

**1. Requested Motion:** Motion to approve the First Amendment to the Interlocal Agreement Between Lee County and the Town of Fort Myers Beach for a Utility Relocation Project within the Corporate Limits of the Town of Fort Myers Beach

**Meeting Date:** 2/18/14

**Why the action is necessary:** Amendments to an Interlocal Agreement must be approved by Town Council

**What the action accomplishes:** Approves the First Amendment to the Interlocal Agreement

**2. Agenda:**

- Consent
- Administrative

**3. Requirement/Purpose:**

- Resolution
- Ordinance
- Other

**4. Submitter of Information:**

- Council
- Town Staff
- Town Attorney

**5. Background:** On December 17, 2013, Lee County approved the Interlocal Agreement between Lee County and the Town of Fort Myers Beach. The interlocal agreement contemplates an amendment to incorporate the design scope of services and fee schedule for the first phase of the project. This First Amendment incorporates the design scope of services and fee schedule and includes the cost of the design services that are attributable to the work that will be performed to replace some of the County's wastewater lines that are in need of replacement and will be replaced at the same time the Town's contractor is replacing the potable water lines. The reimbursable amount to the Town for the wastewater line replacement for phase one is \$21,222.00.

**6. Alternative Action:** Decline to approve the First Amendment to the Interlocal Agreement.

**7. Management Recommendations:** Approve the First Amendment to the Interlocal Agreement.

**8. Recommended Approval:**

Town Manager	Town Attorney	Finance Director	Public Works Director	Community Development Director	Parks & Recreation Director	Town Clerk
						

**9. Council Action:**

- Approved
- Denied
- Deferred
- Other

FIRST AMENDMENT  
INTERLOCAL AGREEMENT BETWEEN LEE COUNTY AND THE TOWN OF  
FORT MYERS BEACH FOR A UTILITY RELOCATION PROJECT WITHIN THE  
CORPORATE LIMITS OF THE TOWN OF FORT MYERS BEACH

THIS FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN LEE COUNTY AND THE TOWN OF FORT MYERS BEACH (First Amendment) is entered into on this \_\_\_\_ day of \_\_\_\_\_, 2014, by and between LEE COUNTY, FLORIDA, a charter county and political subdivision of the State of Florida, (hereinafter called "County"), and the TOWN OF FORT MYERS BEACH, a Florida municipal corporation, acting by and through its Town Council (hereinafter called "Town").

WITNESSETH:

WHEREAS, on December 17, 2013, the County and the Town entered into that certain INTERLOCAL AGREEMENT BETWEEN LEE COUNTY AND THE TOWN OF FORT MYERS BEACH FOR A UTILITY RELOCATION PROJECT WITHIN THE CORPORATE LIMITS OF THE TOWN OF FORT MYERS BEACH relating to certain underground utility improvements proposed by the Town and the County in the same affected areas within the corporate limits of the Town (hereinafter the "Agreement"); and

WHEREAS, the County and the Town entered into the Agreement in order to work jointly pursuant to a design-build contract to construct the improvements; and

WHEREAS, the County has budgeted funds for the design and installation of wastewater line replacement/relocation in those areas the County deems necessary and will only be responsible for the expense of wastewater improvements that comply with the Lee County Utilities Design Manual and that have been authorized by the County; and

WHEREAS, paragraph 8 of the Agreement contemplates, and the parties agreed that, once available, the design scope of services and fee schedule would be identified and included as "Exhibit C" to the Agreement and would be incorporated into the Agreement through the approval and execution of an Amendment to the Agreement; and

WHEREAS, "Exhibit C" which is attached to this First Amendment is intended to comply with the requirements of the Agreement and amends that Agreement by establishing the County's design costs for Phase One of Three, that are reimbursable to the Town in the lump sum amount of \$21,222.00.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants, conditions and obligations herein contained, the parties agree as follows:

SECTION I. INCORPORATION OF RECITALS

The Recitals as set forth above are incorporated into this First Amendment as if set out herein at length.

SECTION II. AMENDMENT

The Agreement is hereby amended as follows:

1. The attached "Exhibit C" is hereby incorporated as part of the Agreement. Reference to "Exhibit C" throughout the Agreement shall mean the "Exhibit C" attached to this First Amendment.
2. All other provisions of the Agreement shall remain unchanged.

