



BOARD OF COUNTY COMMISSIONERS

DATE: July 23, 2013

AGENDA ITEM NO. 12

Consent Agenda ☐

Regular Agenda ☒

Public Hearing ☐

County Administrator's Signature

Subject:

Amendment No. 5 with the Florida Department of Environmental Protection and Humiston & Moore Engineers for the Honeymoon Island Beach Restoration Project

FDEP Contract No. DC839

PID No. 0000150A/922279

Department:

Department of Environment and Infrastructure

Staff Member Responsible:

Richard Coates, P.E., Director
Transportation & Stormwater

Recommended Action:

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS (BOARD) APPROVE AMENDMENT NO. 5 WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) AND HUMISTON & MOORE ENGINEERS (HME) FOR THE HONEYMOON ISLAND BEACH RESTORATION PROJECT, AND AUTHORIZE THE CHAIRMAN TO SIGN AND THE CLERK TO ATTEST.

Summary Explanation/Background:

This Agreement was originally between the FDEP Division of Recreation and Parks and Humiston & Moore Engineers, P.A. Amendment No. 1 approved by the Board on February 3, 2009, added Pinellas County as the Local Sponsor to administer the project with a County cost of \$732,910 before state reimbursement. On October 20, 2009, the Board approved Amendment No. 2 that streamlined the sand search task and reduced the County cost to \$566,160 before state reimbursement. The Board approved Amendment No. 3 on July 26, 2011, adding permit required monitoring tasks, increasing the contract by \$68,250, resulting in a total County cost of \$634,410 before state reimbursement. Amendment No. 4 was approved by the Board on October 2, 2012, which added \$58,670 of work elements to complete permitting and project plans, resulting in a total County cost of \$693,080 before state reimbursement. The total County cost will be \$173,270 after state reimbursements.

Amendment No. 5 will result in a 3% reduction of the Consultant's contract wage rates and will extend the agreement an additional five (5) years to August 5, 2018 with no increase in the total agreement cost. The wage rate reduction resulted from Chapter No. 2010-151, Laws of Florida, Section 216.011, Florida Statutes that required FDEP to review and amend its existing agreements to reduce payments. The time extension will allow for the completion of the upcoming Phase II construction and post-construction monitoring. Other terms of the Agreement remain unchanged.

Fiscal Impact/Cost/Revenue Summary:

This Amendment extends the project completion date and reduces the Consultant's contract wage rates with no additional cost to the County.

State: \$590,060

County: \$173,270

Project Total: \$763,330

Exhibits/Attachments Attached:

Contract Review Transmittal
Amendment No. 5

NON-PURCHASING CONTRACT REVIEW TRANSMITTAL SLIP

PROJECT: Amendment No. 5 with the Florida Department of Environmental Protection and Humiston & Moore Engineers for the Honeymoon Island Beach Restoration Project, 000150A/922279

CONTRACT NO.: FDEP DC839

ESTIMATED EXPENDITURE / REVENUE: N/A
(Circle or underline appropriate choice above.)

In accordance with Contract Administration and its Review Process, the attached documents are submitted for your review and comment. Please complete this Non-Purchasing Contract Review Transmittal Slip below with your assessment, and **forward to the next Review Authority on the list, skipping any authority marked "N/A."** Indicate suggested changes by noting those in "Comments" column, or by revising, in RED, the appropriate section(s) of the document(s) to reflect the exact wording of the desired change(s).

OTHER SPECIFICS RELATING TO THE CONTRACT:

REVIEW SEQUENCE	DATE	INITIAL/ SIGNATURE	COMMENTS (IF ANY)	COMMENTS REVIEWED & ADDRESSED OR INCORPORATED
Originator: DEI John Bishop Andy Squires Kelli Levy Richard Coates, P.E.	7/2/13 7/2/13 7/5/13 7.5.13	JB KHL 		
Clerk's Finance: Cassandra Williams 	7-8-13		I cannot tie wages rate between original agreement/amendment to the 3% base.	7/9/13
Risk: Virginia Holscher	7/3/13	VH	Insurance requirements in original contract	7/5/13
OMB: Eric Naughton	7/8	EM		
Legal: David McCrea	7/9			
AATF				
DEI Executive Director: David E. Scott, P.E.	7/9			

Please return to Trina Shisler, DEI, ext. 45316

All inquiries should be made to John Bishop, DEI, ext 48766

Andy Squires sent Fred Dean email to clarify current contract wage rates. 7/14/13

DEP CONTRACT No. DC839
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

AMENDMENT 5

THIS AGREEMENT was entered into on the 5th day of August 2008, and amended by Amendment 1 on the 3rd day of February 2009, Amendment 2 on the 29th day of October 2009, Amendment 3 on the 8th day of August 2011, and Amendment 4 on the 11th day of October 2012, by and between the Florida Department of Environmental Protection with headquarters at 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, a state agency ("Department"), the Pinellas County Board of County Commissioners, 315 Court Street, Clearwater, Florida 33756, a Florida local governmental entity ("County") and Humiston & Moore Engineers, P.A., with headquarters at 5679 Strand Court, Naples, Florida 34110, a Florida corporation ("Consultant").

RECITALS

WHEREAS, the Consultant was selected to provide professional engineering services according to the Consultants Competitive Negotiations Act, Chapter 287.055 Florida Statutes, the Request for Statement of Qualifications No. RFSOQBDC 02 06/07 and the Consultant's response are included herein by reference. This Agreement is intended to be amended as the work progresses.

