

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** Authorization to Proceed With Streamlined Contracting and Budget Transfer Processes for Hurricane-Related Restoration Projects Funded by the Natural Resources Conservation Service

**DEPARTMENT:** Public Works      **DIVISION:** Roads-Stormwater

**AUTHORIZED BY:** W. Gary Johnson, P.E., Director      **CONTACT:** Mark E. Flomerfelt, P.E., Division Manager      **EXT.** 5569

**Agenda Date** 02/22/05      **Regular**       **Consent**       **Work Session**       **Briefing**   
**Public Hearing - 1:30**       **Public Hearing - 7:00**

**MOTION/RECOMMENDATION:**

Approve and authorize:

- 1) A two-week advertisement period from availability of final plans and specifications for solicitation of competitive bids for the Emergency NRCS Funded Projects pursuant to FS 255.0525(2) (5)(a) and (5)(b), with advance advertising of preliminary scopes and mailing of bid solicitation notices whenever feasible;
- 2) Authorize the Chairman to execute contract awards for these projects in priority order, subject to each project contract award being made to the apparent lowest responsible, responsive bidder, and provided that adequate funds are available within the total \$6,944,000 allocated funding; and,
- 3) Authorize the Chairman to execute any budget change requests not allowed under County Manager authority in Resolution 2002-R-94 which may be necessary for the Emergency NRCS Funded Projects so long as the total budget allocations within the CIP Family # 002336XX do not exceed \$6,944,000.

**County Wide - (Mark Flomerfelt, P.E.)**

**BACKGROUND:**

As a result of Hurricanes Charley and Frances, several canals and streams were severely impacted by storm debris that restrict flow and/or have been substantially eroded, threatening homes, commercial properties, and public infrastructure. Staff sought available remedies to this situation including available funding sources. One such source was with the U.S. Department of Agriculture/Natural Resource Conservation Service (USDA/NRCS).

On December 14, 2004, the BCC approved two (2) agreements with USDA/NRCS Emergency Watershed Protection Program for funding assistance. The agreements provide for up to \$5,208,000 of reimbursement funding for five (5) emergency debris clean-up and erosion control projects within canals and streams. The total budget authorized in the CIP Family # 002336XX sub-accounts initially established to track the various expenditures is \$6,944,000, which includes Seminole County's required 25% local match.

<b>Reviewed by:</b>
<b>Co Atty:</b> _____
<b>DFS:</b> <u>LIB</u>
<b>Other:</b> _____
<b>DCM:</b> <u>MF</u>
<b>CM:</b> <u>MF</u>
<b>File No.</b> <u>RPWS01</u>

Final engineering plans and acquisition of necessary easements will allow bidding of the NRCS projects to begin this month (February 2005). Even with expedited handling, the usual bid solicitation periods such as that called for in F.S. 255-0525(2), which must be followed by BCC award pursuant to the County's Purchasing Code, would then require a minimum of two months to complete.

Several of these projects contain erosion control measures required to prevent imminent loss to both public and private property, including damage to residential structures. In order to minimize administrative processing times and meet the NRCS timeframes for completion (June 27, 2005), staff recommends that the Board of County Commissioners authorize an alternative process, as described below.

- 1) A two-week advertisement period from availability of final plans and specifications for solicitation of competitive bids for the Emergency NRCS Funded Projects pursuant to FS 255.0525(2) (5)(a) and (5)(b), with advance advertising of preliminary scopes and mailing of bid solicitation notices whenever feasible;
- 2) Authorize the Chairman to execute contract awards for these projects in priority order, subject to each project contract award being made to the apparent lowest responsible, responsive bidder, and provided that adequate funds are available within the total \$6,944,000 allocated funding; and,
- 3) Authorize the Chairman to execute any budget change requests not allowed under County Manager authority in Resolution 2002-R-94 which may be necessary for the Emergency NRCS Funded Projects so long as the total budget allocations within the CIP Family # 002336XX do not exceed \$6,944,000.

The specific Emergency NRCS Projects for which this expedited process would apply are listed below, in priority order, along with preliminary construction cost estimates:

1. Howell Creek at Dam (\$1,000,000)
2. Sweetwater Cove Erosion Control Project (\$608,000)
3. Howell Creek and Tributary Erosion Control Project (\$1,700,000)
4. Lockhart-Smith Canal Erosion Control Project (\$700,000)
5. Debris Clean-up Within Rivers, Streams, and Canals (\$2,000,000)  
Includes in priority order: (a) Bear Gully Creek, (b) Lightwood Knot Canal, (c) North Lake Jesup, (d) Black Hammock, (e) Chuluota/Lake Mills Area, (f) Geneva/Osceola Area.

Attachment: FS.255.0525

Select Year: 2003

Go

## The 2003 Florida Statutes

Title XVIII  
PUBLIC LANDS AND  
PROPERTYChapter 255  
PUBLIC PROPERTY AND PUBLICLY OWNED  
BUILDINGS[View Entire  
Chapter](#)

### 255.0525 Advertising for competitive bids or proposals.--

(1) The solicitation of competitive bids or proposals for any state construction project that is projected to cost more than \$200,000 shall be publicly advertised once in the Florida Administrative Weekly at least 21 days prior to the established bid opening. For state construction projects that are projected to cost more than \$500,000, the advertisement shall be published in the Florida Administrative Weekly at least 30 days prior to the established bid opening and at least once in a newspaper of general circulation in the county where the project is located at least 30 days prior to the established bid opening and at least 5 days prior to any scheduled prebid conference. The bids or proposals shall be received and opened publicly at the location, date, and time established in the bid or proposal advertisement. In cases of emergency, the Secretary of Management Services may alter the procedures required in this section in any manner that is reasonable under the emergency circumstances.

(2) The solicitation of competitive bids or proposals for any county, municipality, or other political subdivision construction project that is projected to cost more than \$200,000 shall be publicly advertised at least once in a newspaper of general circulation in the county where the project is located at least 21 days prior to the established bid opening and at least 5 days prior to any scheduled prebid conference. The solicitation of competitive bids or proposals for any county, municipality, or other political subdivision construction project that is projected to cost more than \$500,000 shall be publicly advertised at least once in a newspaper of general circulation in the county where the project is located at least 30 days prior to the established bid opening and at least 5 days prior to any scheduled prebid conference. Bids or proposals shall be received and opened at the location, date, and time established in the bid or proposal advertisement. In cases of emergency, the procedures required in this section may be altered by the local governmental entity in any manner that is reasonable under the emergency circumstances.

(3) If the location, date, or time of the bid opening changes, written notice of the change must be given, as soon as practicable after the change is made, to all persons who are registered to receive any addenda to the plans and specifications.

(4) A construction project may not be divided into more than one project for the purpose of evading the requirements in this section.

(5) As used in this section, the term "emergency" means an unexpected turn of events that causes:

- (a) An immediate danger to the public health or safety;
- (b) An immediate danger of loss of public or private property; or
- (c) An interruption in the delivery of an essential governmental service.

**History.**--s. 26, ch. 95-196; s. 40, ch. 95-269.

Disclaimer: The information on this system is unverified. The journals or printed bills of the respective chambers should be consulted for official purposes. Copyright © 2000-2003 State of Florida. [Privacy Statement](#).