SECTION III. EFFECTIVE DATE

This First Amendment shall be effective on the last date that it is signed by the Chair or Vice-chair of the Board of County Commissioners of the County of the Mayor or Vice Mayor of the Town.

IN WITNESS WHEREOF, the parties hereunto have executed this First Amendment to the Agreement on the dates specified below.

ATTEST: LINDA DOGGETT, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Chair

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

Approved as to form by:

\_\_\_\_\_  
County Attorney's Office

ATTEST: MICHELLE MAYHER,  
TOWN CLERK

TOWN OF FORT MYERS BEACH

\_\_\_\_\_

By: \_\_\_\_\_  
Alan Mandel, Mayor

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

Approved as to form:

FOWLER WHITE BOGGS  
Town Attorney

By: \_\_\_\_\_

**EXHIBIT C - (DESIGN COSTS)**

**SCOPE OF SERVICES FOR PHASE ONE OF THREE PHASES FOR THE RFQ-13-02 PHASE ONE WATER DISTRIBUTION SYSTEM IMPROVEMENTS**

**PROPOSED TEAM**

**Town of Fort Myers Beach – Owner (hereinafter the “TOWN”)**

**Mitchell & Stark Const. Co. Inc. (M&S) – Prime Construction (hereinafter “the FIRM”)**

**Johnson Engineering (JEI) – Engineering, Survey & CEI Sub-Consultant (hereinafter “SUB-CONSULTANT”)**

**Cella Molnar & Associates (CMA) – Public Awareness Sub-Consultant**

**PROJECT BACKGROUND:**

This project includes the replacement of the existing potable water distribution system with an upgraded system that meets current water service and fire protection standards of residential areas in the TOWN, as well as improvements to the storm water conveyance system for the Basin Based Neighborhood. The project includes three (3) areas: Bay Beach lane, Laguna Shores and the Basin Based Neighborhood. The streets included in each area are outlined in Table 1 below.

**Bay Beach Lane and Laguna Shores**

Under this contract/phase the Bay Beach Lane and Laguna Shores areas will include all the necessary professional services required to provide 60% level construction plans. The 60% construction plans will be used to generate a Guaranteed Maximum Price (GMP) for the construction of the new potable water system for these areas. Professional fees associated with generating the final construction plans, permitting and construction administration for the potable water system for these areas will also be included in the GMP.

**Basin Based Neighborhood**

This contract/phase includes the 100% final design and permitting for both potable water and storm drain improvements within this area. The project grant includes all eighteen (18) roads within the basin area however only six (6) of the roads have been designed and permitted. Under this contract the final plans for both potable water and drainage improvements within this area will be accelerated for the six (6) permitted roads in order to meet the drainage grant deadline of April 2014. SUB-CONSULTANT will prepare final construction plans for both potable water and drainage for the other twelve (12) roads. Every effort will be made to accelerate these twelve (12) roads as well but depending on design schedule, permitting requirements and grant acceptance these roads may not be completed by the April 2014 grant deadline. This contract/phase also includes generating a Guaranteed Maximum Price (GMP) for the construction of the new potable water system and storm drain improvements for all roads within the Basin Based Neighborhood. Due to grant timing, the GMP for the six (6) roads may be prepared separate from the remaining twelve (12).

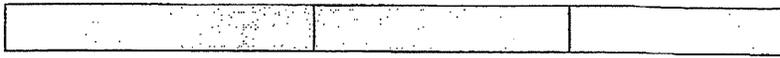
Table 1 identifies the roads and proposed improvements for the project:

**Table 1 – Roads & Improvements.**

<b>PHASE 1 WATER DISTRIBUTION SYSTEM IMPROVEMENTS</b>		
<b>AREA 1 - BAY BEACH LANE</b>		
<i>Alignment</i>	<i>Drainage Grant Funded (Linear Feet)</i>	<i>Water Main (Linear Feet)</i>
Bay Beach Lane	n/a	4,800
<b>Subtotal:</b>	n/a	4,800

<b>AREA 2 - LAGUNA SHORES</b>		
<i>Alignment</i>	<i>Drainage Grant Funded (Linear Feet)</i>	<i>Water Main (Linear Feet)</i>
Buccaneer Drive	n/a	2,520
Lagoon Road	n/a	2,440
Tarpon Road	n/a	610
Redfish Road	n/a	640
Lagoon Vista Street	n/a	400
Starfish Circle	n/a	180
Seahorse Lane	n/a	165
Sand dollar Lane	n/a	240
Estrallita Drive	n/a	1,220
Little Carlos Lane	n/a	350
<b>Subtotal:</b>	n/a	<b>8,765</b>

