

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

Blue Sheet No. 20061501

- 1. ACTION REQUESTED/PURPOSE:** Approve Change Order No. 23 to BSSW Architects, Inc. under CN-01-03 LEE COUNTY JUSTICE CENTER EXPANSION, Contract No. 1785, in the amount of \$977,000.00, for design services of the Parking Structure. Authorize Chairwoman to execute Change Order on behalf of the Board.
- 2. WHAT ACTION ACCOMPLISHES:** The Change Order provides Lee County with design services of a 1,100 to 1,200 car parking structure located adjacent to the existing Justice Center.
- 3. MANAGEMENT RECOMMENDATION:** Staff recommends approval.

4. Departmental Category: 02 C2B		5. Meeting Date: NOV 21 2006
6. Agenda: <input checked="" type="checkbox"/> Consent Administrative <input type="checkbox"/> Appeals <input type="checkbox"/> Public Walk-On	7. Requirement/Purpose: (specify)	
	<input type="checkbox"/> Statute Ordinance	8. Request Initiated: Commissioner Department Construction & Design Division By: Jim Lavender, Director
	<input checked="" type="checkbox"/> Admin. Code AC-4-4	
	<input type="checkbox"/> Other	

9. BACKGROUND:

On June 12, 2001, the Board of County Commissioners entered into a Professional Services Agreement with BSSW, Inc. under CN-01-03 LEE COUNTY JUSTICE CENTER EXPANSION for an amount of \$76,103.00 (Phase I) with the understanding that future Phases for design, permitting and construction of selected options will be brought back to the Board for approval by change orders.

Change orders 1-22 have been previously approved and authorized in the amount of \$4,404,300.00.

The Department of Construction & Design is requesting approval of Change Order 23 with BSSW, Inc. under CN-01-03 LEE COUNTY JUSTICE CENTER EXPANSION in the amount of \$977,000.00, for design services of the Parking Structure.

Funds are available in account string: 20864630100.506 \$10.830

Attachment: Three (3) originals of Change Order 23 for execution.

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
<i>Shumaker</i> 11-7-06	<i>[Signature]</i>	N/A	<i>NO III</i>	<i>Melby</i> <i>[Signature]</i>	Analyst <i>[Signature]</i> 11-8-06	Risk <i>[Signature]</i> 11/8/06	Grants <i>[Signature]</i> 11/7/06	Mgr. <i>[Signature]</i> 11/8/06	<i>Shumaker</i> 11-7-06

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: *[Signature]*
11/8/06 11:40 AM
[Signature]
COUNTY ADMIN FORWARDED TO: *[Signature]*
11-8-06
[Signature]

Rec. by CoAtty
Date: 11/8/06
Time: 11:20 AM
Forwarded to: CAD 11:35 AM

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

- Change Order
 Supplemental Task Authorization

NO.: 23

(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: Lee County Justice Center
Parking Structure

CONSULTANT: BSSW Architects, Inc. PROJECT NO.: _____

SOLICIT NO.: CN-01-03 CONTRACT NO.: 1785 ACCOUNT NO.: _____

REQUESTED BY: Rick Dalziel DATE OF REQUEST: 10/17/06

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: 10/17/06

EXHIBIT "CO/STA-B" COMPENSATION & METHOD OF PAYMENT: DATED: 10/17/06

EXHIBIT "CO/STA-C" TIME AND SCHEDULE OF PERFORMANCE: DATED: 10/17/06

EXHIBIT "CO/STA-D" CONSULTANT'S/PROVIDERS ASSOCIATED
SUB-CONSULTANT(S)/SUB-CONTRACTORS: DATED: 10/17/06

EXHIBIT "CO/STA-E" PROJECT GUIDELINES AND CRITERIA: DATED: 10/17/06

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

RECOMMENDED:

By: [Signature] 10-24-06
Department Director Date

By: [Signature] 11/1/06
Contracts Management Date

APPROVED:

*County Attorney's Office Date

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

CMO:023
03/14/2006

ACCEPTED:

By: [Signature]
Consultant/Provider
KEVIN M. WILLIAMS
FL REG. NO. 93058

Date Accepted: OCT 17 2006

(CORPORATE SEAL)

COUNTY APPROVAL:

By: _____
Department Director (Under \$50,000)

Date Approved: _____

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

Date Approved: _____

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

Date Approved: _____

CHANGE ORDER AGREEMENT No. 23

or

SUPPLEMENTAL TASK AUTHORIZATION No. _____

EXHIBIT "CO/STA-A"

Date: 10/17/06

SCOPE OF PROFESSIONAL SERVICES

for **Lee County Justice Center
Parking Structure**

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:

I. Project Scope

The above referenced project is anticipated to consist of a 1,100 to 1,200 car parking structure located south of the Martin Luther King Jr. Blvd adjacent the existing justice center.

The following design criteria to be consider in the design:

- Parking Structure to be utilized by County and Justice Center employees as well as Public and Jury in support of the Justice complex.
- The Parking Structure to be designed to be expanded by future phases – possibly bridging the existing secondary roads.
- Parking Structure to be designed to permit the future addition of a 80,000 – 110,000 GSF "Liner Structure" on MLK Blvd.