NOW, THEREFORE, this Agreement is hereby amended as follows:

1. Chapter No. 2010-151, Laws of Florida requires each state agency, as defined in Section 216.011, Florida Statutes, to review existing contract renewals and reprocurments with private providers and public-private providers in an effort to reduce contract payments. As a result of that law, the Department conducted a renegotiation of rates with the Consultant and their approved Sub Consultant prior to exercising the renewal option. All parties agreed to a 3% reduction in the Contract rates. The revised rates for the Consultant and their approved Sub Consultant is attached hereto and made a part hereof as Attachment A-5.
2. The Contract Term, Section 3.1, shall be amended to exercise the option of renewing the Agreement an additional five (5) years, changing the completion date from August 5th 2013, to August 5th 2018.
3. It is understood by the Department, the County, and the Consultant that in each and every respect the terms of this Agreement, except as amended hereby, shall remain unchanged and in full force and effect, and the same are hereby ratified, approved and confirmed, by the Department, the County and the Consultant as of the date of this Amendment.
4. It is understood and agreed by the Department, the County and the Consultant that this Amendment is binding upon the Department, the County and the Consultant, and their successors and assigns.
5. Attachments to this Amendment:

Attachment A-5, Pages 1: Negotiated Wage Rates, shall be included as part of this Amendment

The parties have caused this Amendment to be duly executed the day and year last written below.

FOR THE CONSULTANT



Authorized Person

Brett D. Moore, P.E.

Print Name

President

Title

6-25-13

Date

65-0262357

FEID Number

FOR THE DEPARTMENT

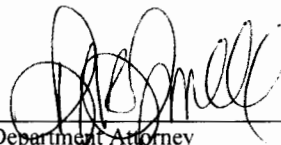
Signature
Division of Recreation and Parks
Department of Environmental Protection

Print Name

Title

Date

APPROVED AS TO FORM AND
LEGALITY



Department Attorney

FOR THE COUNTY

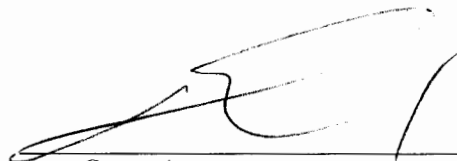
Pinellas County Board of County
Commissioners
County Commission Chair

Date

ATTEST

County Clerk

APPROVED AS TO FORM AND
LEGALITY



County Attorney

Attachment A-5
Negotiated Wage Rates

Humiston & Moore Engineers, P.A. & Sub Consultant

Humiston & Moore Engineers	Rate	Less 3%	New Rates
Principal Engineer	\$170.89	\$5.13	\$165.76
Senior Engineer	\$145.00	\$4.35	\$140.65
Engineer III	\$95.91	\$2.88	\$93.03
Engineer II	\$78.32	\$2.35	\$75.97
Engineer I	\$64.08	\$1.92	\$62.16
Modeling Tech 2	\$88.59	\$2.66	\$85.93
Modeling Tech 1	\$82.87	\$2.49	\$80.38
AutoCAD Tech II	\$71.19	\$2.14	\$69.05
AutoCAD Tech I	\$56.96	\$1.71	\$55.25
Pit Coordinator	\$70.00	\$2.10	\$67.90
Admin Asst	\$50.00	\$1.50	\$48.50

Sea Diversified	Rate	Less 3%	New Rates
2-Person Topographic Survey Crew	\$113.91	\$3.42	\$110.49
3-person Topographic Survey Crew	\$149.88	\$4.50	\$145.38
2-person Hydro Survey Crew	\$204.90	\$6.15	\$198.75
3-Person Hydro Survey Crew	\$249.86	\$7.50	\$242.36
3-person Hydro Dive Crew	\$309.84	\$9.30	\$300.54
2-person GPS Survey Crew	\$158.91	\$4.77	\$154.14
3-Person GPS Survey Crew	\$213.87	\$6.42	\$207.45
4-Person GPS Survey Crew	\$268.83	\$8.06	\$260.77
Survey Manager	\$100.00	\$3.00	\$97.00
Computer/CADD	\$79.19	\$2.38	\$76.81
Survey Technician	\$60.00	\$1.80	\$58.20
Professional Surveyor & Mapper	\$120.00	\$3.60	\$116.40
Professional Engineer	\$125.00	\$3.75	\$121.25
Project Manager	\$150.00	\$4.50	\$145.50
Principal	\$161.87	\$ 4.86	\$157.01
Administrative Support	\$58.45	\$1.75	\$56.70
Side Scan Sonar System	\$750.00	\$22.50	\$727.50
Multi-Beam Hydrographic System	\$950.00	\$28.50	\$921.50
Magnetometer System	\$350.00	\$10.50	\$339.50
Survey Launch I	\$300.00	\$9.00	\$291.00
Survey Launch II	\$450.00	\$13.50	\$ 436.50
Survey Truck	\$75.00	\$2.25	\$ 72.75
Sub-Bottom Profile System	\$760.00	\$22.80	\$737.20
Magnetometer System	\$350.00	\$10.50	\$339.50
Per-Diem (Field Crew)	\$100.00	\$3.00	\$97.00
Per Diem (Project Manager)	\$150.00	\$4.50	\$145.50