<b>AREA 3 - BASIN BASED NEIGHBORHOOD</b>		
<i>Alignment</i>	<i>Drainage Grant Funded (Linear Feet)</i>	<i>Water Main (Linear Feet)</i>
Tropical Shores	193 (permitted)	1,740
Chapel Street	not permitted	580
Mango Street	598 (permitted)	1,660
Fairweather Lane	186 (permitted)	1,500
Delmar Avenue	462 (permitted)	1,500
Pearl Street	383 (permitted)	1,460
Virginia Avenue	not permitted	1,360
Ohio Avenue	not permitted	1,220
Bayview Drive	not permitted	350
Miramar Street (Bay side)	permitted	1,200
Ostego Drive	not permitted	700
Carolina Avenue	not permitted	1,200
Avenue E	not permitted	180
Miramar Street (Gulf Side)	not permitted	200
Palm Avenue	not permitted	280
Mango Street (Gulf side)	not permitted	300
Cottage Avenue	not permitted	500
Chapel Street (Gulf side)	not permitted	240
<b>Subtotal:</b>	<b>1,822</b>	<b>16,170</b>



## **TASK INDEX**

- 1.0 Project Management
- 2.0 Water Main Design Services (Bay Beach Lane & Laguna Shores)
- 3.0 Water Main & Storm Drain Design (Basin Based Neighborhood)
- 4.0 Design Services (Lee County Utilities Wastewater)
- 5.0 Surveying Services and Subsurface Utility Engineering
- 6.0 Sketch & Descriptions
- 7.0 Permitting Assistance
- 8.0 Reimbursable
- 9.0 Public Awareness

### **TASK 1.0 – PROJECT MANAGEMENT**

SUB-CONSULTANT will provide the following project management services:

- Initial Kick-Off Meeting – The SUB-CONSULTANT will attend an initial kick-off meeting with FIRM and the TOWN to review project objectives and standards for completing the work. SUB-CONSULTANT will prepare a written meeting memorandum summarizing the discussion and project action plan.
- Project Timeline/Staffing Plan – SUB-CONSULTANT will assist with the preparation of an initial project timeline for submittal to the TOWN at the Initial Kick-Off Meeting. The SUB-CONSULTANT will update the schedule throughout the duration of the project and provide a copy of the updated schedule to the TOWN at each monthly progress meeting. SUB-CONSULTANT will provide schedules in Microsoft Projects format.
- Design Team Meetings – SUB-CONSULTANT will attend up to six (6) design-team meetings during the design phase of this project. Meetings with TOWN staff to review design plans and generate suggestions and comments for incorporation into the design at 60% and 90% completion shall be considered part of this service. If less meetings are needed an appropriate credit will be given.

M&S will provide the following Project Management services:

- Attend meetings, provide input into schedules, and review schedules.

### **TASK 2.0 – WATER MAIN DESIGN SERVICES (BAY BEACH LANE & LAGUNA SHORES)**

SUB-CONSULTANT will provide the following services:

SUB-CONSULTANT shall furnish design services necessary for the preparation of construction plans and specifications for water system improvements in accordance with the TOWN specifications that are in effect on the date that the TOWN approves the AGREEMENT. This task will include preparing 60% construction plans to assist with the formulation of the Guaranteed Maximum Price (GMP). Final design, permitting and construction administration for these improvements will be included in the GMP.

- Coordinate with Other Utilities – SUB-CONSULTANT will contact electric, telephone, cable, gas, and traffic signal service providers to request copies of existing facility record drawings and maps. SUB-CONSULTANT will provide a copy of the information received to the TOWN. Additionally, SUB-CONSULTANT will provide 60% design plans to other utility providers for feedback regarding possible conflicts with proposed facilities.

