

MEMORANDUM

DATE: June 2, 2020

TO: ****ORIGINAL****
City Clerk's Office

FROM: Jason Bezak, Procurement Agent I
Procurement Management Department

SUBJECT: Record Retention

CONTRACT: 20200010 Amendment #1
CONTRACT TITLE: Construction Engineering and Inspection (CEI) &
Geotechnical (GEO) Services for the Floresta Drive
Widening Phase 1

VENDOR NAME: Culpepper & Terpening, Inc.
VENDOR ADDRESS: 2980 South 25th Street
CITY & STATE: Fort Pierce, FL, 34981

APPROVED BY COUNCIL: March 23, 2020

CONTRACT TERM: This agreement's contract period shall remain the
same and adds \$22,714.80 to the contract amount.

Please see the attached for (1) original contract for your records.

Contract #20200010 Amendment #1

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Amendment #1

Date: 06/02/2020

Contract Title: Construction Engineering and Inspection (CEI) & Geotechnical (GEO) Services for the Floresta Drive Widening Phase 1

Contractor's Name: Culpepper & Terpening, Inc.

Current Expiration: March 25, 2021

Current Contract Amount: \$1,195,419.00

Amendment #1 Amount: \$22,714.80

New Contract Amount: **\$1,218,133.80**

The following modifications to the Terms and Conditions contained in Contract # 20200010 between Culpepper & Terpening, Inc. and the City of Port St. Lucie dated March 25, 2020 are hereby incorporated and made a part of that Contract.

I. SCOPE OF SERVICES

The work includes the services outlined in Hobe Sound Environmental Consultants' (HSE) proposal letter dated 5/21/20. The Engineer's additional work effort for the gopher tortoise survey and relocations is estimated at \$22,714.80. This cost includes a 15% mark-up on subconsultant services to cover needed insurance, administration and management of the work.

Task I Gopher Tortoise Survey

HSE will conduct a 100% gopher tortoise re-survey of the above referenced project site. Biologists will conduct a preliminary systematic survey for the gopher tortoise in accordance with Florida Fish and Wildlife Conservation Commission (FFWCC) Guidelines. Mr. Weigt is a licensed gopher tortoise agent with FFWCC (License # GTA 09-00153-E). Biologists will record all observations of gopher tortoise species and features that may indicate species presence. Physical features may include, but are not limited to, burrows, tracks, and scat. All gopher tortoise burrows will be flagged, numbered and identified as to activity. Each gopher tortoise burrow will be located with a handheld GPS unit. Gopher tortoise burrows will be located on an aerial photograph of the site. (GPS coordinates are approximate and are not a survey.) Task I Costs: \$3,600.00 Lump Sum + 15% Mark-up=\$4,140.00.

Task II Gopher Tortoise Relocation Permit Application

HSE will complete an FWC gopher tortoise relocation permit application according to FWC guidelines. The online permit application will include, but not be limited to, gopher tortoise burrow location map with estimated population, soils map, FLUCFCS (vegetation) map, site plan/burrow overlay map, transect map and location of proposed gopher tortoise mitigation bank. Task II Costs: \$1,050.00 Lump Sum+ 15% Mark-up=\$1,207.50.

Task III FFWCC Mitigation Contribution Fee

Culpepper & Terpening will pay the **\$217.00** mitigation contribution fee to FFWCC (10 or Fewer application fee) directly. Task III Cost: \$217.00+ 15% Mark-up=\$249.55.

* Estimated Fee paid to by C&T directly to FFWCC

* Note - This cost is based upon the number of burrows located in the survey. If more than 10 burrows are located, the cost will increase by \$326.00 for each burrow over the first ten. This fee must be paid before the permit will be issued by FFWCC.

Task IV Gopher Tortoise Mitigation Bank (GTMB) Coordination

HSE biologists will find an appropriate GTMB with long-term conservation within the service area of the above-referenced site. This task will also include coordination with the GTMB representatives, contract and contract language, transportation details, schedule of payments and estimated cost. Task IV Costs: \$250.00 Lump sum+ 15% Mark-up=\$287.50.

Task V On-site Meeting with FFWCC

HSE will meet on-site or by phone with FFWCC to discuss any issues concerning the project.
Task V Costs: \$110.00 Lump Sum+ 15% Mark-up=\$126.50.

Task VI Permit Re-survey (if needed)

HSE will re-survey the project site for gopher tortoises several days before the relocation, if necessary, as per FFWCC guidelines. Surveys must be completed no more than 90 days prior to construction.
Task VI Costs: \$1,500.00 Lump Sum+ 15% Mark-up=\$1,725.00.

Task VII Gopher Tortoise Bucket Trapping and /or Backhoe Excavation Relocation

HSE will excavate ten (10) gopher tortoise burrows and relocate the captured tortoises to the gopher tortoise mitigation bank approved in the FFWCC permit. Ten (10) gopher tortoise burrows will be excavated according to FFWCC guidelines, at \$350.00 per burrow by HSE.

Mobilization Fee: = \$250.00

10 X \$350.00 = \$3,500.00

Backhoe and operator = \$1,500.00

Task VII Costs: \$5,250.00* Lump Sum+ 15% Mark-up=\$6,037.50.

*Note - Projected lump sum fee based on ten (10) gopher tortoise burrows. To be adjusted according to the number of burrows actually excavated.

