

Kathy



**Regular Board Meeting
of the
Captiva Erosion Prevention District**

'Tween Waters Inn, Wakefield Room
15951 Captiva Drive
Captiva, Florida 33924

Wednesday, October 12, 2011, 12:00 P.M.

October 12, 2011 CEPD Regular Board Meeting
Table of Contents

Agenda	1
Minutes	2-12
Financials	13-20
DEP Local Government Funding Request	21-23
CP&E Hourly Services Contract	24-34
Lee County Response to CEPD General Counsel	35-41
Project Timeline	42
Resort Business Group Meeting	43-44
Partners in Progress Contract	45-48
Contracting for Professional Services	49-69
Proposed 2012 Meeting Dates	70-72
Lee County Delegation	73

Minutes of the Briefing Meeting of the Captiva Erosion Prevention District
11513 Andy Rosse Lane, Unit 4, Captiva, Florida
September 8, 2011 @ 1PM

Commissioners Present: Mike Mullins (Chairman), Harry Kaiser (Secretary), Dave Jensen (Treasurer), Jim Boyle

Consultants Present: Kathleen Rooker

I. **Call to Order**

Chairman Mullins called the meeting to order at 1:05PM.

II. **Roll Call**

The roll was called and the results are detailed above.

III. **5/3 Bank Loan**

The present interest rate on the 5/3 bank loan is at 3.6%. The rate will reset to a rate that is likely to be lower on May 1, 2012. The District's deposits with Wells Fargo are collecting very low interest. Commissioners reviewed and discussed the District's financials and current state of the banking market. Commissioners were in agreement that paying off the 5/3 loan at this time would be beneficial to the District. The District would not incur an early pay off penalty. Further discussion on the subject will take place at the regular board meeting.

IV. **Lee County Response to Close of 2005-2008 Renourishment Project**

Commissioners read a letter from Lee County Manger Karen Hawes alleging that any construction expenses subsequent to July 2006 for the last beach nourishment project are beyond the scope of the interlocal agreement and would not be part of the project expense. Ms. Hawes suggests that CEPD request that the Lee County Board of Commissioners amend the interlocal.

The project expenses and agreement were discussed by the commissioners. Clearly the agreement makes neither mention of July 2006 nor any cutoff date for project expenses. The Project was unusual because of the occurrence of hurricanes during construction. The District has sufficient documentation that since 2006 the Army Corps was aware that there was a short fall of sand placed on the beach and that they began plans to return to Captiva to correct the problem. The hurricanes before and during construction were blamed by the engineer for the shortfall. Unfortunately it took until 2008 for the Army Corps to return to complete the project.

Commissioners agreed that the District has met the conditions of the interlocal and will not seek to amend it. A draft copy of a response to Lee County Manager Hawes prepared by CEPD General Counsel, Nancy Stroud was discussed. Commissioners agreed to the contents.

V. **FY 11/12 Millage Rates and Proforma Budgets**

The impact of various millage rates including rates of .2522, .2557, and .2823 were considered by Commissioners. Budgets that supported each millage rate were discussed. There was much discussion about the importance of building reserves during a time of reduced government

funding for projects. Commissioners pointed out that any increase in millage rate should be used to build reserves.

VI. Commissioner Comments

Chairman Mullins shared his recent phone conversation with Clerk of Courts Charlie Green. Mr. Green would be willing to help the CEPD retrieve bed tax data and was disappointed that other Lee County Government officials would not provide that information. Additionally, Commissioner Mullins and Mr. Green discussed an additional penny tax on Captiva transient rentals.

VII. Public to be Heard
No public present

Meeting adjourned 2:40PM

Minutes

Regular Meeting of the Captiva Erosion Prevention District

'Tween Waters Inn, Ding Darling Room, 15951 Captiva Drive, Captiva, Florida 33924

Thursday, September 8, 2011 @ 3:00 p.m.

Commissioners Present: Mike Mullins (Chair); Dave Jensen (Treasurer); Harry Kaiser (Secretary); Jim Boyle (Commissioner)

Absent (excused): Doris Holzheimer (Vice Chair)

Staff Present: Kathleen Rooker, CEPD Administrative; John Bralove, CEPD Assistant to the Administrator

1. Call to Order

The meeting was called to order by Chairman Mullins at 3:01 p.m.

2. Roll Call

The roll was called and the results are outlined above

3. Approval of August Minutes

Mr. Kaiser moved and Mr. Boyle seconded a motion to dispense with the reading of the minutes from the August 10, 2011 Regular Meeting and approve them. The motion passed without dissent.

4. Public to be Heard

Chairman Mullins invited Sandy Stillwell of Stillwell Management to speak to the Commissioners. She spoke to the matter of renewing the CEPD office lease. She said that she would love to see CEPD continue to stay. Mr. Mullins said that Ms. Stillwell and Ms. Rooker should talk. Ms. Rooker invited the Commissioners to contact Ms. Rooker if they had any specific concerns about a new office lease. She will then sit down with Ms. Stillwell and come up with some ideas to bring back to the Commissioners.

Discussion ensued regarding the pros, cons and options. Mr. Boyle said that CEPD needed to keep a presence on Captiva; Mr. Kaiser agreed.

5. Financial Report

Mr. Jensen presented financial information. He reported that there was one more month left in the fiscal year. Regarding the General Fund, he projected that expenses would finish well under budget. He said that income was projected to be on target with taxes collected and estoppel fee payments slightly exceeding budgeted income.

Mr. Mullins asked questions about the Capital Fund. Commissioners determined that approximately \$174,000 will be added this year from the General Fund, which will result in almost \$500,000 being added to reserves since \$1 million was taken out to partially finance the last project.

6. Report of the Administrator

a) Final Budget Hearing September 22 @ 5:01PM

Ms. Rooker reminded the Commissioners of the importance of this Hearing.

b) October 13 Briefing Meeting and Parking Workshop

Ms. Rooker reminded the Commissioners of this Briefing Meeting, which will be held at the CEPD office. The purpose of this meeting is to talk about parking and to brainstorm about finding more parking to increase the revenue share from DEP. Mr. Mullins asked that buying a piece of land or a building be included in the discussion. Ms. Rooker asked that Commissioners think about this issue in advance, bring ideas, and share them at the meeting. The results would be the development of an action plan

c) Coastal Advisory Council – CEPD Representative

Ms. Rooker reported that Mr. Boyle is now officially CEPD's representative to this group. The next meeting is Monday, September 26.

d) Sanibel-Captiva Chamber of Commerce

Ms. Rooker reported that CEPD is now a member of the Chamber and referred to Page 16 that contained what the benefits of membership are. Mr. Jensen suggested that CEPD sponsor an "After Hours" session for the Chamber, a suggestion that was supported by all the Commissioners. Ms. Rooker mentioned that CEPD needs to prepare materials for the Chamber to display as well as take advantage of other features of membership.

7. Old Business

a) Name Change

As background, Mr. Mullins mentioned that he had suggested that CEPD's name be changed to the "Captiva Beach Preservation District." He reported that he talked to Senator Bennett, who told him that there was little risk in changing the name. However, it might cost between \$25,000 and \$40,000 to accomplish this, Mr. Mullins reported. In light of the cost, Mr. Mullins suggested that a "Doing Business As" (DBA) name might be a better solution.

b) Proforma Budget - General

Ms. Rooker said that this item allows the Board to look at the Budget one more time before the 5:01 p.m. Tentative Budget Hearing. They reviewed it and there were no changes.

c) Proforma Budget – Projects

A spreadsheet of the Capital Fund Budget was examined that compared the fiscal year 10/11 budget to the proposed fiscal year 11/12 budget. Ms. Rooker mentioned that some funds

budgeted last year were not spent. Commissioners asked additional questions to make sure that FY 13-14 project costs incurred in FY 11-12 were in the budget. Mention was made that paying off the current loan (see Agenda Item 8.a.) would have some impact on the budget that will have to be reflected in the Final Budget Hearing. Commissioners were reminded that the Capital Budget is not part of the TRIM filing.

Mr. Mullins commented as part of this agenda item that CEPD needs to “qualify” CP&E and other engineers and professional services contractors as required by Florida statute. He inquired as to what work had been done on developing qualifying procedures and was told that CEPD had modified Polk County’s procedures for CEPD use. He asked that it be reviewed and brought to a future Board meeting.

d) Lee County Response to CEPD Records Request and Project Closeout

Mr. Mullins provided some background on this agenda item. He stated that CEPD had satisfactorily reconciled accounts with the DEP, FEMA, and the Army Corps of Engineers. He explained that, Lee County was not counting the 2nd phase of the ACOE nourishment as part of the total project costs and that they were owed some money. He stated the CEPD has provided the County with additional documentation and has asked them to state their objections completely. Commissioners agreed that CEPD has met and exceeded the interlocal agreement terms and will stand firm in their position that it does not owe Lee County any money.

Ms. Rooker reported she is going to pick up the material on Friday that the County has prepared in response to the Public Records Request. She is taking a check to reimburse the County for their time and materials but will not give it to them if the materials are not what were requested.

e) Concessions

Ms. Rooker reported that this issue has come up again because of concerns raised by the Lee County Parks and Recreation that commercial businesses have once again spilled over beyond private property. Mr. Mullins suggested that a public workshop might be scheduled to consider this issue further. He also reminded the Commissioners that the County has offered CEPD the ability to establish concessions. He then appointed Mr. Boyle as point man for CEPD on this issue to work with Ms. Rooker

8. New Business

a) 5/3 Loan Payoff

The Commissioners agreed to pay off the current loan and authorized Ms. Rooker to do so.

b) Project Timeline

The discussion of this item was deferred until the next meeting. There may be a Briefing Meeting next Thursday for those Commissioners who are in town and not at the FSBPA meeting. Mr. Mullins requested that a decision point be added to the timeline for qualifying engineers and other professional services providers. He added that this project timeline is subordinate to the overall CEPD plan.

c) Project Design Width and Height

This item was put on the agenda at the request of Mr. Boyle. As background, Mr. Boyle explained that design for beach nourishment, which is on file in Tallahassee, specifies the width and height when nourishment is done. With the area in 30-year cycle of rising sea levels and corresponding erosion, he suggested that CEPD consider increasing the width and height of the FY 13-14 project. This might extend the time between nourishments, thus saving money since future projects might not need to be done as frequently. He said that doing so might require a design modification. Ms. Rooker suggested that Mr. Keehn of CP&E be consulted and that new modeling might be necessary. Mr. Mullins concurred about getting CP&E's professional opinion and that if increasing the width and height could not be done for this upcoming project, it be done for the next one.

Additional discussion involved Mr. Boyle's suggestion that permission be sought to take sand that is accumulating in Blind Pass and place it to the north, if additional work is done. This was something that was only briefly considered and rejected in the original Blind Pass project.

Mr. Jensen suggested that when Mr. Mullins and Ms. Rooker attend the FSBPA meeting next week, they look into and encourage regional projects as a way of saving money.

d) CP&E Hourly Services Contract

Ms. Rooker stated that the money that the Board had previously authorized, \$10,000, for CP&E to perform work outside of Scope of Work and other previously authorized contracts and expenditures had been used up. This purpose of this agenda item was to approve an additional \$10,000. She referred to Page 33 of the Agenda Materials which listed CP&E's hourly rates. Mr. Mullins requested that discussion of this item be deferred until the October meeting because of time constraints.

e) Travel Reimbursement

Mr. Mullins asked that a travel policy be created to address issues related to reimbursing commissioners for unanticipated travel expenses in emergency situations or when there are scheduling conflicts, especially in situations where a lack of a quorum may be the result. Mr. Boyle raised concern about the perception on the Island that paying Commissioners' expenses in certain situations might raise. Ms. Rooker was asked to talk to CEPD's attorney and state officials about this matter.

9. Commissioner Comments

Mr. Boyle asked what could be done to eliminate that large number of emails that had been archived under his current email address that were for someone else. Mr. Bralove will assist in removing them from the email address while making sure that they still remain as part of the public record.

Mr. Boyle asked what is done with the data that is captured from the credit card transactions at the parking lot. Does CEPD mine it, sell it, or compile data from it? Mr. Mullins said that CEPD should at least use it to determine where visitors come from and also use it to support Dr. Stronge's survey findings.

Adjourn – The meeting was adjourned at 5:09 p.m.