- Perform field reconnaissance with FIRM staff by walking the entire project to determine most feasible alignment.
- 60% Construction Plans – SUB-CONSULTANT will prepare 60% construction plans for water main improvements along Bay Beach Lane & within Laguna Shores. The 60% construction plans will include a cover sheet, general notes sheet, location map sheet, plan and profile views, and standard detail sheet(s). The plans shall depict existing topographical features; existing utilities; existing rights-of-way, property boundaries, and easement lines; and shall contain the following:
  - Plan and profile view of the proposed water main alignment at 1" = 40' horizontal and 1" = 4' vertical.
  - Proposed water main details.

M&S will provide the following Project Management services:

- Attend meetings, provide input into location & design of utilities, review design for constructability and value engineering.

### **TASK 3.0 – WATER MAIN & STORM DRAIN DESIGN (BASIN BASED NEIGHBORHOOD)**

The SUB-CONSULTANT will provide the following services:

This task applies to the improvements within the Basin Based Neighborhood. This task includes the accelerated 100% final design of the potable water main and storm drain improvements for the six (6) permitted roads. This task also includes evaluating drainage options on the twelve (12) remaining roads, coordinating with The Division of Emergency Management for inclusion of these roads in the grant, and 100% final design for the potable water and storm drain systems for these roads. This task will include the following:

#### **Task 3.1 – Evaluate Drainage Options and Coordinate with the Division of Emergency Management (12 basin roads “not permitted”)**

- SUB-CONSULTANT will perform one site visit to review existing drainage.
- SUB-CONSULTANT will preliminarily review up to three (3) alternatives for drainage improvements to the streets listed for this task. Three (3) alternatives will be reviewed for each road. The review will include drainage design calculations and a conceptual plan with only enough detail to provide a preliminary cost estimate for each alternative. The analysis will be presented to the TOWN for their review and selection of preferred alternative. In addition, water quality improvement potential will be reviewed with the chosen alternative. SUB-CONSULTANT will also coordinate with The Division of Emergency Management to discuss the possible inclusion of these roads in the grant.

#### **Task 3.2 - Water Main Design**

- Coordinate with Other Utilities – SUB-CONSULTANT will contact electric, telephone, cable, gas, and traffic signal service providers to request copies of existing facility record drawings and maps. SUB-CONSULTANT will provide a copy of the information received to the TOWN. Additionally, SUB-CONSULTANT will provide 60% design plans to other utility providers for feedback regarding possible conflicts with proposed facilities.
- Perform field reconnaissance with FIRM staff by walking the entire project to determine most feasible alignment.
- 90% Construction Plans – SUB-CONSULTANT will prepare 90% construction plans for water main within the Basin Based Neighborhood. The 90% construction plans will include a cover sheet, general notes sheet, location map sheet, plan and profile views, and standard detail sheet(s). The plans shall depict existing topographical features; existing utilities; existing rights-of-way, property boundaries, and easement lines; and shall contain the following:
  - Plan and profile view of the proposed water main alignment at 1" = 40' horizontal and 1" = 4' vertical.

- Proposed water main details.
- Maintenance of traffic (MOT) plans.
- Storm water pollution prevention plan (SWP3).
- Utility Notification – SUB-CONSULTANT will transmit two (2) copies of the 90% plans to utility service providers (electric, telephone, CATV, gas) for review and comment.
- 100% Construction Plans – SUB-CONSULTANT will revise plans to incorporate permit conditions, as appropriate from Agencies. SUB-CONSULTANT will submit three (3) sets of hardcopy printouts (11"x17") to TOWN for review purposes. Upon acceptance by the TOWN, SUB-CONSULTANT will submit final construction plans in electronic format (AutoCAD DWG and Adobe PDF).

**Task 3.3 - Storm Drain Design/Plan Adoption (6 permitted basin area roads)**

This task includes reviewing the existing storm drainage construction plans and redesigning or adopting the previously permitted six (6) roads within the Basin Neighborhood Area. The six (6) roads include Tropical Shores, Mango Street, Fairweather Lane, Delmar Avenue, Pearl Street and Miramar Street (Bay Side). This task includes the following:

- Review previous storm drainage plans and design report for the Basin Neighborhood Area as previously prepared by a third-party consultant.
- Attend meeting with TOWN to discuss the previously prepared storm drainage plans and the Town's expectations for drainage improvements in the Basin Neighborhood Area.
- Prepare to adopt the plans pursuant to Chapter 61G15-27 of the Florida Administrative Code (F.A.C.) by performing the following:
  - Perform calculations as required to demonstrate SUB- Consultant's re-creation of the existing storm drainage design for the purpose of adoption. Those portions proposed for redesign will not require adoption; they will have calculations and associated documentation performed.
  - Provide necessary documentation as the successor engineer to demonstrate the reworking of the entire storm drainage design process. This task includes review of the previous storm drainage model and engineering design. Redrawing of the adopted storm drainage design is not necessary per the F.A.C.
  - Accept professional responsibility for adoption of the previous storm drainage design as Engineer of Record.
  - Upon acceptance of adopted storm drainage design, notify the original professional design engineer by certified mail to the last known address of the SUB- Consultant's intention to use or reuse the original professional engineer's work.
- Provide storm drainage design for drainage improvements on Miramar Street (Gulf side) to carry storm water across Estero Boulevard to possible outfalls on Virginia or Ohio Street.
- Provide additional storm drainage design on Pearl and Delmar Street to extend proposed 18" pipes approximately 200-300 linear feet to the north.

**Task 3.4 – Storm Water Design (12 basin roads "not permitted")**

This task will include evaluating and designing the storm drainage improvements along the twelve (12) Basin Based Neighborhood roads that are included in the grant funding but not currently permitted. Depending on design schedule, permitting and grant acceptance these roads may or may not be included in the first construction phase to meet the grant deadline of April 2014. SUB-CONSULTANT shall furnish design services necessary for storm water drainage design and obtain permits for the following streets:

Chapel Street

Avenue E

Virginia Avenue  
Ohio Avenue  
Bayview Drive  
Ostego Drive  
Carolina Avenue

Miramar Street (Gulf & Bay Side)  
Palm Avenue  
Mango Street (Gulf Side)  
Cottage Avenue  
Chapel Street (Gulf Side)

- **60% Construction Plans**

- SUB-CONSULTANT will perform one site visit to review existing drainage.
- SUB-CONSULTANT will preliminarily review up to three (3) alternatives for drainage improvements to the streets listed for this task. Three (3) alternatives will be reviewed for each road. The review will include drainage design calculations and a conceptual plan with only enough detail to provide a preliminary cost estimate for each alternative. The analysis will be presented to TOWN for their review and selection of preferred alternative. In addition, water quality improvement potential will be reviewed with the chosen alternative.
- SUB-CONSULTANT will prepare the preliminary surface water management design and calculations for the preferred alternative.
- SUB-CONSULTANT will incorporate the preliminary drainage design for the preferred alternative into the 60% construction plans.

- **Final Drainage Design Phase**

- SUB-CONSULTANT will prepare the final surface water management design and calculations for the preferred alternative to submit with the permit application.
- SUB-CONSULTANT will incorporate the final drainage design for the preferred alternative into the 90% and final construction plans and project specifications.
- SUB-CONSULTANT will respond to Request for Additional Information. The request for information may be a formal RAI or an informal email/phone call.

M&S will provide the following Project Management services:

Attend meetings, provide input into location & design of utilities, review design for constructability and value engineering.

#### **TASK 4.0 – WASTEWATER DESIGN SERVICES (LEE COUNTY UTILITIES)**

The SUB-CONSULTANT will provide the following services:

SUB-CONSULTANT will develop 60% construction plans to assist with the formulation of the Guaranteed Maximum Price (GMP) for wastewater force main improvements for Lee County Utilities (LCU). Per discussions with LCU, it is anticipated at this time that replacement of approximately 810 linear feet of force main along Ohio Street and Tropical Shores will be necessary. Final design and permitting for these improvements will be included in the GMP.

- Coordinate with LCU regarding wastewater collection and transmission system improvements along the water main construction corridor.
- 60% Design Plans – SUB-CONSULTANT will prepare 60% design plans for the relocation of wastewater force main along Ohio Street and Tropical Shores. The 60% construction plans will include a cover sheet, general notes sheet, location map sheet, plan and profile views, and standard detail sheet(s). The plans shall depict existing topographical features; existing utilities; existing rights-of-way, property boundaries, and easement lines; and shall contain the following:

- Plan and profile view of the Lee County wastewater facilities alignment at 1" = 40' horizontal and 1" = 4' vertical, unless otherwise agreed to in writing. Where rights of way exceed plan view limits for plan & profile sheets, separate plan view sheets and profile view sheets may be incorporated in the plan set.
- Proposed wastewater force main details.
- Utility Notification – SUB-CONSULTANT will transmit two (2) copies of the 60% plans to utility service providers (electric, telephone, CATV, gas) for review and comment.