Project Budget is anticipated to be \$16,000,000 to \$17,000,000

II. Scope of Services

Task 1.00 PUD Application and Approval

Services under this Task to include:

- 1.01 Architectural/Project Management (BSSW Architects Inc.) including –
 - a. Architectural Exhibits Required for application including: Site Plan, Floor Plans, Exterior Elevations – services under this task included in Task 2.01 below.
 - b. Preparation of Written Application
 - c. Meetings and Coordination
 - d. Public Hearings
- 1.02 Traffic Impact Report (McMahon Transportation Engineers & Planners) including -
 - a. PUD Traffic Impact Study
 - b. Pedestrian Crossing Review
 - c. Meetings and Coordination

- 1.03 Civil Engineering (TKW Consulting Engineers) including –
 - a. Drawings and Supporting Documentation
 - b. Meetings and Coordination
 - c. Public Hearings
- 1.04 Landscape Architecture (David M Jones, Jr and Associates) including -
 - a. PUD Landscape Plan
- 1.05 Reimbursable Expenses including -
 - a. Printing and Distribution of PUD Application Packages
 - b. Cost for public notification
 - c. Application fees
 - d. Exhibits for Public Hearings

Task 2.00 Standard Architectural / Engineering Services

BSSW Architects and our consultants will provide standard 5 phase design services for the following disciplines:

- Architecture Design - (BSSW Architects Inc)
- Parking Consultant – (Walker Parking Consultants) including –
 - Parking Layout Recommendations
 - Vertical Clearance Recommendations
 - Internal Circulation Recommendations
 - Drainage Control Recommendations
 - Signage Design
 - Parking Control Design
 - ADA Regulations Recommendations
- Civil Engineering - (TKW Consulting Engineers)
- Structural Engineering – (TBD)
- Mechanical Engineering – (TLC Engineering for Architects)
- Electrical Engineering – (TLC Engineering for Architects)
- Plumbing Design – (TLC Engineering for Architects)
- Fire Protection Design - *61G15 Performance Design* – (TLC Engineering for Architects)

Services for the above-referenced disciplines to be provided in the following project phases:

- 2.01 Schematic Design - *task shall establish the conceptual design of the project illustrating the scale the relationship of the project components. The Schematic Design Documents shall include a conceptual site plan, preliminary building plans, sections and elevations. Preliminary selections on building systems either noted on drawings or in writing.*
- 2.02 Design Development – *Based on approval of the Schematic Design Package and updated budget (Prepared by CM) the Design Development task shall define the refinement of the design of the project. Establish the scope, relationships, form, size and appearance of the project by means of plans, sections and elevations, typical construction details, and equipment layouts. Design Development Documents shall include specifications that identify major materials and systems and establish in general their quality levels.*
- 2.03 Construction Documentation - *Based on approval of the Design Development Package and updated budget (Prepared by CM) the construction documents shall set forth in detail the requirements for construction of the project. The Construction Documents and Specifications that establishes in detail the quality levels of materials and systems required for the project.*
- 2.04 Bidding and Negotiation – *BSSW Architects and their sub-consultants shall assist the Owner and Construction Manager in obtaining and evaluating bids from Sub-Contractors. Upon compellation of the sub-contractor bids by Construction Manager, the BSSW will assist County in evaluating the Final GMP package by the Construction Manager.*

2.05 Contract Administration – BSSW Architects and their sub-consultants shall provide administration of the Contract between the Owner and Construction Manager as follows:

- Visit site at regular intervals (twice monthly) and advise Owner on progress of construction and adherence to contract documents.
- Answer questions and issue, when appropriate, clarifications to the contract documents.
- Review submittals of materials for compliance with contract documents.
- Review and advise Owner on monthly applications of payment by Construction Manager.
- Perform substantial and final completion inspections.

2.06 Reimbursable Expenses

Services not included.

- A. Sub-Soils Investigations
- B. Survey Work
- C. Hazardous Material survey or remediation
- D. Extended Construction Administration services
- E. Design of New Addition (Liner Building)
- F. Advanced System Design

* * * * *

*Attach additional pages, if needed.