Minutes

Tentative Budget Hearing of the Captiva Erosion Prevention District

'Tween Waters Inn, Ding Darling Room, 15951 Captiva Drive, Captiva, Florida 33924

September 8, 2011 @ 5:01 p.m.

Commissioners Present: Mike Mullins (Chair); Dave Jensen (Treasurer); Harry Kaiser (Secretary); Jim Boyle (Commissioner); by telephone: Doris Holzheimer (Vice Chair)

Staff Present: Kathleen Rooker, CEPD Administrator; John Bralove, CEPD Assistant to the Administrative

1. Call to Order

The meeting was called to order by Chairman Mullins at 5:13 p.m.

2. Roll Call

The roll was called and the results are outlined above. Ms. Holzheimer participated via teleconference. She was able to both listen and be heard so that the public could both fully hear and communicate with her.

3. Budget Discussion

Mr. Mullins announced that the name of the taxing authority is the Captiva Erosion Prevention District. He said that the proposed millage rate that was stated on the TRIM Notice is .2823 and represents a proposed millage rate that exceeds the rollback rate by 10.4%. The roll back rate, which represents a 1.39% increase in the rate over the previous year, is .2557. No change in the millage rate from last year represents a millage rate of .2522. Mr. Mullin further explained that at the .2823 rate, the budget is \$342,426 using the 95% rule and the reserve budgeted is \$75,000; at the .2557 rate, the budget is \$310,160 using the 95% rule and the reserve budgeted is \$42,841; at the .2522 rate, the budget is \$305,915 using the 95% rule and the reserve budgeted is \$37,516.

The reasons for and attributes of an increase in the budget were discussed among the Commissioners. They included that 100% of the increase would go to reserves for the next nourishment project; that the lack of Lee County bed tax funds available from the Tourist Development Council suggested that CEPD set aside more reserves; and that a 1/3 drop in the funding formula from the state, few if any funds available at the federal level, and other funding issues necessitated that CEPD set aside more reserves.

Mr. Jensen moved and Mr. Boyle seconded to adopt a millage rate of .2823 representing a 10.4 % increase in the CEPD budget.

4. Public to be Heard

Mr. Mullins asked for comments from the public. There were none. Additional discussion took place among the Commissioners, including that final approval takes place at the Final Budget Hearing on September 22 and what is approved on that day cannot be higher than what is approved today, but can be lower. Mr. Mullins called for the vote to be taken on the motion previously made by Mr. Jensen; Mr. Jensen, Mr. Boyle, Mr. Kaiser and Ms. Holzheimer voted "yes and Mr. Mullins voted "no," The motion passed.

5. Adoption of Tentative Millage Rate

Ms. Rooker read Resolution 2011-6, to adopt a tentative levying of ad valorem taxes for Lee County for Fiscal Year 2011-12 at a millage rate of .2823, in full. All five Commissioners voted "aye."

6. Adoption of Tentative Budget

Ms. Rooker read Resolution 2011-7, to adopt a tentative General Fund Budget for FY 2011-12 of \$346,319, which is based on the tentative millage rate of .2823 approved in Resolution 2011-6, in full. Ms. Holzheimer asked about whether the budget had been discussed and Commissioners responded by listing when and how often the budget had been considered and discussed.

Mr. Jensen moved and Mr. Kaiser seconded a motion to approve Resolution 2011-7. The motion passed with all the Commissioners voting "aye."

7. Final Budget Hearing Date September 22, 2011 @ 5:01 p.m.

This agenda item was not discussed but was designed to serve as a reminder to the Commissioners of the importance of being present at the Final Budget Hearing scheduled for September 22 at 5:01 p.m.

Adjourn – Mr. Mullins adjourned the meeting at 5:28 p.m.

Minutes

Final Budget Hearing of the Captiva Erosion Prevention District

'Tween Waters Inn, Wakefield Room, 15951 Captiva Drive, Captiva, Florida 33924

September 22, 2011 @ 5:01 p.m.

Commissioners Present: Mike Mullins (Chair); Doris Holzheimer (Vice Chair); Dave Jensen (Treasurer); Harry Kaiser (Secretary); Jim Boyle (Commissioner)

Staff Present: Kathleen Rooker, CEPD Administrator; John Bralove, CEPD Assistant to the Administrative

1. Call to Order

The meeting was called to order by Chairman Mullins at 5:01 p.m.

2. Roll Call

The roll was called and the results are outlined above.

3. Public to be Heard

Mr. Mullins asked for comments from the public regarding the proposed tax rate of 0.2823. There were no comments from the public.

4. Budget Discussion

Mr. Mullins announced that the proposed tax rate is a 10.4 % increase in the millage rate over the rolled back rate. The rolled back rate is 0.2557 and the proposed millage rate is 0.2823. He stated that the reason for increasing the ad valorem tax revenue was that 100% of the excess money would go to reserves due to the need to increase them given the empty pockets for beach nourishment of the federal and state governments and the apparent diminished funds of Lee County. There was no additional discussion either from the Commissioners or the public.

5. Adoption of the Final Millage Rate

Mr. Mullins announced that the name of the taxing authority is the Captiva Erosion Prevention District, stated that the rolled back rate is 0.2557, that the percentage increase over the rolled back rate is 10.4% if there were no change from the Tentative Budget Hearing, and the millage rate levied is 0.2823 if there were no change from the tentative hearing. He then read Resolution 2011-08 in its entirety, to adopt the Final Millage Rate for fiscal year 2011/12 of 0.2823. Mr. Boyle moved and Mr. Kaiser seconded a motion to approve this resolution.

Mr. Mullins then called for discussion. There was none. He then called upon the CEPD Administrator, Kathy Rooker, for additional comments. She mentioned the importance of CEPD being in a strong position financially if federal funding becomes available. There being no other discussion, Mr. Mullins called for the vote on the resolution. All members of the Board voted in favor of the motion to approve the resolution, the motion passed, and the millage rate was approved.

6. Adoption of Final Budget

Mr. Mullins directed the Commissioners' attention to Resolution 2011-09, to adopt the Final General Fund Budget for fiscal year 2011/12. Mr. Boyle moved and Mr. Kaiser seconded a motion to approve this resolution. Discussion ensued with Ms. Rooker pointing out that there were two budgets in their packets: the General Fund Budget and the Capital Projects Budget. Mr. Mullins called for a separate vote on the Capital Projects Budget since it is not a tax but an assessment and is not affected by TRIM regulations. The vote was called and all members of the Board voted in favor of the motion to pass Resolution 2011-09, the motion passed to approve the resolution, and the Final General Fund Budget was approved.

Mr. Mullins then called for a vote to approve the Capital Projects Budget. Mr. Kaiser moved and Ms. Holzheimer seconded a motion to adopt the Capital Projects Budget for fiscal year 2011/12. All members of the Board voted in favor of the motion, the motion passed, and the Capital Projects Budget was approved.

7. Additional Comments

Although the meeting was devoted to the adoption of the final millage rate and budget, Mr. Mullins made additional remarks. He mentioned that the 2013/14 project might be accelerated if federal money is available, and that CEPD should be construction-ready to take advantage of this possibility. Questions arose as to whether partnering with Collier County would be a possibility in this scenario. Mr. Mullins said the CEPD and Collier County were still talking, but that CEPD should proceed as if the project will be moved up.

Mr. Mullins and Ms. Rooker talked about their attendance at the Florida Shore and Beach Preservation Association meeting. Ms. Rooker said that the DEP and ACOE were well represented and that CEPD had met with many of them. Mr. Mullins talked about the idea that surfaced at the meeting that CEPD will explore - to identify "handling" areas of sand – places where sand could be stored and staged for the next project.

Mr. Mullins talked about the easement problems in the Ft. Myers Beach nourishment project, i.e., that the city had given back easements that it had gotten previously. Ms. Rooker commented that CEPD's easements were still in place and were permanent.

Mr. Mullins mentioned Mr. Keehn's suggestion that CEPD talk to the West Florida Inland Navigation District officials and request financial support because of the impact that their work has had on local beach erosion. Ms. Rooker urged Commissioners to report comments they hear about beach erosion to her, look for incidents of beach erosion, note them, take pictures if possible, and report them to her.

Adjourn – Mr. Mullins adjourned the meeting at 5:35 p.m.

CEPD - GENERAL FUND
 Budget Performance - Summary
 For the One and Twelve Months Ended September 30, 2011

	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
	Actual - Sept '11	Budget - Sept '11	Variance - Sept '11	Actual YTD	YTD Budget	YTD Variance	Annual Budget	Residual Budget
Ordinary Income/Expense								
Income								
Ad Valorem Tax	1.05	0.00	1.05	314,130.44	311,354.00	2,776.44	311,354.00	0.00
Interest income - Other	3.26	0.00	3.26	547.76	0.00	547.76	0.00	0.00
Other Income	0.00	100.00	(100.00)	6,917.12	900.00	6,017.12	900.00	0.00
Total Income	4.31	100.00	(95.69)	321,595.32	312,254.00	9,341.32	312,254.00	0.00
Gross Profit	4.31	100.00	(95.69)	321,595.32	312,254.00	9,341.32	312,254.00	0.00
Expense								
Administrative expenses	6,336.21	5,329.00	1,007.21	54,959.71	60,880.00	(5,920.29)	60,880.00	5,920.29
Capital outlay	0.00	500.00	(500.00)	299.99	2,000.00	(1,700.01)	2,000.00	1,700.01
Reserves	90,526.00	90,526.00	0.00	90,526.00	90,526.00	0.00	40,526.00	0.00
Cost of collecting Ad Valorem	0.02	0.00	0.02	9,626.23	8,000.00	1,626.23	8,000.00	0.00
Legal and professional fees	10,344.00	12,570.00	(2,226.00)	131,436.93	150,848.00	(19,411.07)	200,848.00	69,411.07
Total Expense	107,206.23	108,925.00	(1,718.77)	286,848.86	312,254.00	(25,405.14)	312,254.00	25,405.14
Net Ordinary Income	(107,201.92)	(108,825.00)	1,623.08	34,746.46	0.00	34,746.46	0.00	(25,405.14)
Net Income	(107,201.92)	(108,825.00)	1,623.08	34,746.46	0.00	34,746.46	0.00	(25,405.14)

NOTE: Residual Budget figures ONLY represent Budgeted Revenue uncollected and Budgeted Expenditures not incurred

CEPD - GENERAL FUND
Profit & Loss Budget Performance - Detail
For the One and Twelve Months Ended September 30, 2011