M&S will provide the following Project Management services:

Attend meetings, provide input into location & design of utilities, review design for constructability and value engineering.

#### **TASK 5.0 – SURVEYING SERVICES & SUBSURFACE UTILITY ENGINEERING**

The SUB-CONSULTANT will provide the following services:

The SUB-CONSULTANT shall perform and provide a Topographic Survey of the design route for the proposed water main along the roads as outlined in the table located in Section 1. The survey will be from right-of-way to right-of-way on all 29 roads along the project corridor. The SUB-CONSULTANT shall perform miscellaneous land surveys necessary for the project as determined during the design stage. A minimum of two (2) permanent project control points will be established with elevations based on the North American Vertical Datum of 1988 (NAVD 88) and horizontal coordinates referenced to the State Plane Coordinate System, Florida West Zone, North American Datum of 1983 (2007 adjustment) (NAD83/NA2011). This survey will be prepared in accordance with Chapter 472.027, Florida Statutes.

- Route Survey – The SUB-CONSULTANT will field survey existing conditions, including cross-sections at 100' stations along rights-of-way within the project limits. Topographic data will extend from right of way to right-of-way for all 29 roads. Additional topographical data will be obtained to ensure proper design for existing services. In addition to the cross-sections, the SUB-CONSULTANT shall provide comprehensive locations of existing driveways, mailboxes, aboveground utilities, culvert crossings, etc. SUB-CONSULTANT shall call Sunshine One to have the existing utilities marked within the project area and will locate the marked utilities. SUB-CONSULTANT shall prepare a base map of the right-of-way, elevations obtained, visible and marked underground utilities, easements and existing improvements along project corridor.
- Subsurface Utility Engineering (SUE) – SUB-CONSULTANT will provide the following services as they relate to SUE:
  - Based on preliminary design work and review of field conditions, the SUB-CONSULTANT will determine the most useful locations for the subsurface utility investigations. This scope budgets for one (1) trench along each road for a total of approximately 29 trenches. All trenches will be within natural ground or under pavement or concrete that will be removed and repaired by FIRM. The trenches will be a maximum of six (6) feet deep. Excavations will be performed using air vacuum and water pressure equipment that is non-destructive to existing facilities.
  - SUB-CONSULTANT will mark locations of the excavated underground utilities with laths on natural ground.
  - SUB-CONSULTANT will field-locate underground utility lines within the trenches using traditional and GPS surveying methods and plot the utilities in relationship to existing above ground improvements. SUB-CONSULTANT will obtain the depths, locations, sizes, types (if possible), and materials of the excavated utility lines.
- SUB-CONSULTANT will repair natural ground only within the limits of original cuts. FIRM will be responsible for any pavement or concrete repairs.

M&S will provide the following Project Management services:

Attend meetings, review survey, and make repairs pavement or concrete repairs due to field-locating.

#### **TASK 6.0 - SKETCH & DESCRIPTIONS**

The SUB-CONSULTANT will prepare up to five (5) Sketch & Descriptions for proposed utility easements, if required.

#### **TASK 7.0 - PERMITTING ASSISTANCE**

The SUB-CONSULTANT will provide the following services:

The SUB-CONSULTANT will be responsible for preparing and submitting all required applications and supporting information necessary to assist the TOWN with obtaining all reviews, approvals, and permits, with respect to the Consultant's design, drawings, and specifications required by any regulatory agency having authority over this project. All permit fees will be paid for by the TOWN. This will include the following permits:

- Fort Myers Beach/ Lee County LDO (Basin Based Neighborhood)
- Lee County Health Department Potable Water Permit (Basin Based Neighborhood)
- Environmental Resource Permit (ERP) General Modification for Construction Operation
- South Florida Water Management District (SFWMD) Permitting (Entire Project):
  - **SFWMD Short-term Dewatering Permit** - SUB-CONSULTANT will assist the TOWN with obtaining a short-term dewatering permit for construction/installation of underground utilities for the Fort Myers Beach utility installation project, if the results of Groundwater Sampling indicate the project will require a permit from the SFWMD.
    - SUB-CONSULTANT will prepare required SFWMD forms and exhibits, evaluate potential impacts to existing legal users of the Water Table aquifer and wetlands, prepare a report of potential pollution sources, estimate volumes of dewatering effluent, prepare a dewatering plan and schedule, prepare a turbidity monitoring plan (if necessary), and prepare exhibits of temporary retention areas and recharge trenches (if necessary). SUB-CONSULTANT will coordinate with the TOWN to prepare a feasible dewatering plan to meet SFWMD regulatory requirements and take into account site constraints and the construction schedule. SUB-CONSULTANT will respond to RAIs and informal requests for information from the SFWMD during the review period, if required. SUB-CONSULTANT will coordinate with FIRM and the TOWN as required to develop dewatering plan. The TOWN is responsible for all SFWMD permit processing fees.
  - **SFWMD Master Dewatering Permit** - SUB-CONSULTANT will assist TOWN in obtaining a Master SFWMD dewatering permit for the all anticipated phases of the utility installation project to allow pumpage in excess of 10 mgd with a 5-year permit duration. The application/dewatering plan will be based on that used for SFWMD short-term dewatering permit described under above Task and will include conceptual dewatering plans for subsequent phases of utility installation. SUB-CONSULTANT will revise required SFWMD forms, dewatering plan and exhibits, and estimates of dewatering effluent volumes as necessary. SUB-CONSULTANT will respond to request for additional information from the SFWMD if required. SUB-CONSULTANT will coordinate with FIRM/TOWN (in Ft. Myers) as required to develop dewatering plan. TOWN is responsible for all SFWMD permit processing fees (estimated \$1,800.00-\$4,000.00 contingent upon volume of pumpage required). This scope of services does not include updates to the master dewatering permit required prior to commencing work in future phases.

- FDEP Generic Permit for Discharge of Produced Groundwater - SUB-CONSULTANT will perform groundwater sampling at two (2) locations representative of the extents of the project site to determine whether the site qualifies for use of the FDEP Generic Permit for the Discharge of Produced Groundwater from Any Non-Contaminated Site Activity. The project will qualify for the FDEP generic permit if the site meets the screening values for the parameters listed in Table 1 of 62-621.300(2), F.A.C., with the exception of total organic carbon (TOC), which can qualify for a variance. SUB-CONSULTANT will construct small test pits at the two (2) specified locations selected in conjunction with FIRM and/or TOWN and pump groundwater from the pits to obtain water quality samples for analysis. SUB-CONSULTANT will send samples to a NELAC-certified laboratory for analysis of chloride concentration and the parameters listed in Table 1 of 62-621.300(2). SUB-CONSULTANT will review the lab results and determine what subsequent permitting action may be required based on the results.
- SUB-CONSULTANT will assist TOWN in obtaining a generic dewatering permit from the FDEP for the project listed above if the water quality results obtained meet the criteria listed in 62-621.300(2), F.A.C. SUB-CONSULTANT will prepare figures, text and other items typically required of an application submittal for a Notice of Intent (NOI) for an exemption from the TOC requirement due to high naturally occurring values. SUB-CONSULTANT will respond to questions from the FDEP and attend meetings, as required. TOWN is responsible for any FDEP application fees.
- Coastal Construction Control Line (CCCL) Permitting: (Entire Project):

**Option A:** Although the work associated with this project is confined to existing, developed rights-of-way, several of the rights-of-way are located seaward of the established 1991 Coastal Construction Control Line. Per phone conversation with Jennifer Cowart of the Florida Department of Environmental Protection (DEP) on July 15, 2013, the temporary excavation required for the installation/replacement of the water lines in these areas should qualify for a Minor Field Permit.

The SUB-CONSULTANT will prepare and e-submit to the DEP the following information in support of the Minor Field Permit: project plans showing the temporary excavation seaward of the CCCL, a written description of the project, and letter outlining the applicant and/or applicant's agent information. SUB-CONSULTANT will meet DEP representative onsite for field review, as necessary. Ms. Cowart further indicated that as long as no work is proposed on the beach and work will not require construction lighting shining towards the water at night, no additional review for sea turtle impacts should be required. As no nighttime or beach work is anticipated, additional review for sea turtle nesting impacts is not required for this option.

**Option B:** Should the project design result in new, permanent excavation seaward of the CCCL that would no longer allow for the Minor Field Permit, it will be necessary to apply for a General Permit from the DEP, which requires specific permitting and survey requirements in accordance with Rules 62B-33.008-33.0081 F.A.C.

