

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

**Blue Sheet No. 20060709**

**1. ACTION REQUESTED/PURPOSE:** Approve and authorize the Chairwoman to sign Change Order No. 4 to the Professional Service Agreement (PSA) with Burns and Roe Enterprises, Inc. (Lee Contract No. 2821) providing for additional design work for a dolomitic lime ash conditioning system as contemplated in the original basis of design. This equipment is required for the WTE expansion project as established in the Amended and Restated Operations Agreement with Covanta Energy. Total Change Order amount is not to exceed \$151,194.00.

*\$151,957.00 XJS*

**2. WHAT ACTION ACCOMPLISHES:** Provides the required dolomitic lime ash conditioning system design for the existing and expanded waste to energy facility.

**3. MANAGEMENT RECOMMENDATION:** Staff recommends approval of the requested motion.

<b>4. Departmental Category:</b> 8 <span style="font-size: 1.5em; margin-left: 20px;"><b>C8A</b></span>		<b>5. Meeting Date:</b> <span style="font-size: 1.2em; margin-left: 20px;"><b>06-13-2006</b></span>
<b>6. Agenda:</b> <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input type="checkbox"/> Public <input type="checkbox"/> Walk-On	<b>7. Requirement/Purpose: (specify)</b>	
	<input type="checkbox"/> Statute	
	<input type="checkbox"/> Ordinance	
	<input checked="" type="checkbox"/> Admin. Code	<b>AC 4-4</b>
	<input type="checkbox"/> Other	
		<b>8. Request Initiated:</b> Commissioner _____ Department <u>Public Works</u> Division <u>Solid Waste</u> By: <u>Lindsey J. Sampson</u> <i>Lindsey J. Sampson</i>

**9. Background:**

The Basis of Design included in the Professional Service Agreement with Burns and Roe Enterprises contemplated the need for engineering design for a dolomitic lime ash conditioning system at the existing facility to serve the existing and new combustion units. Particularly, the system provides additional assurance of consistent and acceptable ash characteristics prior to disposal at the landfill. The specific work was not established in Burns & Roe's initial scope because it was decided that this system's design would depend first on the layout of all other plant equipment. Now all required information has been established and this design work can be completed.

Funds are available in Account: 20092340102<sup>31</sup>.506510, Solid Waste Processing Equip. – SW Mgmt – Professional Services

Attachments: Change Order No. 4 (Form)

**10. Review for Scheduling:**

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
<i>J. J. J.</i> 5/24/06	<i>[Signature]</i>	<b>NA</b>		<i>S. P. Smith</i> 5/29/05	Analyst	Risk	Grants	Mgr.	<i>J. J. J.</i> 5-24-06
					<i>[Signature]</i> 5/24/06	<i>[Signature]</i> 5/24/06	<i>[Signature]</i> 5/24/06	<i>[Signature]</i> 5/24/06	

**11. Commission Action:**

- Approved
- Deferred
- Denied
- Other

Rec. by CoAtty

Date: 5/24/06

Time: 11:50 AM

Forwarded To:

Admin 5/24/06

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

Change Order  
 Supplemental Task Authorization

NO.: 4

(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: Design, Engineering & Procurement Services for the WTE Expansion Project

CONSULTANT: Burns & Roe Enterprises, Inc.

PROJECT NO.: CIP 200923

SOLICIT NO.: CN 04-02

CONTRACT NO.: 2821

REQUESTED BY: Lee County

DATE OF REQUEST: 12-13-2005

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: 5/15/06
- EXHIBIT "CO/STA-B: COMPENSATION & METHOD OF PAYMENT: DATED: 5/15/06
- EXHIBIT "CO/STA-C: TIME AND SCHEDULE OF PERFORMANCE: DATED: No Change
- EXHIBIT "CO/STA-D: CONSULTANT'S/PROVIDERS ASSOCIATED SUB-CONSULTANT(S)/SUB-CONTRACTORS: DATED: No Change
- EXHIBIT "CO/STA-E: PROJECT GUIDELINES AND CRITERIA: DATED: No Change

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

RECOMMENDED:

By: [Signature]  
Department Director Date 5/23/06

ACCEPTED:

By: \_\_\_\_\_  
Consultant/Provider (Print Name) \_\_\_\_\_

COUNTY APPROVAL:

By: \_\_\_\_\_  
Department Director (Print Name) \_\_\_\_\_  
(Under \$25,000)

By: [Signature] 5/24/06  
Contracts Mgmt Date

Date Accepted: \_\_\_\_\_

Date Approved: \_\_\_\_\_

APPROVED:

By: \_\_\_\_\_  
\*County Attorney's Office Date

Corporate Seal

*ORIGINALS w/ SEAL to Follow*

By: \_\_\_\_\_  
County Manager (Between \$25,000 and under \$50,000)  
Date Approved: \_\_\_\_\_

\*County Attorney signature needed for over Board level expenditures only.

By: \_\_\_\_\_  
Chairman  
Board of County Commissioners  
Date Approved: \_\_\_\_\_

\_\_\_\_ SUPPLEMENTAL AGREEMENT No. \_\_\_\_ (continued)  
or  
X CHANGE ORDER AGREEMENT No. 4 (continued)

EXHIBIT "S/COA-A"  
Date: May 15, 2006

SCOPE OF SERVICES for Design, Engineering & Procurement Services for the WTE  
Expansion Project

SECTION 1.00 SUPPLEMENT(S) TO, OR 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, or changed, so that the CONSULTANT, or SERVICE PROVIDER, shall provide and perform the following professional services, tasks, or work as a supplement to, or change to, the scope of services previously agreed to and authorized:

Task CO4-1. Provide detailed engineering and design and procurement services for a Dolimitic Lime storage and handling system more particularly as described in Covanta's Basis of Design dated 12/13/05 (as amended) including a pneumatic conveying system from the bulk storage tank to the individual day bins. Include revisions to such design as has been documented with correspondences between Burns & Roe, Covanta, and Lee County through this date.

CHANGE ORDER AGREEMENT No. 4  
or  
 SUPPLEMENTAL TASK AUTHORIZATION No. —

EXHIBIT "CO/STA-B"

Date: 5/15/06

COMPENSATION AND METHOD OF PAYMENT

For Design, Engineering & Procurement Services for the WTE Expansion 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.)
CO4-1	Dolomitic Lime System	\$148,093.00	LS	WIPP
CO4-2	Expediting Services	\$2,864.00	NTE	WIPP
<b>TOTAL</b>		<b>\$150,957.00</b>	<b>NTE</b>	

(Unless list is continued on next page)

CHANGE ORDER AGREEMENT No. 2  
 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 CO or STA Nos. <u>0-3</u>	Adjustment(s) Due to this CO or STA	Summary of Changed Compensation
	Basic Agreement	\$5,919,000			\$5,919,000.00
CO-1	Insurance Pass-through Cost	\$100,000.00		\$200,756.00	\$200,756.00
CO 2	Add'l Water Trtmt. Design, Electrical Switchyard Expansion, New Cooling Tower Sump and Pumps, Provision of Engineering quantities for GC-BOP Procurmt.		\$200,756.00	\$294,125.00	\$294,125.00
CO3	Add'l steel and foundation analysis and design		\$494,881.00	\$51,883.00	\$51,883.00
CO4	Dolo Lime System		\$546,764.00	\$150,957.00	\$150,957.00
TOTAL		\$5,919,000.00	\$546,764.00	\$150,957.00	\$6,616,721.00