	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
	Actual - Sept '11	Budget - Sept '11	Variance - Sept '11	Actual YTD	YTD Budget	YTD Variance	Annual Budget	Residual Budget
Ordinary Income/Expense								
Income								
Ad Valorem Tax								
Ad Valorem taxes	0.76	0.00	0.76	313,718.19	311,354.00	2,364.19	311,354.00	0.00
Ad Valorem penalties collected	0.29	0.00	0.29	412.25	0.00	412.25	0.00	0.00
Total Ad Valorem Tax	1.05	0.00	1.05	314,130.44	311,354.00	2,776.44	311,354.00	0.00
Interest income - Other	3.26	0.00	3.26	547.76	0.00	547.76	0.00	0.00
Other Income	0.00	100.00	(100.00)	6,917.12	900.00	6,017.12	900.00	0.00
Total Income	4.31	100.00	(95.69)	321,595.32	312,254.00	9,341.32	312,254.00	0.00
Gross Profit	4.31	100.00	(95.69)	321,595.32	312,254.00	9,341.32	312,254.00	0.00
Expense								
Administrative expenses								
Advertising	0.00	0.00	0.00	2,446.58	3,000.00	(553.42)	3,000.00	553.42
Board meeting expenses	8.02	100.00	(91.98)	313.46	1,200.00	(886.54)	1,200.00	886.54
Copier lease expense	145.29	200.00	(54.71)	2,148.71	2,400.00	(251.29)	2,400.00	251.29
Dues and subscriptions	0.00	334.00	(334.00)	410.00	2,000.00	(1,590.00)	2,000.00	1,590.00
General insurance	0.00	1,900.00	(1,900.00)	8,358.83	7,600.00	758.83	7,600.00	0.00
Newsletter expense	588.74	0.00	588.74	2,748.34	4,200.00	(1,451.66)	4,200.00	1,451.66
Office expense	291.08	0.00	291.08	3,700.56	5,000.00	(1,299.44)	5,000.00	1,299.44
Postage	12.26	0.00	12.26	134.60	3,000.00	(2,865.40)	3,000.00	2,865.40
Rent expense	1,386.45	1,390.00	(3.55)	16,637.40	16,680.00	(42.60)	16,680.00	42.60
Repairs	160.00	0.00	160.00	2,125.00	1,100.00	1,025.00	1,100.00	0.00
Telephone	269.29	284.00	(14.71)	3,341.31	3,400.00	(58.69)	3,400.00	58.69
Travel and per diem	3,305.50	1,024.00	2,281.50	9,911.94	8,000.00	1,911.94	8,000.00	0.00
Utilities	169.58	97.00	72.58	1,648.18	1,600.00	48.18	1,600.00	0.00
Website & Computer maintenance	0.00	0.00	0.00	1,034.80	1,700.00	(665.20)	1,700.00	665.20
Total Administrative expenses	6,336.21	5,329.00	1,007.21	54,959.71	60,880.00	(5,920.29)	60,880.00	9,664.24
Capital outlay								
Equipment purchases	0.00	500.00	(500.00)	299.99	2,000.00	(1,700.01)	2,000.00	1,700.01
Total Capital outlay	0.00	500.00	(500.00)	299.99	2,000.00	(1,700.01)	2,000.00	1,700.01
Reserves								
Operating Reserves	90,526.00	90,526.00	0.00	90,526.00	90,526.00	0.00	40,526.00	0.00
Total Reserves	90,526.00	90,526.00	0.00	90,526.00	90,526.00	0.00	40,526.00	0.00
Cost of collecting Ad Valorem								
Property tax appraiser fees	0.00	0.00	0.00	3,340.96	2,000.00	1,340.96	2,000.00	0.00
Tax collector commissions	0.02	0.00	0.02	6,285.27	6,000.00	285.27	6,000.00	0.00
Total Cost of collecting Ad Valorem	0.02	0.00	0.02	9,626.23	8,000.00	1,626.23	8,000.00	0.00
Consulting and Professional Fees								
Consulting	9,001.50	8,820.00	181.50	109,522.50	105,848.00	3,674.50	105,848.00	0.00
Professional Fees	1,342.50	3,750.00	(2,407.50)	21,914.43	45,000.00	(23,085.57)	95,000.00	73,085.57
Total Legal and professional fees	10,344.00	12,570.00	(2,226.00)	131,436.93	150,848.00	(19,411.07)	200,848.00	73,085.57
Total Expense	107,206.23	108,925.00	(1,718.77)	286,848.86	312,254.00	(25,405.14)	312,254.00	84,449.82
Net Ordinary Income	(107,201.92)	(108,825.00)	1,623.08	34,746.46	0.00	34,746.46	0.00	(84,449.82)
Net Income	(107,201.92)	(108,825.00)	1,623.08	34,746.46	0.00	34,746.46	0.00	(84,449.82)

CAPTIVA EROSION PREVENTION DISTRICT
CAPITAL PROJECTS
BUDGET PERFORMANCE - SUMMARY
For the One and Twelve Months Ended September 30, 2011

	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
	Actual - Sept '11	Budget - Sept '11	Variance - Sept '11	YTD Actual	YTD Budget	YTD Variance	Annual Budget	Residual Budget
Ordinary Income/Expense								
Income								
Interest Income	46.25	446.00	(399.75)	2,965.07	5,363.00	(2,397.93)	5,363.00	2,397.93
Other miscellaneous revenue	0.00	0.00	0.00	1,970.18	0.00	1,970.18	0.00	0.00
Parking lot revenue	12,091.51	8,100.00	3,991.51	169,440.63	135,000.00	34,440.63	135,000.00	0.00
Grant Income	0.00	0.00	0.00	2,893,810.33	78,015.00	2,815,795.33	78,015.00	0.00
Reserves - General	90,526.00	90,526.00	0.00	90,526.00	90,526.00	0.00	90,526.00	0.00
Restricted Fund Donations	0.00	0.00	0.00	93,526.00	0.00	3,000.00	0.00	0.00
Total Special Assessments	0.00	0.00	0.00	518,291.10	493,413.00	24,878.10	493,413.00	0.00
Total Income	102,663.76	99,072.00	3,591.76	3,770,529.31	802,317.00	2,877,686.31	802,317.00	2,397.93
Expense		0.00	0.00	0.00	0.00	0.00	0.00	0.00
Advertising	0.00	0.00	0.00	1,954.33	4,000.00	(2,045.67)	4,000.00	2,045.67
Annual memberships & fees	0.00	83.00	(83.00)	0.00	1,000.00	(1,000.00)	1,000.00	1,000.00
Bank service charges	0.00	8.00	(8.00)	0.00	100.00	(100.00)	100.00	100.00
Beach maintenance	0.00	10,000.00	(10,000.00)	62,600.00	101,200.00	(38,600.00)	101,200.00	38,600.00
Blind Pass project	0.00	0.00	0.00	195,292.30	362,066.00	(166,773.70)	362,066.00	166,773.70
Cost of Assessment Collections	0.00	5.00	(5.00)	1,516.24	1,500.00	16.24	1,500.00	0.00
Engineering (CP)	0.00	0.00	0.00	2,189.75	35,000.00	(32,810.25)	35,000.00	32,810.25
Grant Reimbursement	0.00	0.00	0.00	342,182.00	374,000.00	(31,818.00)	374,000.00	31,818.00
Insurance	0.00	0.00	0.00	10,776.00	10,644.00	132.00	10,644.00	0.00
Parking lot expenses	3,369.70	922.00	2,447.70	34,720.39	48,141.00	(13,420.61)	48,141.00	20,000.00
Project Management Support	6,168.34	8,801.00	(2,632.66)	108,156.78	149,825.00	(41,668.22)	149,825.00	73,857.47
Renourishment 2013/14 Design Phase	27,266.85	28,851.00	(1,584.15)	80,834.46	346,200.00	(265,365.54)	346,200.00	298,508.87
Rent	355.07	583.00	(227.93)	4,628.70	7,000.00	(2,371.30)	7,000.00	2,371.30
Storage of records	159.00	160.00	(1.00)	1,749.00	1,910.00	(161.00)	1,910.00	161.00
Website Development	0.00	0.00	0.00	0.00	3,000.00	(3,000.00)	3,000.00	3,000.00
Total Expense	37,318.96	49,413.00	(12,094.04)	846,599.95	1,445,586.00	(598,986.05)	1,445,586.00	671,046.26
Net Ordinary Income (Loss)	65,344.80	49,659.00	15,685.80	2,833,403.36	(643,269.00)	3,476,672.36	(643,269.00)	(637,448.33)
Total Other Expense	1,638,888.48	500,000.00	1,138,888.48	2,116,319.87	977,351.00	1,138,968.87	977,351.00	0.00
Net Income	(1,573,543.68)	(450,341.00)	(1,123,202.68)	717,083.49	(1,620,620.00)	2,337,703.49	(1,620,620.00)	(637,448.33)

****NOTE Residual Budget figures ONLY reflect Budgeted Assessments to be collected and Budgeted Costs not yet incurred.

CAPTIVA EROSION PREVENTION DISTRICT
CAPITAL PROJECTS
BUDGET PERFORMANCE- DETAIL
For the One and Twelve Months Ended September 30, 2011

	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
	Actual - Sept '11	Budget - Sept '11	Variance - Sept '11	YTD Actual	YTD Budget	YTD Variance	Annual Budget	Residual Budget
Ordinary Income/Expense								
Income								
Interest Income	46.25	446.00	(399.75)	2,965.07	5,363.00	(2,397.93)	5,363.00	2,397.93
Other miscellaneous revenue	0.00	0.00	0.00	1,970.18	0.00	1,970.18	0.00	0.00
Parking lot revenue	12,091.51	8,100.00	3,991.51	169,440.63	135,000.00	34,440.63	135,000.00	0.00
Grant Income - Local	0.00	0.00	0.00	46,815.00	78,015.00	(31,200.00)	78,015.00	31,200.00
Grant Income - State	0.00	0.00	0.00	2,846,995.33	0.00	2,846,995.33	0.00	0.00
Reserves - General	90,526.00	90,526.00	0.00	90,526.00	90,526.00	0.00	90,526.00	0.00
Restricted Fund Donations	0.00	0.00	0.00	3,000.00	0.00	3,000.00	0.00	0.00
Special Assessments								
Special Assessments Principal	0.00	0.00	0.00	433,649.00	404,326.00	29,323.00	404,326.00	0.00
Special Assessments - Interest	0.00	0.00	0.00	92,017.96	89,087.00	2,930.96	89,087.00	0.00
Special Assessments - Refunds	0.00	0.00	0.00	(7,375.86)	0.00	(7,375.86)	0.00	0.00
Total Special Assessments	0.00	0.00	0.00	518,291.10	493,413.00	24,878.10	493,413.00	0.00
Total Income	102,663.76	99,072.00	3,591.76	3,680,003.31	802,317.00	2,877,686.31	802,317.00	33,597.93
Expense								
Advertising	0.00	0.00	0.00	1,954.33	4,000.00	(2,045.67)	4,000.00	2,045.67
Annual memberships & fees	0.00	83.00	(83.00)	0.00	1,000.00	(1,000.00)	1,000.00	1,000.00
Bank service charges	0.00	8.00	(8.00)	0.00	100.00	(100.00)	100.00	100.00
Beach maintenance								
Engineering - Monitoring	0.00	10,000.00	(10,000.00)	61,400.00	100,000.00	(38,600.00)	100,000.00	38,600.00
Tilling	0.00	0.00	0.00	1,200.00	1,200.00	0.00	1,200.00	0.00
Total Beach maintenance	0.00	10,000.00	(10,000.00)	62,600.00	101,200.00	(38,600.00)	101,200.00	38,600.00
Blind Pass project	0.00	0.00	0.00	195,292.30	362,066.00	(166,773.70)	362,066.00	166,773.70
Cost of Assessment Collections	0.00	5.00	(5.00)	1,516.24	1,500.00	16.24	1,500.00	0.00
Engineering (CP)	0.00	0.00	0.00	2,189.75	35,000.00	(32,810.25)	35,000.00	32,810.25
Grant Reimbursement	0.00	0.00	0.00	342,182.00	374,000.00	(31,818.00)	374,000.00	31,818.00
Insurance	0.00	0.00	0.00	10,776.00	10,644.00	132.00	10,644.00	0.00
Parking lot expenses								
Parking Lot Machine	0.00	0.00	0.00	0.00	20,000.00	(20,000.00)	20,000.00	20,000.00
Parking maintenance	1,980.94	199.00	1,781.94	18,930.32	16,000.00	2,930.32	16,000.00	0.00
Portable toilets	561.22	265.00	296.22	6,227.38	4,500.00	1,727.38	4,500.00	0.00
Sales tax expense	827.54	458.00	369.54	9,562.69	7,641.00	1,921.69	7,641.00	0.00
Total Parking lot expenses	3,369.70	922.00	2,447.70	34,720.39	48,141.00	(13,420.61)	48,141.00	20,000.00
Project Management Support								
Professional Fees	1,588.59	4,566.00	(2,977.41)	26,142.53	100,000.00	(73,857.47)	100,000.00	73,857.47
Project Consultant	4,236.00	4,235.00	1.00	51,540.00	49,825.00	1,715.00	49,825.00	0.00
Project Manual	343.75	0.00	343.75	30,474.25	0.00	30,474.25	0.00	0.00
Total Project Management Support	6,168.34	8,801.00	(2,632.66)	108,156.78	149,825.00	(41,668.22)	149,825.00	73,857.47
Renourishment 2013/14 Design Phase								
Bond Attorney Fees	0.00	1,250.00	(1,250.00)	0.00	15,000.00	(15,000.00)	15,000.00	15,000.00
Economic Study & Apportionment Plan	0.00	1,667.00	(1,667.00)	0.00	20,000.00	(20,000.00)	20,000.00	20,000.00

***NOTE: Residual Budget figures ONLY reflect Budgeted Assessments to be collected and Budgeted Costs not yet incurred.

CAPTIVA EROSION . ANTION DISTRICT
 CAPITAL PROJECTS
 BUDGET PERFORMANCE- DETAIL
 For the One and Twelve Months Ended September 30, 2011