CHANGE ORDER AGREEMENT No. 23
or
 SUPPLEMENTAL TASK AUTHORIZATION No. _____

EXHIBIT "CO/STA-B"

Date: 10/17/06

COMPENSATION AND METHOD OF PAYMENT

for **Lee County Justice Center
Parking Structure**

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.)
1.00	PUD Application and Approval (fees for this task based on cost)			
1.01	Architectural/Project Management	\$ 12,000	LS	
1.02	Traffic Impact Report	\$ 26,000	LS	
1.03	Civil Engineering	\$ 15,000	LS	
1.04	Landscape Architecture	\$ 2,000	LS	
1.05	Reimbursable Expenses	<u>\$ 10,000</u>	NTE	
	Task 1.00 Total	\$ 65,000		
2.00	Standard Architectural / Engineering Services			
2.01*	Schematic Design (10%) <i>(Note: A credit will be applied to this Task for services charged under CO #17 Task 1.04b)</i>	\$ 90,000	LS	
2.02*	Design Development (15%)	\$ 167,250	LS	
2.03*	Construction Documentation (40%)	\$ 446,000	LS	
2.04*	Bidding and Negotiation (5%)	\$ 55,750	LS	

(Unless list is continued on next page)

Task Number	Task Title	Amount of Compensation	Indicate Basis of Compensation LS or NTE	If Applicable Indicate (W.I.P.P.)
2.05*	Contract Administration (30%)	\$ 334,500	LS	
2.06	Reimbursable Expenses	\$ <u>12,000</u>	NTE	
	Task 2.00 Total	\$ 912,000		
	<p>*(Fees for Tasks 2.01 – 2.05 for all disciplines are based on a 5.3% of an estimated \$17,000,000 construction cost = \$900,000 base fee)</p>			
TOTAL		\$ 977,000		

CHANGE ORDER AGREEMENT No. 23

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>1-22</u>	Adjustment(s) Due to this CO or STA	Summary of Changed Compensation
		\$ 76,103.00			
C.O. #1	Elevator Addition		\$ 94,775		\$ 170,878
C.O. #2	Pod "B"		\$ 46,398		\$ 217,276
C.O. #3	Pod "C"		\$ 24,090		\$ 241,366
C.O. #4	Value Engineering		\$ 18,015		\$ 259,381
C.O. #5	Master Plan Update		\$ 19,400		\$ 278,781
C.O. #6	Pod "A" Third Floor		\$ 58,750		\$ 337,531
C.O. #7	Survey of Existing Bldng Conditions SunTrust		\$ 8,070		\$ 345,601
C.O. #8	Phase/Remodel SunTrust		\$ 288,700		\$ 634,301
C.O. #9	Justice Center Remodeling (Phase II)		\$ 627,600		\$ 1,261,901
C.O. #10	Addition of Pods E & F, Pedestrian Bridge, Elevator Add. @ SunTrust Outdoor Plaza		\$ 1,237,390		\$ 2,499,291
C.O. #11	New Courtroom Building Phase I Build-out		\$ 581,295		\$ 3,080,586
C.O. #12	Lee County Justice Center Expansion Phase III Remodeling		\$ 368,683		\$ 3,449,269
C.O. #13	Lee County Justice Center Expansion City of Fort Myers-PUD Application		\$ 49,750		\$ 3,499,019
C.O. #14	Lee County Justice Center Annex -- Reinforcement of All Floors		\$ 8,775		\$ 3,507,794
C.O. #15	Lee County Justice Center Expansion -- City of Fort Myers PUD Application Additional Services		\$ 46,900		\$ 3,554,694
C.O. #16	Annex Remodel (Phase II)		\$ 366,567		\$ 3,921,261

C.O. #17	Preliminary Design/ Planning and PUD Amendment for		\$ 203,582		\$ 4,124,843
C.O. #18	Security System Upgrades to Existing Justice		\$ 73,425		\$ 4,198,268
C.O. #19	Revisions to Construction Documents to Incorporate Value Engineering Recommendations		\$ 64,935		\$ 4,263,203
C.O. #20	Generator Replacement at Justice Center and Justice Center Annex		\$ 44,800		\$ 4,308,003
C.O. #21	Lee County Justice Center 2 nd Floor (Pod 'A') Remodeling for Clerk of Courts		\$ 172,400		\$ 4,480,403
C.O. #22	Lee County Justice Center – Add Luke Century as Consultant		N.A.	N.A.	
C.O. #23	Lee County Justice Center – Parking Structure			\$ 977,000	\$ 5,457,403
TOTAL		\$ 76,103	\$ 4,404,300	\$ 977,000	\$ 5,457,403

CHANGE ORDER AGREEMENT No. 23

or

SUPPLEMENTAL TASK AUTHORIZATION No. _____

EXHIBIT "CO/STA-D"

Date: 10/17/06

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

for **Lee County Justice Center
Parking Structure**

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
Civil Engineering	TKW Consulting Engineers, Inc. 5621 Banner Drive Fort Myers, FL 33912	X				X
Structural Engineering	TBD					
MEP Engineering	TLC Engineering for Architecture 1400 Colonial Blvd., Suite 203 Fort Myers, FL 33907		X			X
Landscape Architect	David M. Jones & Associates 2221 McGregor Blvd. Fort Myers, FL 33901		X			X
Parking Consultant	Walker Parking Consultants 4902 Eisenhower Blvd., Suite 281 Tampa, FL 33634		X			X

CHANGE ORDER AGREEMENT No. 23

or

SUPPLEMENTAL TASK AUTHORIZATION No. _____

EXHIBIT "CO/STA-E"

Date: 10/17/06

PROJECT GUIDELINES AND CRITERIA

for **Lee County Justice Center
Parking Structure**

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.)

None