: 1) Two (2) Original STA's for execution.

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services			County Manager/P.W. Director
					Analyst	Risk	Grants	
<i>[Signature]</i> 3-22-06			<i>[Signature]</i> 3/23/06	<i>[Signature]</i> 4/21/06	<i>[Signature]</i>	<i>[Signature]</i> 3/22/06	<i>[Signature]</i> 3/22/06	<i>[Signature]</i> 3-22-06

11. Commission Action:
 Approved
 Deferred
 Denied
 Other

RECEIVED BY COUNTY ADMIN: *[Signature]*
 2/9/06
 30 min
 COUNTY ADMIN FORWARDED TO: *[Signature]*
 3/29/06
 4/12

Rec. by CoAtty
 Date: 3/24/06
 Time: 11:40am
 Forwarded To: Co. Mgr.
 3/24/06

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

Change Order
 Supplemental Task Authorization

NO.: 9

(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: MISCELLANEOUS PROFESSIONAL SERVICES CN-00-04 IMPERIAL STREET ADDITIONAL SERVICES

CONSULTANT: Hole Montes, Inc. PROJECT NO.: 4060

SOLICIT NO.: CN-00-04 CONTRACT NO.: 2484 ACCOUNT NO.: 10910013803500010

REQUESTED BY: Department of Transportation DATE OF REQUEST: 02/07/06

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: 02/07/06
- EXHIBIT "CO/STA-B: COMPENSATION & METHOD OF PAYMENT: DATED 02/07/06
- EXHIBIT "CO/STA-C: TIME AND SCHEDULE OF PERFORMANCE: DATED 02/07/06
- EXHIBIT "CO/STA-D: CONSULTANT'S/PROVIDERS ASSOCIATED SUB-CONSULTANT(S)/SUB-CONTRACTORS: DATED 02/07/06
- EXHIBIT "CO/STA-E: PROJECT GUIDELINES AND CRITERIA: DATED 02/07/06

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

RECOMMENDED:	ACCEPTED	COUNTY APPROVAL
By: <u>[Signature]</u> Department Director	By: <u>[Signature]</u> Consultant/Provider	By: _____ Department Director
Date: <u>3/7/06</u>	Date Accepted: <u>3/2/06</u>	(Under \$25,000) Date Approved: _____
By: <u>[Signature]</u> Contracts Mgmt		
Date: <u>3/7/06</u>		

APPROVED:	Corporate Seal	By: _____
By: _____		County Manager (Between
*County Attorney's Office Date		\$25,000 and under \$50,000)
*County Attorney signature needed for over Board level expenditures only.		Date Approved: _____
		By: _____
		Chairman
		Board of County Commissioners
		Date Approved: _____

- CHANGE ORDER AGREEMENT No.
or
 SUPPLEMENTAL TASK AUTHORIZATION No. 9

EXHIBIT "CO/STA-A"

Date: 02/07/06

SCOPE OF PROFESSIONAL SERVICES

For: MISCELLANEOUS CIVIL ENGINEERING AND/OR INSPECTION SERVICES CN-00-04
IMPERIAL STREET ADDITIONAL SERVICES

(ENTER Project Name form 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, change 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.

The overall objective of this scope is to provide additional design and permitting services necessary to accommodate design changes and additional regulatory requirements for the Imperial Street Four-Laning project from Bonita Beach Road to East Terry Street.

SECTION 2.00 TASKS

Pursuant to the GENERAL SCOPE of the SERVICES stated hereinabove, the PROVIDER shall perform all services and/or work necessary to complete the following task(s) and/or provide the following item(s) which are enumerated to correspond to the task(s) and/or item(s) set forth in EXHIBIT "B", entitled "COMPENSATION AND METHOD OF PAYMENT"

TASK 8.00 – RIGHT OF WAY MAPS

The CONSULTANT shall revise and prepare additional right-of-way maps according to the Lee County Standards as indicated. Proposed right-of-way lines and easement lines will be shown on the construction plans. Right-of-way maps shall be referenced to the State Plane Coordinate System, Florida West Zone, N.A.D. 1983, 1990 Adjusted.