	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
	Actual - Sept '11	Budget - Sept '11	Variance - Sept '11	YTD Actual	YTD Budget	YTD Variance	Annual Budget	Residual Budget
Engineering & Model Reports	0.00	16,666.00	(16,666.00)	7,019.63	200,000.00	(192,980.37)	200,000.00	192,980.37
Permit - Borrow Area Expansion	3,509.10	3,384.00	125.10	14,274.00	40,600.00	(26,326.00)	40,600.00	26,326.00
Permit - Pipeline Corridor Expns	23,757.75	5,884.00	17,873.75	26,397.50	70,600.00	(44,202.50)	70,600.00	44,202.50
Recreational & Econ Benefit Stdy	0.00	0.00	0.00	33,143.33	0.00	33,143.33	0.00	0.00
Total Renourishment 2013/14 Design Phase	27,266.85	28,851.00	(1,584.15)	80,834.46	346,200.00	(265,365.54)	346,200.00	298,508.87
Rent	355.07	583.00	(227.93)	4,628.70	7,000.00	(2,371.30)	7,000.00	2,371.30
Storage of records	159.00	160.00	(1.00)	1,749.00	1,910.00	(161.00)	1,910.00	161.00
Website Development	0.00	0.00	0.00	0.00	3,000.00	(3,000.00)	3,000.00	3,000.00
Total Expense	37,318.96	49,413.00	(12,094.04)	846,599.95	1,445,586.00	(598,986.05)	1,445,586.00	671,046.26
Net Ordinary Income (Loss)	65,344.80	49,659.00	15,685.80	2,833,403.36	(643,269.00)	3,476,672.36	(643,269.00)	(637,448.33)
Other Expense								
Debt Service - Interest	20,747.67	0.00	20,747.67	93,643.81	72,816.00	20,827.81	72,816.00	0.00
Debt Service - Principal	1,618,140.81	500,000.00	1,118,140.81	2,022,676.06	904,535.00	1,118,141.06	904,535.00	0.00
Total Other Expense	1,638,888.48	500,000.00	1,138,888.48	2,116,319.87	977,351.00	1,138,968.87	977,351.00	0.00
Net Income	(1,573,543.68)	(450,341.00)	(1,123,202.68)	717,083.49	(1,620,620.00)	2,337,703.49	(1,620,620.00)	(637,448.33)

***NOTE: Residual Budget figures ONLY reflect Budgeted Assessments to be collected and Budgeted Costs not yet incurred.

CEPD - CAPITAL PROJECTS FUND

Balance Sheet
As of September 30, 2011

	<u>September</u>
ASSETS	
Current Assets	
Checking/Savings	
Checking Wachovia Capital	2,496,525.01
Sanibel Captiva Bank - CD	250,000.00
SBA	214,320.30
Total Checking/Savings	<u>2,960,845.31</u>
Other Current Assets	
Due From General Fund	0.00
Total Other Current Assets	<u>0.00</u>
Total Current Assets	<u>2,960,845.31</u>
TOTAL ASSETS	<u><u>2,960,845.31</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Due to other governments	487,597.00
Total Other Current Liabilities	<u>487,597.00</u>
Total Current Liabilities	<u>487,597.00</u>
Total Liabilities	487,597.00
Equity	
Fund Balance	1,756,164.82
Net Income	717,083.49
Total Equity	<u>2,473,248.31</u>
TOTAL LIABILITIES & EQUITY	<u><u>2,960,845.31</u></u>

CEPD - GENERAL FUND
Balance Sheet
As of September 30, 2011

	<u>September</u>
ASSETS	
Current Assets	
Checking/Savings	
S.B.A. Account	112.59
Wachovia - checking	211,036.06
Total Checking/Savings	<u>211,148.65</u>
Total Current Assets	<u>211,148.65</u>
TOTAL ASSETS	<u><u>211,148.65</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Due to Capital Projects Fund	0.00
Total Other Current Liabilities	<u>0.00</u>
Total Current Liabilities	<u>0.00</u>
Total Liabilities	0.00
Equity	
Fund Balance	176,402.19
Net Income	34,746.46
Total Equity	<u>211,148.65</u>
TOTAL LIABILITIES & EQUITY	<u><u>211,148.65</u></u>

CAPTIVA EROSION PREVENTION DISTRICT
RESERVE ACCUMULATIONS
FISCAL YEAR ENDING 9/30/2011

	Oct-10	Nov-10	Dec-10	Jan-11	Feb-11	Mar-11	Apr-11	May-11	Jun-11	Jul-11	Aug-11	Sep-11
Beginning Balance	\$ 297,469	\$ 300,149	\$ 299,463	\$ 300,235	\$ 293,360	\$ 301,537	\$ 314,121	\$ 326,526	\$ 339,841	\$ 352,934	\$ 364,394	\$ 374,743
Reserves Transferred In												
Parking Revenue	12,567	12,381	8,374	11,273	13,469	18,178	16,291	17,564	16,143	16,693	14,417	12,092
Operating Reserves	-	-	-	-	-	-	-	-	-	-	-	-
Total Reserves Transferred In	12,567	12,381	8,374	11,273	13,469	18,178	16,291	17,564	16,143	16,693	14,417	12,092
NonProject Costs Expended												
Advertising	-	1,954	-	-	-	-	-	-	-	-	-	-
Bank service charges	-	-	-	-	-	-	-	-	-	-	-	-
Insurance	-	-	-	10,776	-	-	-	-	-	-	-	-
Parking Lot Expenses	2,218	2,872	2,374	2,036	1,680	3,382	2,932	3,766	1,759	4,757	3,575	3,370
Project Manual	7,014	7,625	4,697	4,848	3,041	1,750	469	-	688	-	-	344
Rent	496	456	532	330	412	303	326	325	444	316	335	355
Storage of records	159	159	-	159	159	159	159	159	159	159	159	159
Total NonProject Costs Expended	9,887	13,066	7,603	18,148	5,292	5,594	3,885	4,250	3,050	5,232	4,069	4,228
Increase (Decrease) in Reserves	2,680	(686)	771	(6,875)	8,177	12,584	12,405	13,314	13,093	11,460	10,349	7,864
Total Accumulated Reserves	\$ 300,149	\$ 299,463	\$ 300,235	\$ 293,360	\$ 301,537	\$ 314,121	\$ 326,526	\$ 339,841	\$ 352,934	\$ 364,394	\$ 374,743	\$ 382,607

September 26, 2011

Mr. Vincent George
Florida Department of Environmental Protection
3900 Commonwealth Boulevard, MS 300
Tallahassee, Florida 32399-3000

Subject: Captiva/Sanibel Beach Nourishment LGFR

Dear Mr. George,

The Captiva Erosion Prevention District has reviewed the Captiva/ Sanibel Renourishment Project Description and Project Evaluation Form prepared by the Bureau to finalize the LGFR for submission to the Governor's Office and Florida Legislature.

The Project Evaluation Form and Project Description sent to CEPD (the District) omitted critical information and considerations:

- **There is a current Federal Cooperative Agreement** for the federal funding of this federally authorized project. The Army Corps of Engineers concurs with CEPD that the current agreement can be used for the 2012/13 nourishment project. It is our understanding that the current federal agreement is eligible to be awarded 5 points on the evaluation form. The evaluation form recently received awarded zero points for the federal agreement. CEPD requests this correction in the awarding of projects points.
- In the Project Description, the Bureau has eliminated the nourishment of north Sanibel Island. The explanation the Bureau provided was that Lee County intends to nourish Sanibel Island in FY 2012/13 with dredge material from Blind Pass. But please consider that Lee County's LGFR does not release CEPD from the obligation of an interlocal agreement with the City of Sanibel.

It is important to bring to the Bureau's immediate attention that CEPD has an interlocal agreement with Sanibel designed to settle a long standing disagreement regarding the effects of the groin at Blind Pass. **The interlocal agreement includes a plan for the placement of mitigative sand on the north shores of Sanibel between R110 and R116 as an extension of the Captiva Beach Maintenance Project.** The District's 1995 and 2005 nourishment projects placed sand on north Sanibel. The agreement is in effect until April 18, 2015. The LGFR project description that CEPD submitted included this area for sand placement.

Unless Sanibel is willing to waive any claims for continued nourishment on north Sanibel by the CEPD, it does not appear prudent that the Bureau modify the project description submitted by the CEPD that included north Sanibel. It is not likely that the City of Sanibel is willing to waive such claims. Please note the attached letter dated February 23, 2011 from the City of Sanibel referencing expectations that CEPD continue to place sand on north Sanibel.

Lee County has made no commitment to dredge Blind Pass. The Division of Natural Resources has informed citizens that based on the condition of the Pass there is no need to dredge. Additionally, the dredge material that Lee County may place on Sanibel is **outside** the CEPD interlocal agreement area and is planned for placement within R116-R118. Also, inlet bypassing generally does not in its self automatically meet the nourishment needs, it just contributes to the amount using what becomes available for dredging.

In absence of a waiver for beach nourishment from the City of Sanibel The CEPD requests that you once again include north Sanibel Island in our Project Description.

- As discussed in previous conversations with the Bureau, the CEPD would like to amend the Long Range Budget Plan for FY 12/13 and include construction in FY 12/13. A revised budget plan was sent to the Bureau and is also attached. This will enable the District and State to benefit from the anticipated federal funding of the project for FY 12/13.
- The District would like to ask for further information concerning the decision to award only 1 point for Recreational/Economic Benefits. Last year the nourishment project was awarded 3 points. The benefit cost ratio is 6.1. Perhaps this downward adjustment was made when the Bureau eliminated north Sanibel from the project. As you can see, CEPD continues to have an active interlocal agreement with Sanibel and north Sanibel should be reinstated into the LGFR.

On behalf of the Captiva Erosion Prevention District, I thank you for your attention to this urgent matter and ask that you reconsider the Bureau's decisions in light of the misunderstandings and additional information provided. Should you have any questions, please feel free to contact me.

Sincerely,

Kathleen Rooker
Administrator
Captiva Erosion Prevention District

LGFR Comments Captiva

|X

Inbox|X

Reply

Boutelle, Stephen to Vincent, Robert, Roland, Douglas, Karen,
Judie, Rob, me

show details Oct 3 (2 days ago)

Vince,

It is my understanding that DEP has preliminarily determined that the northern Sanibel fill area of the Captiva project is not eligible for state funding. We do not believe that position is consistent with the intent of statute or the policy as described in FAC 62B-36.003(1). The limits as described including northern Sanibel are designated as critically eroded, bypassing is recommended in the SBMP, an inlet study has been submitted to DEP that supports the need to offset impacts from the altered Blind Pass inlet, and the state has previously participated in funding nourishment of this area.

We recognize that efforts to manage Blind Pass could result in reduced erosion impacts on Sanibel if successfully completed. However, that is a question of sand quantity rather than eligibility of the work as proposed by CEPD. Those details should be part of the project design and not a basis to discount state funding for future nourishment as part of a coordinated effort with Captiva nourishment. It is also my understanding that DEP will be cost sharing the Captiva design and permitting to include northern Sanibel. That same consideration should be in place for the construction phase as a contingency to address sand deficiency that may exist net of any Blind Pass bypassing.

Thank you for forwarding this as necessary and including it as part of the official comments on the draft LGFR for Captiva.

Steve Boutelle

Marine Operations Manager

Lee County - Natural Resources Division

COASTAL PLANNING & ENGINEERING, INC.



2481 NW BOCA RATON BOULEVARD, BOCA RATON, FL 33431

561-391-8102 PHONE 561-391-9116 FAX
INTERNET: <http://www.coastalplanning.net>
e-mail: mail@coastalplanning.net

8402.85

August 9, 2011

Kathleen Rooker
Senior Administrator
Captiva Erosion Prevention District
11513 Andy Rosse Lane
P.O. Box 365
Captiva, FL 33924

**Re: Hourly Professional Services for the Captiva Erosion Prevention District
Board Meetings and Administrative Task as Staff Engineer**

Dear Kathleen:

This is a scope of work and fee proposal for hourly services for Coastal Planning & Engineering, Inc. (CPE) to perform staff engineering task in support of the Captiva Erosion Prevention District work. The proposed scope of services will be governed by the terms and conditions of the Professional Services Agreement attached to this letter. Annual engineering services are normally budgeted at \$10,000 per year to cover services not provided for under the active contracts for engineering, design, construction observations and monitoring in support of the CEPD projects.