Task VIII Gopher Tortoise Preparation and Transportation

HSE will mark, weigh and measure the tortoises according to protocol, and transport the captured gopher tortoises to the approved gopher tortoise mitigation bank according to FFWCC regulations.
Task VIII Costs: \$600.00 Lump Sum+ 15% Mark-up=\$690.00.

Task IX FFWCC Gopher Tortoise After Action Report

HSE biologist will complete the after-action report and submit to FFWCC according to the permit conditions. The permit will be left 'open' until construction is completed in case additional or free roaming gopher tortoises are located during construction activities. If, however, the number of tortoises relocated equals the number of tortoises permitted for relocation, the permit will be closed.
Task IX Cost: \$175.00 Lump Sum+ 15% Mark-up=\$201.25.

Task X Gopher Tortoise Mitigation Bank Fee

C&T will pay the mitigation bank fees associated with the project directly to the FFWCC approved mitigation bank. The estimated cost is \$1,400.00 per gopher tortoise delivered to the approved bank. The estimated gopher tortoise population is five (5) (based on ten burrows). HSE will apply to move up to ten (10) gopher tortoises, unless more are located during the survey. The decision as to which mitigation bank the gopher tortoises will be relocated to ultimately lies with FFWCC and is dependent upon the proximity of the bank to the project site.

Task X Cost: \$7,000.00±+ 15% Mark-up=\$8,050.00 Estimated Fee Paid to GTMB*

*Note - This fee is based on the actual number of gopher tortoise captured and delivered to the GT bank (# captured X \$1,400.00 each).

II. TIME OF PERFORMANCE

The Contract Time shall not change.

III. PAYMENT

The Tasks to be billed include:

Task 1 – Gopher Tortoise Survey	\$4,140.00
Task 2 – Gopher Tortoise Relocation Permit Application	\$1,207.50
Task 3 – FFWCC Mitigation Contribution Fee	\$249.55
Task 4 – Gopher Tortoise Mitigation Bank Coordination	\$287.50
Task 5 – On-site Meeting with FFWCC	\$126.50
Task 6 – Permit Re-survey (if needed)	\$1,725.00
Task 7 – Gopher Tortoise Trapping or Excavation	\$6,037.50
Task 8 – Gopher Tortoise Preparation & Transport	\$690.00
Task 9 – FFWCC Gopher Tortoise After Action Report	\$201.25
Task 10 – Gopher Tortoise Mitigation Bank Fee	\$8,050.00
Total =	\$22,714.80

The above pricing is based on up to 10 burrows and up to 5 relocations. Greater quantities will require additional budget.

IN WITNESS WHEREOF, the parties have executed this contract the day and year first above written.

CITY OF PORT ST. LUCIE, FLORIDA

CULPEPPER & TERPENING, INC.

By: [Signature]
City Purchasing Agent

By: Sherry Terpening
Authorized Representative

State of: Florida

County of: St. Lucie

Before me personally appeared: Sherry Terpening
(please print)

Personally known
or Produced Identification: _____
(type of identification)

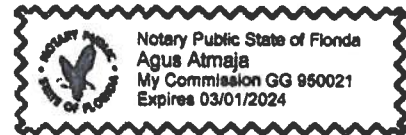
known to me to be the person described in and who executed the foregoing instrument and acknowledged to and before me that she executed said instrument for the purposes therein expressed.
(s/he)

WITNESS my hand and official seal, this 29th day of May, 2020.

[Signature]
Notary Signature

Notary Public State of Florida at Large

My Commission Expires 03/01/2024



(seal)

Date: 06/02/2020

<p align="center"> Visa Order Form City of Port St Lucie Tax Exempt #: 85-8012667200C-5 Federal Excise #: 59-6141662 </p>
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Charges for VISA may be placed after service is completed or supplies are sent.

Cardholder Name: CULPEPPER & TERPENING, INC. Department: Public Works
 Last 4 Digits of Card Number: 6542 Delivery location: Bldg. B
 Expiration Date: 10/22
 Billing Address: 121 SW Port St Lucie Blvd, Port St Lucie, FL 34984
 Contact person for question: Barney Reina (772) 873-6307
 Send receipt: **Attn: Barney Reina BReina@cityofpsl.com**
 Contract #: 20200010

Vendor Name & Telephone/Fax No. CULPEPPER & TERPENING, INC. 2980 SOUTH 25 TH STREET FORT PIERCE, FL, 34981	Date Issued: 06/02/2020
Attn: Karen Russell	
*****Visa Order Form Constitutes as Notice to Proceed*****	

<u>Quantity</u>	<u>Description</u>	<u>Amount</u>
	Contract #20200010- CEI & GEO Services for the Floresta Drive Widening Phase 1 Amendment # 1 Start Date: 03/25/2020 End Date: 03/25/2021 365 calendar days	

Task 1 – Gopher Tortoise Survey	\$4,140.00
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Task 5 – On-site Meeting with FFWCC	\$126.50
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Task 8 – Gopher Tortoise Preparation & Transport	\$690.00
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Task 10 – Gopher Tortoise Mitigation Bank Fee	\$8,050.00
Total =	<u>\$22,714.80</u>

Delivery date & time after receipt of Visa Order: 30 calendar days
 Confirmation Fax #: (772) 871-7337 Confirmation E-mail Address: JBezak@cityofpsl.com

Prices are to be FOB Destination.

This order is subject to all the City of Port St. Lucie Terms & Conditions that are available on City's web site at www.cityofpsl.com and supersedes Vendors Terms and Conditions.

This form is to be completed for every complex project or purchase.