M&S will provide the following Project Management services:

Attend meetings, provide input into the dewatering design and review permitting.

#### **TASK 8.0 – REIMBURSABLES**

SUB-CONSULTANT, M&S, CMA will provide deliverables that will include, but is not limited to the following: courier and express delivery charges, reproduction of plans and reports, photography, field supplies and costs of other materials and/or equipment specifically used for and solely applicable to this project.

**TASK 9.0-PUBLIC AWARENESS**

Cella Monar & Associates ( CMA) will provide the following services:

CMA will coordinate with project team, prepare public information plan, prepare project mailing list, prepare project newsletter and coordinate with Town mailing the newsletter, develop project website and maintain website for six months. For the Basin Base Neighborhood Preconstruction Public Meeting CMA will secure meeting site, prepare and distribute neighborhood meeting cards, prepare property owner and site address mailing list, prepare public meeting handouts, and attend public meeting. For Basin Base Neighborhood Preconstruction Activities CMA will prepare media release, prepare initial notice, prepare preconstruction cards and document concerns from Public.

M&S will provide the following Public Awareness services:

Attend meetings, provide input into the public awareness plan, review the public awareness plan and review all materials produced by CMA.

**FEE SUMMARY**

**FOR RFQ-13-02 PHASE ONE WATER DISTRIBUTION SYSTEM IMPROVEMENTS**

<b>TASK NUMBER</b>	<b>TASK</b>	<b>AMOUNT</b>
1.00	Project Management	\$37,410.00
2.00	Water Main Design Services ( Bay Beach Lane & Laguna Shores)	\$96,700.00
3.00	Water Main & Storm Drain Design ( Basin Based Neighborhood)	\$238,040.00
4.00	Design Services ( Lee County Utilities Wastewater)	\$21,222.00
5.00	Surveying Services and Subsurface Utility Engineering	\$249,715.00
6.00	Sketch & Descriptions	\$3,505.00
7.00	Permitting Assistance	\$67,774.00
8.00	Reimbursable	\$6,500.00
9.00	Public Awareness	35,746.61
	<b>TOTAL FEE</b>	<b>\$756,612.61</b>

**TEAM FEE SUMMARY BREAKDOWN**

**FOR PHASE ONE OF THREE FOR RFQ-13-02 PHASE ONE WATER DISTRIBUTION SYSTEM IMPROVEMENT**

TASK	ITEM	M&S AMOUNT	M&S FEE TYPE	JEI AMOUNT	JEI FEE TYPE	CMA AMOUNT	CMA FEE TYPE	CONTRACTOR FEE	TOTAL ESTIMATED FEE
1	Project Management	\$9,690.00	T&M	25,200.00	LS			\$2,520.00	\$37,410.00
2	Water Main Design Services ( Bay Beach Lane, & Laguna Shores)	\$12,000.00	T&M	77,000.00	LS			\$7,700.00	\$98,700.00
3	Water Main & Storm Drain Design ( Basin Based Neighborhood)	\$17,050.00	T&M	200,900.00	LS			\$20,090.00	\$238,040.00
4	Design Services ( Lee County Utilities Wastewater)	\$3,600.00	T&M	16,020.00	LS			\$1,602.00	\$21,222.00
5	Surveying Services and Subsurface Utility Engineering	\$47,700.00	T&M/Each	183,650.00	LS			\$18,365.00	\$249,715.00
6	Sketch & Descriptions	\$150.00	T&M	3,050.00	T&M			\$305.00	\$3,505.00
7	Permitting Assistance	\$1,950.00	T&M	59,840.00	T&M			\$5,984.00	\$67,774.00
8	Reimbursables	\$1,000.00	T&M	5,000.00	T&M			\$500.00	\$6,500.00
9	Public Awareness	\$1,200.00	T&M	0.00		\$31,406.01		\$3,140.60	\$35,746.61
	<b>TOTAL</b>	<b>\$84,340.00</b>		<b>570,660.00</b>		<b>\$31,406.01</b>		<b>\$60,206.60</b>	<b>\$756,612.61</b>
	<b>Total Fee for Phase One of Three for RFQ 13-02 Phase One Water Distribution System Improvement</b>								<b>\$756,612.61</b>