A second area is to provide staff engineering services to assist and review the work at Blind Pass being performed under the County's supervision and future agreements for Blind Pass. A third area will be assistance with cost sharing determination with FDEP for the next grant agreement and Corps coordination assistance.

The fee for these services will be hourly not to exceed \$10,000 without further board approval.

There is no funding remaining in the previously approved hourly contract.

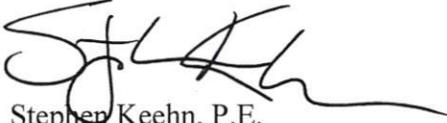
Please sign and return the attached Professional Services Agreement to me as your acceptance and authorization to proceed. A fully executed copy will be returned to you for your records.

If you have any questions or comments, please call me.

CEPD Board Approval
August 9, 2011
Page 2

Sincerely,

COASTAL PLANNING & ENGINEERING, INC.

A handwritten signature in black ink, appearing to read 'S. Keehn', written over the printed name.

Stephen Keehn, P.E.
Senior Coastal Engineer

cc: Sheri Dindial, CPE

F:\marketing_Proposals\FL Counties\Lee\Captiva\2011\CI 2011 Hourly Services SOW ltr.doc

**COASTAL PLANNING AND ENGINEERING, INC.
PROFESSIONAL SERVICES AGREEMENT
TIME AND MATERIALS BASIS**

1. SERVICES: Coastal Planning and Engineering, Inc. ("CPE") a Florida corporation, agrees to perform for the undersigned CLIENT professional environmental, engineering consulting and/or analytical services ("Services") described in attached Proposal dated August 9, 2011 and/or as follows:

Hourly Professional Services
for Captiva Erosion Prevention
District Administrative Task.

all in accord with the following terms and conditions.

2. FEES, INVOICES AND PAYMENTS: The Services will be performed on a time and materials basis, with compensation due for all goods and Services provided by CPE, computed in accord with currently-in-effect CPE rates for Time & Material work. CPE's particular applicable T & M Rate Sheet for the Services will be attached hereto. Other compensation provisions are as follows: Invoices will be submitted by CPE no more frequently than every two weeks, with payment due upon CLIENT'S receipt of invoice. Payment shall be in U.S. Dollars. CLIENT shall be responsible for payment (without deduction or offset from the total invoice amount) of any and all sales, use, value added, gross receipts, franchise and like taxes, and tariffs and duties, and all disposal fees and taxes, levied against CPE or its employees by any government or taxing authority. A service charge equal to one and one-half percent (1 ½ %) per month, or the maximum rate permitted by law, whichever is less, will be added to all accounts which remain unpaid for more than thirty (30) calendar days beyond the date of the invoice. Should there be any dispute as to any portion of an invoice, the undisputed portion shall be promptly paid.

3. CLIENT'S COOPERATION: To assist CPE in performing the Services, CLIENT shall (i) provide CPE with relevant material, data, and information in its possession pertaining to the specific project or activity, (ii) consult with CPE when requested, (iii) permit CPE reasonable access to relevant CLIENT sites, (iv) ensure reasonable cooperation of CLIENT's employees in CPE's activities, and (v) notify and report to all regulatory agencies as required by such agencies.

4. CONFIDENTIALITY: In the course of performing Services, to the extent that CLIENT discloses to CPE, business or technical information that CLIENT clearly marks in writing as confidential or proprietary, CPE will exercise reasonable efforts to avoid the disclosure of such information to others. Nonetheless, CLIENT shall treat as confidential all information and data furnished to it by CPE in connection with this Agreement including, but not limited to, CPE's technology, formulae, procedures,

processes, methods, trade secrets, ideas, inventions, and/or computer programs; and CLIENT shall not disclose such information to any third party.

Nothing herein is meant to prevent nor shall be interpreted as preventing either party from disclosing and/or using any information or data (i) when the information or data are actually known to the receiving party before being obtained or derived from the transmitting party, (ii) when information or data are generally available to the public without the receiving party's fault at any time before or after it is acquired from the transmitting party; (iii) where the information or data are obtained or acquired in good faith at any time by the receiving party from a third party who has the same in good faith and who is not under any obligation to the transmitting party in respect thereto; (iv) where a written release is obtained by the receiving party from the transmitting party; (v) three (3) years from the date of receipt of such information; or (vi) when required by process of law; provided, however, upon service of such process, the recipient thereof shall use reasonable efforts to notify the other party and afford it an opportunity to resist such process.

CLIENT shall obtain CPE's prior consent and cooperation with the formulation and release of any public disclosure in connection with this Agreement or work performed hereunder, before issuing a news release, public announcement, advertisement, or other form of publicity. CPE's consent shall not be required where disclosure is required by public records law or other law.

5. RIGHT TO USE INFORMATION AND DOCUMENTS: CLIENT may use any final reports of findings, feasibility studies, industrial hygiene and safety, engineering work or other work performed or prepared by CPE under this Agreement for its internal purposes in connection with the project and/or location indicated in the Services for which such work was prepared, but CPE reserves all other rights with respect to such documents and all other documents produced in performing the Services. CLIENT shall obtain prior written consent from CPE for any other use, distribution, or publication of such reports or work results, except where disclosure and copies of reports or work results are required by law. Unless otherwise expressly agreed to in writing, nothing in this Agreement shall be interpreted to prevent CPE from application and use of any information learned by it from the services (subject to the provisions of Section 4). All reports will be delivered subject to CPE's then current limitations and disclaimers.

6. PATENTS AND CONFIDENTIAL INFORMATION: CPE shall retain all right and title

to all patentable and unpatentable inventions including confidential know-how developed by CPE hereunder. However, CPE hereby grants to CLIENT a royalty-free, nonexclusive, nonassignable license as to such inventions and know-how to use the same in any of CLIENT's facilities. Information submitted to CLIENT by CPE hereunder is not intended nor shall such submission constitute inducement and/or contribution to infringe any patent(s) owned by a third party, and CPE specifically disclaims any liability therefor.

7. DELAYS AND CHANGES IN CONDITIONS:

If CPE is delayed or otherwise in any way hindered or impacted at any time in performing the Services by (i) an act, failure to act or neglect of CLIENT or CLIENT's employees or any third parties; (ii) changes in the scope of the work; (iii) unforeseen, differing or changed circumstances or conditions including differing site conditions, acts of force majeure (such as fires, floods, riots, and strikes); (iv) changes in government acts or regulations; (v) delay authorized by CLIENT and agreed to by CPE; or (vi) any other cause beyond the reasonable control of CPE, then 1) the time for completion of the Services shall be extended based upon the impact of the delay, and 2) CPE shall receive an equitable compensation adjustment. Any such equitable adjustment shall be based on CPE's then current Time and Material Rates, as may be provided in a Rate sheet attached hereto.

8. INSURANCE: CPE shall, at all times while operations are conducted hereunder, maintain the following insurance coverages:

A. Workers' Compensation providing statutory benefits and Employer's Liability Insurance covering CPE's employees engaged in operations hereunder in compliance with the state having jurisdiction over each employee. The limit for Employer's Liability shall be \$1,000,000.00 per occurrence.

B. Comprehensive General Liability Insurance including products, contractual liability and completed operations with a combined single limit per occurrence and annual aggregate of \$1,000,000.00 per occurrence, \$2,000,000.00 aggregate for bodily injury and property damage.

C. Automobile Liability Insurance with a combined single limit of \$1,000,000.00 per accident for bodily injury and property damage. This insurance shall provide coverage for any automobile, including owned, hired and non-owned automobiles.

D. Professional errors and omissions coverage with a limit of \$1,000,000 per claim and aggregate, covering negligent acts, errors, or omissions of CPE in connection with the performance of its services.

Insurance certificates will be furnished to CLIENT on request. If the CLIENT acquires further insurance

coverage, CPE will endeavor to obtain said coverage, and CLIENT shall pay any extra costs therefore.

9. RISK ALLOCATION - CLIENT hereby agrees that: (1) there are risks inherent to the Services, many of which cannot be ascertained or anticipated prior to or during the course of the Services; (2) due to the inherently limited nature and amount of the data resulting from environmental investigation methods, complete analysis of conditions is not always possible, and, therefore, conditions frequently vary from those anticipated earlier; and (3) technology, methods, accepted professional standards as well as law and policy, are undefined and/or constantly changing and evolving. In light of all of the foregoing, as a material inducement to and consideration for CPE's agreement to perform the Services on the terms and at the price herein provided for, CLIENT SPECIFICALLY AGREES THAT CPE'S LIABILITY SHALL BE LIMITED AS PROVIDED IN SECTIONS 10 THROUGH 12 OF THIS AGREEMENT.

10. WARRANTY: CPE is an independent contractor and CPE's Services will be performed, findings obtained, and recommendations prepared in accordance with generally and currently accepted professional practices and standards governing recognized firms in the area engaged in similar work. THIS WARRANTY IS IN LIEU OF ALL OTHER WARRANTIES EITHER EXPRESSED OR IMPLIED.

11. INDEMNITIES: CPE shall defend, indemnify and hold harmless CLIENT from and against loss or damage to tangible property, or injury to persons, to the extent arising from the negligent acts or omissions or willful misconduct of CPE, its subcontractors, and their respective employees and agents acting in the course and scope of their employment. CLIENT shall defend, indemnify and save harmless CPE (including its parent, subsidiary, and affiliated companies and their officers, directors, employees, and agents) from and against, and any indemnity by CPE shall not apply to, loss, damage, injury or liability arising from the (i) negligent acts or omissions of CLIENT, its contractors, and their respective subcontractors, employees and agents; (ii) any allegations that CPE is the owner, operator, manager, or person in charge of all or any portion of a site addressed by the services, or arranged for the treatment, transportation, or disposal of, or owned or possessed, or chose the treatment, transportation or disposal site for, any material with respect to which Services are provided, and (iii) any pollution, contamination or release of hazardous or radioactive materials, including all adverse health effects thereof, except for any portion thereof which results from CPE's negligence or willful misconduct.

12. LIMITATIONS OF LIABILITY:

a. GENERAL LIMITATION - CLIENT'S SOLE AND EXCLUSIVE REMEDY FOR ANY ALLEGED

BREACH OF WARRANTY BY CPE SHALL BE TO REQUIRE CPE TO RE-PERFORM ANY DEFECTIVE SERVICES. CPE'S LIABILITY AND CLIENT'S REMEDIES FOR ALL CAUSES OF ACTION ARISING HEREUNDER WHETHER BASED IN CONTRACT, NEGLIGENCE, INDEMNITY, OR ANY OTHER CAUSE OF ACTION, SHALL NOT EXCEED IN THE CUMULATIVE AGGREGATE (INCLUDING ANY INSURANCE PROCEEDS) WITH RESPECT TO ALL CLAIMS ARISING OUT OF OR RELATED TO THIS AGREEMENT, WHATEVER MINIMUM AMOUNT MAY BE REQUIRED BY LAW OR, IF NONE, \$1,000,000.00 (WHICH AMOUNT INCLUDES ANY FEES AND COSTS INCURRED IN RE-PERFORMING SERVICES). THE REMEDIES IN THIS AGREEMENT ARE CLIENT'S SOLE AND EXCLUSIVE REMEDIES. FURTHER, CPE SHALL HAVE NO LIABILITY FOR ANY ACTION INCLUDING DISCLOSURE OF INFORMATION WHERE IT BELIEVES IN GOOD FAITH THAT SUCH ACTION IS REQUIRED BY PROFESSIONAL STANDARDS OF CONDUCT FOR THE PRESERVATION OF PUBLIC HEALTH, SAFETY OR WELFARE, OR BY LAW.

b. **CONSEQUENTIAL DAMAGES:** FURTHER AND REGARDLESS OF ANY OTHER PROVISION HEREIN, CPE SHALL NOT BE LIABLE FOR ANY INCIDENTAL, INDIRECT, OR CONSEQUENTIAL DAMAGES (INCLUDING LOSS OF PROFITS, DECLINE IN PROPERTY VALUE, REGULATORY AGENCY FINES, LOST PRODUCTION OR LOSS OF USE) INCURRED BY CLIENT OR FOR WHICH CLIENT MAY BE LIABLE TO ANY THIRD PARTY OCCASIONED BY THE SERVICES OR BY APPLICATION OR USE OF REPORTS OR OTHER WORK PERFORMED HEREUNDER.

