

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

Blue Sheet No. 20060394

1. ACTION REQUESTED/PURPOSE: Approve Addendum to the Construction Manager Agreement (Contract #2079) for the project known as RFQ-02-02 OAK HILL COMMUNITY PARK (AKA ESTERO COMMUNITY PARK) MAINTENANCE BUILDING, to J.L. Wallace, Inc., with a Guaranteed Maximum Price of \$1,758,684.76 (includes CM fee of \$99,548.19 or 6%). At this time it is being requested that the Board approve waiving of the formal process (if needed) and authorize the use of the Direct material Purchase Orders as provided for in the CM Agreement with Lee County, which allows the County to purchase directly from suppliers of equipment and/or materials as a cost/time saving measure. Also approve budget Transfer of \$1,842,858 from the interfund transfer account used to repay the loan and interest to the General Fund to the Oak Hill Community Park project and amend FY 05/06 – 09/10 CIP accordingly. Also authorize Chairwoman to execute Addendum upon receipt. This project was in future CIP and funds will be available within the budget.

2. WHAT ACTION ACCOMPLISHES: Authorizes the Construction Manager, J.L. Wallace, Inc. to begin work for the Oak Hill Community Park for a 2,160 s.f. maintenance building, including a dumpster enclosure, material storage bins, outside storage area, and fencing around the area.

3. MANAGEMENT RECOMMENDATION: Staff recommends approval

4. Departmental Category: 2		C2B	5. Meeting Date: 04-25-2006
6. Agenda:	7. Requirement/Purpose: (specify)		8. Request Initiated:
<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Statute		Commissioner
<input type="checkbox"/> Administrative	<input type="checkbox"/> Ordinance		Department Public Works
<input type="checkbox"/> Appeals	<input checked="" type="checkbox"/> Admin. Code	AC-4-4	Division Construction & Design
<input type="checkbox"/> Public	<input type="checkbox"/> Other		By: James Lavender, Director
<input type="checkbox"/> Walk-On			

Background: On May 7, 2002, the Board approved award to JL Wallace Inc. for construction management services for RFQ-02-02 Estero Community Park which is now called Oak Hill Community Park in the amount of six percent (6%) of the total construction project and also authorized staff to enter into a Construction Manager Agreement.

On July 27, 2004, the Board approved a \$6,710,000 interest-bearing loan from the General Fund that will be repaid with community park impact fees from the Bonita Springs district for the construction of Oak Hill Community Park. At that time, it was anticipated that the loan would be repaid between 2013 to 2016. On June 21, 2005 the Board approved using \$773,367 in impact fees to advance the construction of a soccer field and associated construction instead of using these funds to pay down the loan. Even though the impact fees that have been received are being requested to fund a maintenance facility, the loan will still be repaid prior to 2013 due to the increase in community park impact fees in this district.

Previous Addendums have been approved for this project in the amount of \$10,775,404.83.

At this time the Department of Construction & Design is requesting Board approve the Guaranteed Maximum Price (GMP) of \$1,758,684.76 (includes the 6% CM Fee or \$99,548.19). In order for the County to take advantage of saving the sales tax and as a time saving measure we are requesting authorization to purchase materials from various vendors selected by the construction manager and the County.

Funds will be available in account: 20199918628.506540 - \$1,673,684.76 and 40899218200.503190 - \$85,000

Attachments: (1) Letter from J.L. Wallace, Inc dated April 5, 2006
(2) Transfer of Funds

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>J. J. ...</i>	<i>...</i>	N/A	<i>...</i>	<i>...</i>	<i>...</i>	<i>...</i>	<i>...</i>	<i>J. J. ...</i>
4-10-06	4-11-06		4-11-06	4-10-06	4-11-06	4-11-06	4-11-06	4-10-06

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
COUNTY ADMIN:
4/10/06
450
COUNTY ADMIN
FORWARDED TO:
4/13/06
1082

Rec. by CoAtty
Date: 4/10/06
Time: 3:30pm
Forwarded To:
4/10/06

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

Blue Sheet No. 20040913

1. REQUESTED MOTION:

ACTION REQUESTED:

Approve Addendum to the Construction Manager Agreement, (Contract #2079), RFQ-02-02 Estero Community Park, Phase I, to J.L. Wallace, Inc., to include the Guaranteed Maximum Price (GMP) in the amount of \$10,775,404.83, (includes the CM fee in the amount of \$582,421.89). Also request Board approve waiving of any formal process (if needed) and authorize the use of the Direct Material Purchase Orders based on CM's competitive process, which allows the County to purchase directly from suppliers of equipment and/or materials as a cost/time saving measure. Also approve interest-bearing loan from the General Fund to Estero Community Park Project for \$6,710,000.00 and approve budget transfer and resolution to increase Estero Community Park and amend FY 03/04- 07/08 CIP accordingly.