The COUNTY will provide all ownership and encumbrance reports to the CONSULTANT sufficient for use in preparing the right-of-way maps and legal descriptions. The COUNTY will provide copies of right-of-way maps in its possession.

Task 8.02 – Final Right of Way Maps

CONSULTANT shall prepare revised Final Right of Way maps as directed by COUNTY. Four (4) sets of prints for final right-of-way plans, signed and sealed, will be provided by the CONSULTANT. Easements for grading outside the right-of-way to conform adjacent property to the proposed construction will be addressed as either necessary for construction, or as desirable for aesthetics. These plans include key maps (1"= 400'), detailed right-of-way maps (1"=40') and a sheet with a listing of takings for right-of-way and required construction and drainage easements. All takes will be quantified in acreage and square feet.

Consultant will also submit one (1) set of full size (24" X 36") mylars for the County's use.

Final right-of-way maps including roadway easements, shall be prepared and submitted by the CONSULTANT within sixty (60) calendar days subsequent to the receipt of the final review comments from the COUNTY.

Task 8.03 – Legal Descriptions and Parcel Sketches

CONSULTANT shall prepare Legal Descriptions and Parcel Sketches for additional parcels that exceeded the previously anticipated number of parcels. It was previously assumed that 44 legal description and parcel sketches would be required, along with 44 taking surveys to complete the work needed for the Imperial Street Four-Laning Project, including those portions of East Terry Street and Dean Street that were affected. CONSULTANT anticipates that 111 legal description/parcel sketches and taking surveys will ultimately be required to complete the project. Consultant shall provide the additional legal description and parcel sketches and taking surveys to complete the project as follows:

- a) Two (2) copies of a legal description and parcel sketch of each parent tract, acquisition parcel and remainder parcel required for right-of-way, mitigation/jurisdictional areas, drainage easement, construction easement or combination thereof shall be provided by the CONSULTANT at an appropriate scale, on 8-1/2" x 14" pages. It is assumed that a legal description and parcel sketch will not be required for whole takes.
- b) Two (2) copies of a boundary survey of each acquisition parcel shall

be provided by the CONSULTANT at an appropriate scale, on 11" x 17" pages.

- c) CONSULTANT will perform a one time staking of the physical right-of-way takings of East Terry Street and Dean Street when requested by the COUNTY for land acquisition or other purposes; the COUNTY will determine the timing.

TASK 11.00 – PERMITS

The CONSULTANT shall prepare permit applications, data and drawings required for submittal by the COUNTY to the South Florida Water Management District (SFWMD). All permits shall be obtained for the longest possible time frame.

The COUNTY shall review the permit applications and shall have a representative at all conferences between the CONSULTANT and the permitting agency, and shall be copied on all correspondence between the CONSULTANT and the permitting agencies. The CONSULTANT shall attend all meetings necessary for the submittal and approval of all permits.

Task 11.02 – Permit Applications

Substantial additional effort is required by the CONSULTANT in association with obtaining a SFWMD Environmental Resource Permit (ERP). Permit applications including required design information and data shall be completed by the CONSULTANT due to unforeseen permitting requirements indicated by SFWMD to obtain an ERP for the Imperial Street Four-Laning Project, including:

- a) Modification of Imperial Oaks ERP permit

CONSULTANT shall prepare an application for modification of the existing Imperial Oaks ERP permit as requested by SFWMD to establish the future condition of the permitted development.

- b) Dewatering Permit

CONSULTANT shall prepare an application for a dewatering permit for use during construction of the Imperial Street Four-Laning Project.

- c) Water Use Permit

CONSULTANT shall prepare an application for a water use permit which will be required to establish an allocation of irrigation water associated with future landscaping on the Imperial Street Four-Laning Project.

Task 11.03 – Permit Revisions

The CONSULTANT shall prepare permit revisions as may be required for the applications listed in task 11.02, above. CONSULTANT shall respond to agency review comments, revise applications and Plans, final right-of-way plans including legal descriptions and parcel sketches, and submit additional material required to support the proposed design if required, and coordinate with the COUNTY and permitting agencies to obtain approval of the permits. Such response shall be made within thirty (30) calendar

days subsequent to the agency requests. Requirements of permitting agencies shall be incorporated into final contract documents including storm water treatment and attenuation as may be required.