13. GOVERNING LAWS: This Agreement shall be governed and construed in accordance with the laws of the State in which the site to which the Services relate is located.

14. TERMINATION: Either party may terminate this Agreement with or without cause upon twenty (20) days' written notice to the other party. Upon such termination, CLIENT shall pay CPE for all Services performed hereunder up to the date of such termination. In addition, if CLIENT terminates, CLIENT shall pay CPE all reasonable costs and expenses incurred by CPE in effecting the termination, including, but not limited to non-cancelable commitments and demobilization costs. In the event of termination, CPE shall within fourteen (14) days of receipt of notice of termination provide CLIENT with all work product to date a close out report of work yet to be completed and its costs, and the costs of effecting the termination.

15. ASSIGNMENT: Neither CPE nor CLIENT shall assign any right or delegate any duty under this Agreement without the prior written consent of the other, which consent shall not be unreasonably

withheld. Notwithstanding the foregoing, the Services may be performed by any subsidiary or affiliate of The Shaw Group Inc., or other person designated by CPE, which designation shall have been approved by CLIENT, and, CPE may, upon notice to CLIENT, assign, pledge or otherwise hypothecate the cash proceeds and accounts receivable resulting from the performance of any Services or sale of any goods pursuant to this Agreement.

16. MISCELLANEOUS:

a. **ENTIRE AGREEMENT, PRECEDENCE, ACCEPTANCE MODIFICATIONS:** The terms and conditions set forth herein constitute the entire understanding of the Parties relating to the provisions of the Services by CPE to the CLIENT. All previous proposals, offers, and other communications relative to the provisions of these Services by CPE, oral or written, are hereby superseded, except to the extent that they have been expressly incorporated by reference herein. In the event of conflict, the four pages of this Agreement shall govern. CLIENT may accept these terms and conditions by execution of this Agreement or by authorizing CPE to begin work. Any modifications or revision of any provisions hereof or any additional provisions contained in any purchase order, acknowledgement or other document issued by the CLIENT is hereby expressly objected to by CPE and shall not operate to modify the Agreement.

b. **DISPUTES, ATTORNEY FEES** – Any dispute regarding this Agreement or the Services shall be resolved first by exchange of documents by senior management of the parties, who may be assisted by counsel. Any thereafter unresolved disputes shall be litigated in the state whose law governs under Section 13 hereunder.

c. **WAIVER OF TERMS AND CONDITIONS** - The failure of CPE or CLIENT in any one or more instances to enforce one or more of the terms or conditions of this Agreement or to exercise any right or privilege in the Agreement or the waiver by CPE or CLIENT of any breach of the terms or conditions of this Agreement shall not be construed as thereafter waiving any such terms, conditions, rights, or privileges, and the same shall continue and remain in force and effect as if no such failure to enforce had occurred.

d. **NOTICES** – Any notices required hereunder may be sent by orally confirmed US Mail, courier service (e.g. FedEx), orally confirmed telecopy (fax) or orally confirmed email (further confirmed by US Mail) to the addresses set forth below.

e. **SEVERABILITY AND SURVIVAL** - Each provision of this Agreement is severable from the others. Should any provision of this Agreement be found invalid or unenforceable, such provision shall be ineffective only to the extent required by law, without

invalidating the remainder of such provision or the remainder of this Agreement.

automatically substituted therefor. The terms and conditions set forth herein shall survive the termination of this Agreement.

Further, to the extent permitted by law, any provision found invalid or unenforceable shall be deemed automatically redrawn to the extent necessary to render it valid and enforceable consistent with the parties' intent. For example, if the gross negligence standard in Section 11 is unenforceable under an applicable "anti-indemnity" statute, but a sole negligence standard is enforceable, the sole negligence standard shall be

CLIENT and CPE agree to the foregoing (INCLUDING THE LIMITATIONS ON LIABILITY IN SECTIONS 9-12) and have caused this Agreement to be executed by their duly authorized representatives as of the date set forth below.

Executed on _____, 200__

CLIENT

Client Name: _____

By (Sign): _____

Print Name: _____

Title: _____

Address: _____

Phone: _____

Fax: _____

E-mail: _____

COASTAL PLANNING AND ENGINEERING, INC.

By (Sign): _____

Print Name: _____

Title: _____

Address: _____

Phone: _____

Fax: _____

E-mail: _____

COASTAL PLANNING & ENGINEERING, INC.
STANDARD RATE SCHEDULE
(January 1, 2011 to December 31, 2011)
these rates apply to Captiva Erosion Prevention District only

I. PERSONNEL CLASSIFICATION	<u>Rate</u>
Principal Engineer.....	215.00/hour
Expert Witness (Testimony)	275.00/hour
Project Manager	175.00/hour
Program Manager	135.00/hour
Senior Coastal Engineer.....	145.00/hour
Coastal Engineer	115.00/hour
Junior Coastal Engineer	95.00/hour
Coastal Modeler	115.00/hour
Coastal Zone Specialist.....	135.00/hour
Professional Surveyor & Mapper	165.00/hour
Certified Inshore Hydrographer	145.00/hour
Hydrographer	115.00/hour
Project Surveyor	100.00/hour
Surveyor.....	90.00/hour
Survey Technician.....	78.00/hour
Boat Captain	85.00/hour
Senior Marine Biologist	135.00/hour
Project Biologist	115.00/hour
Marine Biologist	100.00/hour
Junior Marine Biologist	85.00/hour
Senior Geologist	145.00/hour
Professional Geologist	125.00/hour
Project Geologist.....	115.00/hour
Geologist.....	100.00/hour
Junior Geologist.....	85.00/hour
Senior CAD Operator	100.00/hour
CAD Operator	85.00/hour
GIS Operator	90.00/hour
Bookkeeper	68.00/hour
Clerical.....	68.00/hour

COASTAL PLANNING & ENGINEERING, INC.
STANDARD RATE SCHEDULE
(January 1, 2010 to December 31, 2010)

I. PERSONNEL CLASSIFICATION	<u>Rate</u>
Principal Engineer	215.00/hour
Expert Witness (Testimony).....	275.00/hour
Project Manager.....	175.00/hour
Program Manager	135.00/hour
Senior Coastal Engineer	145.00/hour
Coastal Engineer	115.00/hour
Junior Coastal Engineer.....	95.00/hour
Coastal Modeler.....	115.00/hour
Coastal Zone Specialist	135.00/hour
Professional Surveyor & Mapper	165.00/hour
Certified Inshore Hydrographer	145.00/hour
Hydrographer	115.00/hour
Project Surveyor	100.00/hour
Surveyor.....	90.00/hour
Survey Technician	78.00/hour
Boat Captain	85.00/hour
Senior Marine Biologist	135.00/hour
Project Biologist	115.00/hour
Marine Biologist.....	100.00/hour
Junior Marine Biologist.....	85.00/hour
Senior Geologist	145.00/hour
Professional Geologist	125.00/hour
Project Geologist.....	115.00/hour
Geologist.....	100.00/hour
Junior Geologist.....	85.00/hour
Senior CAD Operator	100.00/hour
CAD Operator	85.00/hour
GIS Operator	90.00/hour
Bookkeeper.....	68.00/hour
Clerical.....	68.00/hour

STANDARD RATE SCHEDULE (Continued)
(January 1, 2011 to December 31, 2011)

II. EQUIPMENT	<u>Rate</u>
Truck (2WD road use)	\$0.50/mile
Truck (4WD beach use)	110.00/day
Survey Boat (28 ft. Parker)	1050.00/day
Survey Boat (24 ft. Privateer)	790.00/day
Survey Boat (17 ft. Boston Whaler).....	260.00/day
Survey Boat (13 ft Boston Whaler).....	135.00/day
Survey Sea Sled	310.00/day
John Deere Gator (All Terrain Vehicle)	105.00/day
Enclosed 18" Trailer	78.00/day
Trimble RTK GPS	495.00/day
Trimble Differential GPS.....	415.00/day
Leitz Total Station w/Data Collector	130.00/day
Hand Laser Range Finder	15.00/day
Range Azimuth System.....	310.00/day
Odom Hydrotrack Sounder	165.00/day
Heave, Pitch, Roll Compensator.....	215.00/day
Fathometerw/digitizer	165.00/day
Speed of Sound Velocity Meter	63.00/day
Hypack/DredgePack Navigation System	260.00/day
Nortek AWAC ADCP high frequency deepwater wave height, direction and current profiler	5,000.00/month *
Nortek Aquadopp ADCP low frequency shallow water wave height, direction and current profiler.....	2,900.00/month *
Nortek Storm Software for wave and current data processing	50.00/day
Primer statistical package.....	\$200/project
X-STAR CHIRP 512i Seismic Profiling System.....	1150.00/day
X-STAR CHIRP 216	1150.00/day
Seismic Profiler Thermal Printer	130.00/day
Sonar Wizard Map Seismic Data Processing Package	155.00/day
Edgetech 4200 FS Sidescan Sonar System	695.00/day
Sonar Wizard Map Sidescan Data Processing Package.....	155.00/day
Geometric G-881 Magnetometer	215.00/day
Schonstedt GA-52B Magnetic Locator	30.00/day
Jet Probe with Pump	55.00/day
Underwater Tide Gauge	175.00/day
Nikon Level/Tripod/Rod/Tide Stilling Well	65.00/day
Engineering Computer	15.00/hour
PC PowerPoint Projector	50.00/day
Lietz Handheld Level.....	10.00/day
Optical Reading Compass.....	10.00/day
Portable AC Generator.....	60.00/day
Garmin Handheld GPS	10.00/day
Turbidimeter.....	38.00/day

STANDARD RATE SCHEDULE (Continued)
(January 1, 2011 to December 31, 2011)

III.	SCUBA DIVING SERVICES	<u>Rate</u>
	Equipment & Insurance	\$75/diver/day **
	** Charge in addition to normal hourly rates for personnel listed on Page 1.	
IV.	NUMERICAL MODELS	<u>Rate</u>
	ADCIRC Tidal Circulation Model	\$1,000/project
	BOUSS 2D WAVE - Wave Refraction/Diffraction Model	\$1,000/project
	MIKE21- NSW Spectral Wave Transformation Model	\$2,000/project
	MIKE21- HD 2D Current Simulation Model.....	\$2,000/project
	MIKE21- ST 2D Sediment Transport Model	\$2,000/project
	DELFT 3D WAVE - SWAN Wave Refraction/Diffraction Model.....	\$1,000/project
	DELFT 3D FLOW - 2D Hydrodynamic Model	\$22,000/project
	DELFT 3D MORPHO - Morphodynamic Model	\$3,000/project
	DELFT 3D WAQ – Water Quality Model	\$2,000/project
V.	REPRODUCTIONS	<u>Rates</u>
	Photocopies – Black & White	
	8 ½" x 11" and 8 ½" x 14"	\$0.10/page
	11" x 17"	\$0.15/page
	Heavy Bond	\$0.30/page
	Cover Stock	\$0.50/page
	Photocopies – Color	
	8 ½" x 11" and 8 ½" x 14"	\$0.50/page
	11" x 17"	\$0.75/page
	Heavy Bond	\$1.00/page
	Cover Stock	\$1.00/page
	CAD Plotter Copies	
	8 ½" x 11" and 8 ½" x 14"	\$1.00/each
	11" x 17"	\$2.00/each
	24" x 36"	\$3.00/each
VI.	APPROVED SUB-CONSULTANTS (management fee)	10% of cost
VII.	DIRECT COSTS (handling fee)	10% of cost

STANDARD RATE SCHEDULE (Continued)
(January 1, 2011 to December 31, 2011)

SCUBA Tanks (Nitrox)	19.00/day
Digital Camera	10.00/day
Underwater Camera	32.00/day
Underwater CamerW/Strobes.....	75.00/day
Underwater Seadrop IntegratedCamera.....	30.00/day
Film (35mm)	6.25/roll
Underwater Video Camera.....	115.00/day
GPS Integrated Underwater Video Camera.....	435.00/day
Liftbag and Hoist.....	25.00/day
Underwater Scooter.....	50.00/day
HACH 16800 Turbidimeter	38.00/day
HACH 2100A Turbidimeter	38.00/day
Sieve Analysis.....	75.00/sample
Carbonate Analysis	65.00/sample
Monuments	28.00/each
Survey Disk.....	15.00/each
Dry Suit.....	15.00/day
Ponar Sampler.....	30.00/day
Microscopes	20.00/day
Mobile Telephone	10.00/day
Penetrometer	55.00/day
Carsonite Post	15.00/each
Aerial Targets.....	5.50/each
Generator.....	60.00/day

* ADCP monthly cost may be pro-rated for shorter periods of use

Lewis Stroud & Deutsch, P.L.

