



Interoffice Memorandum

Minutes

B/W Stillwater (Horizon West)

Special Roadway Agreement Committee

January 20, 2009

Members Present: Renzo Nastasi – Transportation Planning Division

County Staff Present: Roberta Alfonso – County Attorney’s Office
Heather Brownlie – Transportation Planning Division
Robin Hammel – Public Works Engineering Division
Ghulam Qadir - Public Works Engineering Division
Juan Curi - Public Works Engineering Division
Jannice Pastrana - Public Works Engineering Division

For Applicant: Joe Tramell – Summerport Land Company
Tonya Mellen – MSCW Inc.

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Mr. Nastasi opened the meeting at 10:00 a.m.

I. Ms. Mellen wanted to discuss change orders.

Segment A Change Order #7 invoiced for 100% but cannot be turned in until the revised plans are submitted.

Mr. Curi wants to wait until the 100% plans are submitted and completed before the invoice for Change Order #7 is submitted.

Proposed Segment A Change Order #8 needs to be negotiated with the County.

II. Segment A land-clearing with UCF

New contract submitted for \$4,800 paid by Mr. Trammel. Work has not been performed by Dr. Schultz, UCF.

Need CR 535 Segment A agreement executed before land-clearing with UCF can begin under Change Order #5 for Segment A.

III. Review of all Change Orders for Segments C – E

Segments C - E

Change Order #2 – Paid

Change Order #1 – Submitted

Change Order #4 – Submitted

Change Order #3 – Need invoice from Nodarse to submit invoice to Orange County Public Works.

Still need to submit 100% and Final Invoices for Segments C-E.

IV. Modification of the Final Plans – Construction Administration.

Mr. Qadir stated that the post-design services were included in the Scope of Services for Segment A.

Segment B had post-design issues, so Orange County made sure to include the post-design services.

Mr. Tramell stated that if it is part of the contract, the consultant will do it, but if it is not part of the contract, then they don't want to perform since they do not need any additional impact fee credits.

Right-of-Way acquisition is not part of the post-design services.

Ms. Mellen stated that they would not perform construction administration services.

Ms. Hammel stated that the \$40,000 is for post-design services, whether for Right-of-Way acquisition, or for attending meetings or whatever is required after the design, up to the limiting amount of \$40,000.

Mr. Qadir stated that problems in the field may need to be addressed if an inspector discovers an issue.

Do not need to amend the agreement or activate a change order for post-design services since it is included already and it would be invoiced as all other invoices were.

- V. Proposed Segment A Change Order #8 – Wekiva Recharge Rule-St. Johns Water Management District has changed their rules midstream and is requiring more work from the consultant.

Ms. Mellen stated that the Change Order may require storm sewer changes which will put us over the 10% threshold requiring going back to the BCC, unless we can tap into other limiting amounts for permitting and other activities.

Mr. Curi stated that if a zero dollar change order for #8 can be done, and if it is necessary, money can be moved from various line items into permitting requirements.

Mitigation is required under the agreement, but design costs are not specified for mitigation, potentially \$88,000 in mitigation costs.

Under the agreement the County is to pay credits for mitigation as soon as a request is submitted.

Mr. Curi wants the St. Johns River Water Management District to provide input regarding the recharge at the February 3, 2009 meeting, before providing credits for mitigation under the terms of the agreement.

The Board of County Commissioners (BCC) must approve all out-of-County mitigation before Mr. Tramell can pay to a mitigation bank.

Mr. Curi does not think the County will get to 10% over the design fee total which would require this proposed Segment A Change Order #8, to go back to the BCC for approval.

Proposed Segment A Change Order #8 - should be able to go through by tapping into other limiting amounts, if absolutely necessary.

VI. Ms. Mellen stated that the design is for four lanes for Segment A. If MSCW redesigns the storm sewer it could save \$1.5 to 2 million dollars for the ultimate project. The ponds will then accommodate six lanes, but because of the recharge rule, MSCW will only design for four lanes. If Segment A needed to go to six lanes in the future, then the ponds are available. Re-spacing the inlets and downsizing the pipes to only meet the design standards for four lanes and change the storm sewer plans to reflect four lanes would not provide for future six-laning. The cost savings would be due to fewer inlets and smaller pipe.

VII. Mr. Tramell wants to get the project finished and get his credits posted as quickly as possible and he would like the invoices processed.

Mr. Curi stated that they need invoices #5, #6 and #7 to be submitted. The County cannot pay for work that is not yet completed.

Ms. Mellen stated that they cannot submit the 100% invoice until 100% plans are submitted for review.

Mr. Tramell stated that the Village Center of Summerport may become insolvent. They need \$2 million in impact fee credits to stay afloat.

The longer the County holds up paying invoices with credits, the more likely it is that they will go under.

Ms. Hammel stated that the County cannot provide payment of credits until the work is completed. The County is willing to pay a percentage for the work we know has been completed, but cannot provide the final amount of credits until all the work is completed and a final invoice is submitted.

Mr. Tramell asked that the Segment A change order invoices be submitted and discussed for percentage, to see if the County can generate some credits.

Discussion of Monthly Hourly Invoices for Post-Design Services to determine if sending the invoices monthly or periodically as invoices come in would be beneficial.

A Legislature proposal to place moratorium on impact fee credits for three years for economic stimulus was also discussed.

The meeting was adjourned at 11:07 a.m.