TASK 12.00 – FINAL BIDDING AND CONTRACT DOCUMENTS

A final set of bidding and contract documents will be prepared for the construction of the improvements, which include design modifications as described in this task. This task will include the following:

The CONSULTANT shall furnish design services for revision of the roadway plans required by the utilities and entrance that is planned for the Oak Ridge Subdivision. These modifications will be incorporated into and submitted as part of the Final Plans and Contract Documents.

Task 12.01 - Final Roadway and Bridge Plans

The CONSULTANT shall furnish design services for revision of drainage and roadway geometry in the roadway plans required by the utilities and entrance that is planned for the Oak Ridge Subdivision. The CONSULTANT will coordinate design revisions to minimize conflicts with the utilities of the Oak Ridge Subdivision.

Task 12.02 - Final Signalization, Signing and Marking Plans

The CONSULTANT shall furnish design services for revision of the proposed traffic signals at 1) Dean Street and Imperial Street and 2) East Terry Street and Imperial Street from a strain pole to a mast-arm type. This task will include geotechnical investigation required to provide site-specific analysis for design of the mast arm foundations. Four sets of final plans (11"x17") shall be submitted to the COUNTY for review with the Detail Plans (90%) per Task 7.03.

- CHANGE ORDER AGREEMENT No.
or
 SUPPLEMENTAL TASK AUTHORIZATION No. 9

EXHIBIT "CO/STA-B"

Date: 02/07/06

COMPENSATION AND METHOD OF PAYMENT

for MISCELLANEOUS PROFESSIONAL SERVICES CN-00-04 IMPERIAL STREET
ADDITIONAL 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) "Payment for Services Performed", tasks to be paid on a Work-in-Progress payment basis should be identified (W.I.P.P.).

Task Number	Task Title	Amount of Compensation	Indicate Basis of Compensation L.S. or N.T.E.	If Applicable indicate (W.I.P.P.)
Task 8.02	Final Right of Way Maps	\$ 11,070.00	L.S.	W.I.P.P.
Task 8.03	Legal Descriptions and Parcel Sketches	27,590.00	L.S.	W.I.P.P.
Task 11.02	Permit Applications	29,610.00	L.S.	W.I.P.P.
Task 11.03	Permit Revisions	9,220.00	N.T.E.	W.I.P.P.
Task 12.01	Final Roadway and Bridge Plans	9,860.00	L.S.	W.I.P.P.
Task 12.02	Final Signalization, Signing and Marking Plans	18,580.00	L.S.	W.I.P.P.
TOTAL (Unless list is continued on next page)		\$105,930.00		

- CHANGE ORDER AGREEMENT No.
or
 SUPPLEMENTAL TASK AUTHORIZATION No. 9

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 - 8	Adjustment(s) Due to this CO or STA	Summary of Changed Compensation
STA 1 & 2	Imperial Street Improvements..., Tasks 1.00 to 16.00	\$ 0.00	\$ 422,488.00		
STA 3	Imperial Street Improvements..., Tasks 1.00 to 16.00	\$ 0.00	\$ 7,100.00		
STA 4	Imperial Street Improvements..., Tasks 1.00 to 16.00	\$ 0.00	\$ 150,691.00		
STA 5	Corkscrew Road Improvements..., Tasks 1.00 to 16.00	\$ 0.00	\$ 70,764.00		
STA 6	Imperial Street Improvements..., Tasks 1.00 to 16.00	\$ 0.00	\$ 96,668.00		
STA 7	Imperial Street Improvements..., Tasks 1.00 to 16.00	\$ 0.00	\$165,900.00		
STA 8	Imperial Street Improvements..., Task 10.03	\$ 0.00	\$4,900.00		
STA 9	Imperial Street – Additional Design Services	\$0.00	\$0.00	\$105,930.00	\$105,930.00
TOTAL		\$0.00	\$918,511.00	\$105,930.00	\$1,024,441.00