Nancy E. Stroud, Esq.

09-14-11 A09:30 IN

Direct Dial: 561 826 2803

September 7, 2011

VIA CERTIFIED MAIL R/R/R

Ms. Karen B. Hawes
County Manager
Lee County
2115 Second Street
Fort Myers, FL 33901

Re: Captiva Erosion Prevention District
Beach Renourishment 2006-2008

Dear Ms. Hawes:

Thank you for responding to my letter of June 17, 2011 sent on behalf of the Captiva Erosion Prevention District. This is to reiterate that District's position that the parties' obligations under the Agreement have been satisfied; the District considers the Project closed. I regret that somehow our correspondence is being misunderstood, as the District sees no need to amend the Interlocal Agreement.

It is clear that the Project described in the Agreement includes construction related expenses after July 2006. Perhaps you would supply your complete list of objections with explanation as to the District's reconciliation report and any further justification for your assertion that the Agreement ended on July 2006. Hopefully, a more complete and documented list of objections from the County will offer certain specific information necessary to further clarify the County's position. The County position runs contrary to the unanimous position supported by all other government agencies in the process (ACOE, FDEP, CEPD).

The District has already indicated a willingness to have a final completion review with the County upon receipt of this complete and documented set of objections from Lee County. The Corps of Engineers and the FDEP have completed their reviews and found the District's reconciliation both complete and final. The Agreement describes the Project as including placement of sand from Redfish Pass through Bowman's Beach, and reconstruction and extension of the Redfish Pass Groin. As is expected in projects of this kind, a firm completion date is seldom established, and was certainly not part of the Agreement. The construction completion notice dated March 10, 2006 referenced in your letter does not refer to the total amount of construction for the Project as defined by the Agreement and was followed by a number of documents indicating the project had shortfalls and would be continued at a later date.

*One Lincoln Place, 1900 Glades Road, Suite 251, Boca Raton, Florida 33431
Telephone — 561 826 2800 Facsimile — 561 826 2828*

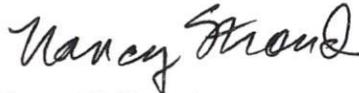
Ms. Karen B. Hawes
September 7, 2011

Page 2

The County knows as well as anyone that the Project was interrupted by a number of severe storms and hurricanes and the sand lost had to be replaced to meet the agreed upon requirements of the Project. Consequently, the Project was actually completed in July 2008. The attached completion letter of July 17, 2008, which refers to the same FDEP permit that was in effect in 2006, is the relevant completion letter. The letter of March 10, 2006 in fact anticipates that further construction activities may be planned. Indeed, in May 2006 the Corps of Engineers was in correspondence with the District Engineers about replacing the sand in the amount of approximately 80,000 cubic yards. (See attached email from Ms. Keiser to Mr. Keehn). This was accomplished in 2008.

The completion of the remainder of the Project was not a surprise to the County and was never objected to while the construction was being completed. The activities in 2008 included sand fill that directly benefits the County. It protects the property and property values of the Island that generate significant property tax revenue and tourist development taxes for the County. Therefore, it is very difficult to understand the objection that the County has to the work that was completed and quite thoroughly documented.

Very truly yours,



Nancy E. Stroud
CEPD General Counsel

cc: CEPD Commissioner Michael C. Mullins, Chairman
County Commissioner John Manning
County Attorney Michael Hunt
✓ Kathy Rooker, CEPD Senior Administrative Consultant
Steve Keehn, CEPD Engineer

-----Original Message-----

From: Keiser, Jacqueline J SAJ [mailto:Jacqueline.J.Keiser@saj02.usace.army.mil]
Sent: Friday, May 05, 2006 8:42 AM
To: Keiser, Jacqueline J SAJ; Skeehn@coastalplanning.net
Cc: Tpierro@coastalplanning.net; ahagerup@earthlink.net
Subject: RE: FCCE work

The distribution of the 80,000 cy FCCE volume to place on the Captiva Project is as follows:

R-98 to R-101 - 35,200 cy (11.7cy/lin ft)

R-107 to R-109 - 44,800 cy (21.3 cy/lin ft)

*Jacqueline Keiser, P.G.
Project Manager, Coastal & Navigation Branch
US Army Corps of Engineers, Jacksonville District
Phone (904) 232-3915; Fax (904) 232-2201
Jacqueline.J.Keiser@usace.army.mil*

From: Keiser, Jacqueline J SAJ
Sent: Friday, May 05, 2006 8:35 AM
To: Skeehn@coastalplanning.net
Cc: Tpierro@coastalplanning.net; ahagerup@earthlink.net
Subject: FW: FCCE work

See attached. Let me know if you have any questions.

Thanks,
Jackie

*Jacqueline Keiser, P.G.
Project Manager, Coastal & Navigation Branch
US Army Corps of Engineers, Jacksonville District
Phone (904) 232-3915; Fax (904) 232-2201
Jacqueline.J.Keiser@usace.army.mil*

From: Steve Keehn [mailto:Skeehn@coastalplanning.net]
Sent: Thursday, May 04, 2006 3:51 PM
To: Keiser, Jacqueline J SAJ
Cc: Alison Hagerup; Tom Pierro
Subject: FW: FCCE work

Jackie



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
GULF COAST AREA OFFICE
6320 SOUTH DALE MABRY HIGHWAY
TAMPA, FL 33611

July 17, 2008

Construction Section

SUBJECT: Contract No. W912EP-08-C-0007, Captiva Island Beach Renourishment Project, Lee County, Florida FDEP Permit No. 0200269-001-JC, Construction Completion Notice

Mr. Michael Barnett, P.E., Chief
Bureau of Beaches and Coastal Systems
Florida Department of Environmental Protection
3900 Commonwealth Boulevard, Mail Station 300
Tallahassee, Florida 32399-3000

Dear Mr. Barnett:

Please refer to the subject permit, General Condition 11.

On behalf of the permittee, the Captiva Erosion Protection District, you are hereby notified that beach re-nourishment construction activities associated with the subject permit at Captiva Island were completed on May 7, 2008.

All locations and elevations pertaining to the subject permit have been verified, and the activities authorized by the permit have been performed in compliance with the plans and specifications approved as part of the permit, and all conditions of the permit, with the following exception:

Please refer to the subject permit drawing sheet 23 labeled "Borrow Area VI Bathymetry". Following the completion of dredging, a USACE hydrographic survey of this Borrow Area VI revealed areas of apparent over-dredging by the contractor Weeks Marine, Inc. remaining below the maximum allowable dredging depth of -43.5 ft NGVD 29 within the northern portion of the borrow area.

Submittal of this notice of completion has been delayed to allow for completion of a second USACE after-dredge survey to further investigate the apparent over-dredging. The second USACE survey and a third Contractor's survey confirmed that some relatively small areas of this northern portion of Borrow Area VI were dredged and remain below the maximum allowable depth of -43.5 ft. NGVD 29. The extent and remaining depths of the over-dredged areas can be seen inside the green contour lines shown on the enclosed as-built drawing of Borrow Area VI.

Construction Section

July 17, 2008

SUBJECT: W912EP-08-C-0007, Captiva Island Beach Renourishment Project, Lee
County, Florida FDEP Permit No. 0200269-001-JC, Construction Completion Notice

After the post-dredging depths below the maximum permitted depth of -43.5 ft. NGVD29 were confirmed, the dredging Contractor indicated that apparent operator error was the cause for the over-dredged portions of the north cell of Borrow Area VI. It is believed that during a few loads near the end of the project as the hopper dredge transitioned northward from the middle cell to the north cell, the operator inadvertently did not raise the drag-heads to the proper depth as the maximum allowable dredging depth within Borrow Area VI changed from -46.5 ft to -43.5 ft.

For any questions or comments pertaining to this completion notice, please call USACE Project Engineer Andy Cummings at 813-831-4894.

Sincerely,



Frank Mohr
Area Engineer

Enclosure (2 Sets Borrow Area VI As-Builts: 1 Sheet Ea.)

CF:

JCP Compliance Officer
Captiva Erosion Prevention District
Coastal Planning & Engineering, Inc., Mr. Stephen Keehn, P. E.
CESAJ-DP-C, Keiser



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

John E. Manning
District One

Brian Bigelow
District Two

Ray Judah
District Three

Tammy Hall
District Four

Frank Mann
District Five

Karen B. Hawes
County Manager

Michael D. Hunt
County Attorney

Diana M. Parker
County Hearing Examiner

October 3, 2011

Nancy E. Stroud, Esq.
Lewis, Stroud & Deutsch, P.L.
One Lincoln Place
1900 Glades Rd., Suite 251
Boca Raton, FL 33431

Dear Ms. Stroud,

In reply to your letter dated September 7, 2011, Lee County contributed financially to the Captiva Nourishment Project in the full amount as calculated and requested by CEPD in 2005. As described in our previous correspondence, a project consistent with the ILA description (1.3 million cubic yards; cost shared by the Army Corps, FDEP, and local entities) was certified by the Army Corps of Engineers as complete via their letter dated March 10, 2006. The total cost of that nourishment and necessary associated activities was significantly less than the ILA estimate of \$24,614,704. As such, the only remaining obligation under the ILA was a determination of what level of reimbursement was due to the County.

The County was well aware of the additional work undertaken by the Corps in 2008, which was significantly different from that contemplated by the ILA in terms of cost sharing and scope. We recognize the value of beaches and had no reason to object to such work which was clearly within the authority of the CEPD as the local entity responsible for their beaches. However, any such supplemental projects undertaken by CEPD would not be part of our prior ILA unless it was appropriately amended. Any agreements CEPD had with federal or state entities for supplemental work are immaterial to the County's obligation under our ILA.

Nancy E. Stroud
Page 2

Rather than continue what has been in our estimation a relatively unproductive series of letters, we respectfully request time for a presentation at the CEPD meeting of November 9. Specifically, a Lee County contingent headed by Commissioner Manning would like to discuss cost sharing of Captiva beach projects and how we can move forward in a positive fashion in anticipation of a new agreement for the next nourishment event. We look forward to confirmation of this request.