WHY ACTION IS NECESSARY: Board approval required.

WHAT ACTION ACCOMPLISHES: Authorizes the Construction Manager, JL Wallace Inc. to begin work for the Estero Community Park.

2. DEPARTMENTAL CATEGORY:

02. Construction & Design
COMMISSION DISTRICT #:

C2E

3. MEETING DATE:

07-27-2004

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:**

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE *AC-4-4*
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER
- B. DEPARTMENT *Construction & Design*
- C. DIVISION
- BY: *Jim Lavender, Public Works Dir.*

7. BACKGROUND:

On May 7, 2002, the Board approved award to JL Wallace Inc. for construction management services for RFQ-02-02 Estero Community Park in the amount of six percent (6%) of the total construction project and also authorized staff to enter into a Construction Manager Agreement.

At the Board meeting of September 30, 2003, the Board approved an Addendum to the Construction Manager Agreement in the amount of \$194,028.00 to include the initial site work construction for the Estero Community Park project.

At this time the Department of Construction & Design is requesting Board approve the Guaranteed Maximum Price (GMP) of \$10,775,404.83 (includes the 6% CM Fee or \$582,421.89). In order for the County to take advantage of saving the sales tax and as a time saving measure we are requesting authorization to waive any formal process and allow for the purchase of materials/equipment from various vendors selected by the Construction Manager and the County.

A \$6,710,000.00 loan from the General Fund will be repaid with community park impact fees from district 8. The loan will be interest bearing based on short term interest charged by the State Board of Administration (SBA) and is anticipated to be paid back between nine to twelve years.

Funding will be available in accounts: 20199918608.506540-\$10,546,905.00; and 20899218200.506540-\$228,500.00, of which \$123,394.00 will be available October 1, 2004.

Attachment: Letter from JL Wallace dated July 8, 2004
Transfer of Funds and Resolution

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
					OA	OM	Risk	GC	
<i>J. Lavender</i> 7-14-04	<i>[Signature]</i>	N/A	<i>[Signature]</i> 7/14/04	<i>[Signature]</i> 7/14/04	<i>[Signature]</i> 7-14-04	<i>[Signature]</i> 7/15/04	<i>[Signature]</i> 7/15/04	<i>[Signature]</i> 7/15/04	<i>[Signature]</i> 7-14-04

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by *CoAtty*
Date: *7/14/04*
Time: *10:10*

Forwarded To:
[Signature]

RECEIVED BY
COUNTY ADMIN: *[Signature]*
7/14/04
3:15pm
COUNTY ADMIN
FORWARDED TO: *[Signature]*



STABILITY • INNOVATION

LETTER

DATE: Wednesday, April 5, 2006

NO. OF PAGES: 4 with Fax Memo

TO: Robert Taylor
Lee County Dept. of Planning/Construction
1500 Monroe Street, 4th Floor
Fort Myers, FL 33901

FROM: Tammy Kaminski
J. L. Wallace, Inc.
9111 West College Pointe Drive
Ft. Myers, FL 33919

PHONE NO.: 239-479-8306

PHONE NO.: 239-437-1111

FAX NO.: 239-479-8307

FAX NO.: 239-437-1324

PROJECT: *06-181 - Estero Park Building "D"*
SUBJECT: *GMP and Scope of Work rough draft*

ACTION REQUIRED: Please review and comment

The GMP includes, but is not limited to the following work:

- Site construction, utilities, landscaping and irrigation for the maintenance building.
- Permanent entrance from Sandy Lane.
- Temporary construction entrance from the football fields on Williams Road.
- Power service to continue FPL from Phase I park.
- Dog park construction including fencing, irrigation, sitework, water service, storm water drainage, dogpot station, lighting, and water fountains.
- Two shade shelters including concrete, power, water and handicap access.
- Phase II playground feature.
- Construction of 2,160 SF maintenance building, including a dumpster enclosure, material storage bins, outside storage area, and fencing around area.
- Tank/shelter modifications.

**IF YOU DO NOT RECEIVE ALL OF THE INDICATED PAGES PLEASE CALL
OUR OFFICE IMMEDIATELY.**