- CHANGE ORDER AGREEMENT No.
or
 SUPPLEMENTAL TASK AUTHORIZATION No. 9

EXHIBIT "CO/STA-C"

Date: 02/07/06

TIME AND SCHEDULE OF PERFORMANCE

For: MISCELLANEOUS PROFESSIONAL SERVICES CN-00-04 IMPERIAL STREET ADDITIONAL SERVICES

(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
Task 8.02	Final Right of Way Maps	30	30
Task 8.03	Legal Descriptions and Parcel Sketches	15	15
Task 11.02	Permit Applications	15	15
Task 11.03	Permit Revisions	90	90
Task 12.01	Final Roadway and Bridge Plans	30	30
Task 12.02	Final Signalization, Signing and Marking Plans	45	45

- CHANGE ORDER AGREEMENT No.
or
 SUPPLEMENTAL TASK AUTHORIZATION No. 9

EXHIBIT "CO/STA-D"

Date: 02/07/06

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

For: MISCELLANEOUS PROFESSIONAL SERVICES CN-00-04 IMPERIAL STREET ADDITIONAL
SERVICES

(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 word "none" in the space below).

Service and/or Work to be Provided or Preformed	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
Task 12.02	Metro Transportation Group, Inc.		X		X	
Task 12.02	Ardaman & Associates, Inc.		X		X	

- CHANGE ORDER AGREEMENT No.
or
 SUPPLEMENTAL TASK AUTHORIZATION No. 9

EXHIBIT "CO/STA-E"

Date: 02/07/06

PROJECT GUIDELINES AND CRITERIA

For: MISCELLANEOUS PROFESSIONAL SERVICES CN-00-04 IMPERIAL STREET ADDITIONAL SERVICES

(Enter Project Name form 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 herein before in CHANGE ORDER or SUPPLEMENTAL TASK AUTHORIZATION AGREEMENT, Exhibit "CO/STA-A", attached hereto;

(If none, enter the word "none" in the space below).

See E2

PROJECT GUIDELINES AND CRITERIA

IMPERIAL STREET FOUR LANING (BONITA BEACH ROAD TO EAST TERRY STREET)

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 in performing the professional services and work to be provided pursuant to this Agreement:

The purpose of this document is to support the Project in sufficient detail that the CONSULTANT can follow the task descriptions and prepare the basis of compensation for services in sufficient detail to assure the COUNTY that all anticipated tasks necessary and the corresponding compensation required have been identified and defined by the CONSULTANT. The services provided by the CONSULTANT shall include all anticipated work necessary for the design and bidding phase of the project to ensure a complete competently designed, buildable and functional project. The services shall include all defined necessary studies and investigations, complete construction drawings, technical specifications, and contract documents, including all known necessary engineering surveys, right-of-way surveys, and maps and individual parcel survey plats and parcel descriptions, all necessary permits from the State and Federal agencies having jurisdictional authority over any aspect of the project. Should changes in design standards, unforeseen or unanticipated scope of services, environmental regulations, and permitting requirements occur after execution of this Professional Service Agreement which substantially affect the effort required, compensation for additional effort will be negotiated.

This authorization includes providing work for 1) modification of the proposed traffic signals at Dean Street and East Terry Street from a strain-pole to a mast-arm type, 2) additional right of way work required which will exceed prior scope limits, 3) additional permit work required which will exceed prior scope limits. CONSULTANT will incorporate plan revisions into the final plans as applicable.

Topographic survey of conditions modified after submittal of 30% design plans within the original project area are not included in this scope of work. These include Livingston Road Improvements, future Bonita Beach Road improvements, site development abutting the project limits, and utilities improvements made within the proposed right-of-way. Plans will require updating prior to final submittal. The use of design and record plans (if available) will be used for updates and changes. For the purposes of this scope, it is assumed that all plans will be made available to CONSULTANT in digital (AutoCAD or Microstation) format.

The design speed on Dean Street shall be 30 mph. The typical section for Dean Street shall be upgraded as appropriate but will allow transition to match existing locations at the termination of improvements.

The time for Task 11 is estimated at 90 calendar days, however, this is subject to review periods and requirements established by permitting agencies and is beyond the control of CONSULTANT.