*T. LA to
Commissioner Manning*

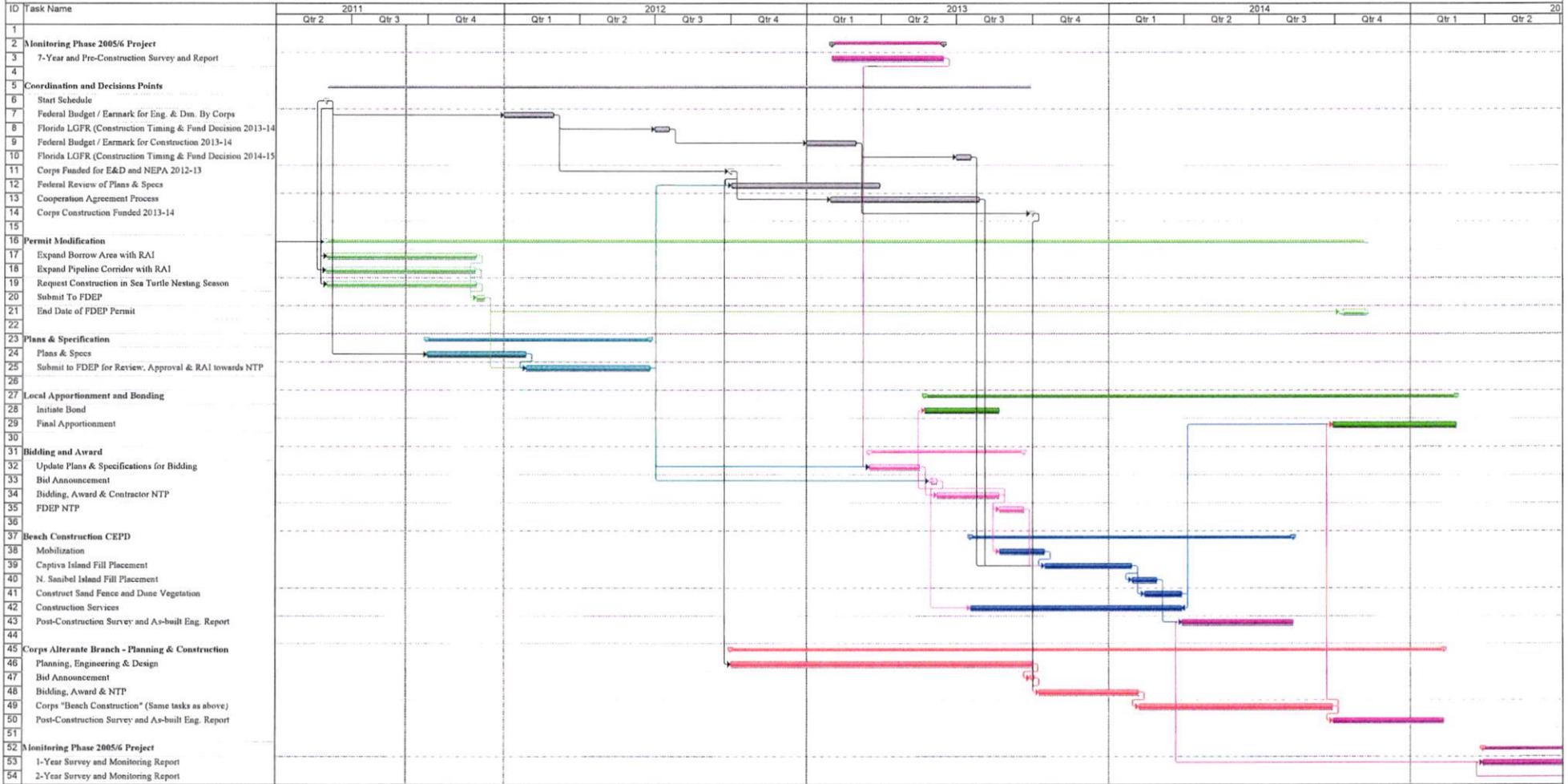
Sincerely,



Karen B. Hawes
County Manager

cc: BoCC #1, #2, #3, #4, #5
Doug Meurer, Assistant County Manager
Roland Ottolini, Natural Resources
Steve Boutelle, Natural Resources
Elin Clemons, Natural Resources
Tamara Pigott, Visitor & Convention Bureau
CEPD Commissioner Michael C. Mullins, Chairman
CEPD Board Members
Kathy Rooker, CEPD Senior Administrative Consultant

2013-14 Captiva & Sanibel Islands Renourishment Project



Meeting Summary

Resort Business Group Meeting
Ding Darling Room, Tween Waters Inn
15951 Captiva Drive, Captiva, Florida
October 3, 2011

1. Present: Dave Jensen (Jensen's Marina), Tony Lapi (Tween Waters), Jeff Shuff (Tween Waters), Jason McGee representing Rick Hayduk (SSIR), Mike Mullins (CEPD), Kathy Rooker (CEPD)
2. References Provided:
 - Captiva Island 2011 Cumulative Proposed Property Taxes
 - Past Project Costs vs. County Contribution
 - Beach Nourishment Trust Fund Balance
 - TDC Capital Project Status Report
 - Total Project Cost Estimate for Captiva Island Renourishment Project
 - Economic Impact of Captiva's Beaches
 - Economic Impact of Lee County Beaches
3. Discussion Highlights:
 - 2011 Captiva Property Taxes are proposed to be \$19,374,155.44 . Captiva Bed Taxes provide an additional \$3M in revenue to Lee County TDC. The discretionary spending provided to Lee County Government as a result of these Captiva taxes total \$9,338,289.53.
 - Since the first Captiva Island nourishment project in 1988, the Captiva property base has continued to increase while Lee County's percentage of the local share of nourishment funding has decreased.
 - The level of funding the TDC has set aside for beach nourishment will not meet the funding needs of nourishment projects.
 - TDC funds in the Beach and Shoreline Trust should be increasingly directed at beach nourishment projects as opposed to other municipal enhancements. Beach nourishment should be the priority.
 - The increased cost of doing business has offset any increase in room rate revenues. Beach nourishment is a part of the resort business. Any increase in the Captiva cost share for beach nourishment will be difficult for Captiva business. A greater beach nourishment cost share from Lee County is necessary.
 - The Captiva Beach Nourishment Project will require \$8 million in TDC funding.
 - There may be an opportunity to receive federal funding in 2012 if CEPD is ready to move on the project. Should federal funding become available, the project would move up to 2012/2013.
 - A project goal is to have a ten year span between nourishment projects. A project at the onset of each new decade would reduce mobilization costs.
 - Project design consideration should be given to increased beach protection and to the threat of sea level rise.
 - CEPD has been in discussion with Collier County concerning coordination of Captiva and Collier County projects to reduce mobilization costs of the projects.

- Broward County TDC provides matching funds to local funds raised for beach nourishment.
- On behalf of the Coastal Advisory Council, K. Rooker will address the TDC and ask that they fund a study of the economic impact of beaches in Lee County. One use of the study will be to document to state and federal government decision makers the importance of providing adequate funding for beach nourishment projects in the state and federal budget.

4. Next Steps:

- Following K. Rooker's presentation to TDC on Oct. 14th, Tony Lapi will introduce to the members a suggestion that the TDC schedule a workshop on beach nourishment. Proposed outcomes for the workshop include: greater awareness by TDC members of the issues facing beach nourishment projects, more effective use of Beach and Shoreline funds, an understanding of the Captiva Beach Nourishment Project and funding needs, and ultimately a TDC/BoCC and CEPD contract to fund beach nourishment.
- Suggested date for the TDC workshop would be in January 2012.
- The talking points found in the meeting packet of 10/3/11 can be used to engage Lee County Board of Commissioners.

Table 6. Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W): Selected areas, all items index

(1982-84=100, unless otherwise noted)

CPI-W	Pricing schedule 1	All items									
		Indexes				Percent change to June 2011 from—			Percent change to May 2011 from—		
		Mar. 2011	Apr. 2011	May 2011	June 2011	June 2010	Apr. 2011	May 2011	May 2010	Mar. 2011	Apr. 2011
U.S. city average	M	220.024	221.743	222.954	222.522	4.1	0.4	-0.2	4.1	1.3	0.5
Region and area size²											
Northeast urban	M	237.377	238.756	240.209	240.158	3.8	.6	.0	3.7	1.2	.6
Size A - More than 1,500,000	M	237.239	238.390	239.852	239.972	3.6	.7	.1	3.5	1.1	.6
Size B/C - 50,000 to 1,500,000 ³	M	144.395	145.520	146.390	146.144	4.2	.4	-2	4.2	1.4	.6
Midwest urban	M	209.094	210.991	212.572	212.556	4.4	.7	.0	4.4	1.7	.7
Size A - More than 1,500,000	M	208.740	210.508	212.272	212.147	4.5	.8	-1	4.4	1.7	.8
Size B/C - 50,000 to 1,500,000 ³	M	137.189	138.552	139.532	139.738	4.4	.9	.1	4.3	1.7	.7
Size D - Nonmetropolitan (less than 50,000)	M	208.108	209.987	211.052	210.516	4.4	.3	-3	4.5	1.4	.5
South urban	M	215.272	217.234	218.437	217.722	4.4	.2	-3	4.6	1.5	.6
Size A - More than 1,500,000	M	216.680	218.615	219.971	219.263	3.9	.3	-3	4.2	1.5	.6
Size B/C - 50,000 to 1,500,000 ³	M	137.789	138.962	139.744	139.407	4.6	.3	-2	4.6	1.4	.6
Size D - Nonmetropolitan (less than 50,000)	M	223.059	225.869	226.539	224.807	4.4	-5	-8	5.5	1.6	.3
West urban	M	221.830	223.268	223.944	223.237	3.5	.0	-3	3.7	1.0	.3
Size A - More than 1,500,000	M	224.576	225.833	226.399	225.670	3.4	-1	-3	3.6	.8	.3
Size B/C - 50,000 to 1,500,000 ³	M	137.331	138.362	138.816	138.392	3.7	.0	-3	3.8	1.1	.3
Size classes											
A ⁴	M	203.220	204.607	205.758	205.415	3.8	.4	-2	3.9	1.2	.6
B/C ³	M	138.471	139.645	140.412	140.179	4.3	.4	-2	4.3	1.4	.5
D	M	215.928	218.220	219.159	218.067	4.2	-1	-5	4.8	1.5	.4
Selected local areas⁵											
Chicago-Gary-Kenosha, IL-IN-WI	M	212.256	213.633	215.358	215.325	4.6	.8	.0	4.2	1.5	.8
Los Angeles-Riverside-Orange County, CA ...	M	225.770	227.051	226.842	225.461	3.3	-7	-6	3.7	.5	-1
New York-Northern N.J.-Long Island, NY-NJ-CT-PA	M	241.667	242.697	244.316	244.601	3.7	.8	.1	3.5	1.1	.7
Boston-Brockton-Nashua, MA-NH-ME-CT	1	244.324	-	246.825	-	-	-	-	3.3	1.0	-
Cleveland-Akron, OH	1	201.146	-	204.105	-	-	-	-	4.4	1.5	-
Dallas-Fort Worth, TX	1	211.227	-	214.038	-	-	-	-	4.3	1.3	-
Washington-Baltimore, DC-MD-VA-WV ⁶	1	146.572	-	148.638	-	-	-	-	4.6	1.4	-
Atlanta, GA	2	-	208.356	-	210.598	3.2	1.1	-	-	-	-
Detroit-Ann Arbor-Flint, MI	2	-	208.217	-	210.354	4.8	1.0	-	-	-	-
Houston-Galveston-Brazoria, TX	2	-	200.997	-	200.444	4.0	-3	-	-	-	-
Miami-Fort Lauderdale, FL	2	-	229.675	-	229.353	4.1	-1	-	-	-	-
Philadelphia-Wilmington-Atlantic City, PA-NJ-DE-MD	2	-	233.441	-	234.965	3.0	.7	-	-	-	-
San Francisco-Oakland-San Jose, CA	2	-	231.600	-	230.605	2.9	-4	-	-	-	-
Seattle-Tacoma-Bremerton, WA	2	-	228.313	-	230.072	3.7	.8	-	-	-	-

¹ Foods, fuels, and several other items priced every month in all areas; most other goods and services priced as indicated:

M - Every month.

1 - January, March, May, July, September, and November.

2 - February, April, June, August, October, and December.

² Regions defined as the four Census regions. See technical notes.

³ Indexes on a December 1996=100 base.

⁴ Indexes on a December 1986=100 base.

⁵ In addition, the following metropolitan areas are published semiannually and appear in Tables 34 and 39 of the January and July issues of the CPI Detailed Report: Anchorage, AK; Cincinnati-Hamilton, OH-KY-IN; Denver-Boulder-Greeley, CO; Honolulu, HI; Kansas City, MO-KS; Milwaukee-Racine, WI; Minneapolis-St. Paul, MN-WI; Phoenix-Mesa, AZ; Pittsburgh, PA; Portland-Salem, OR-WA; St. Louis, MO-IL; San Diego, CA;

Tampa-St. Petersburg-Clearwater, FL.

⁶ Indexes on a November 1996=100 base.

- Data not available.

NOTE: Local area indexes are byproducts of the national CPI program. Each local index has a smaller sample size than the national index and is, therefore, subject to substantially more sampling and other measurement error. As a result, local area indexes show greater volatility than the national index, although their long-term trends are similar. Therefore, the Bureau of Labor Statistics strongly urges users to consider adopting the national average CPI for use in their escalator clauses.

NOTE: Index applies to a month as a whole, not to any specific date.

Job Title: Project Support Consultant

Organization Scope / Background:

Partners in Progress Inc., a management consulting firm, has been engaged by the Captiva Erosion Prevention District (CEPD) to assist the District with its mandate to mitigate erosion-related issues on Captiva Island. There are currently 2 Partners in Progress consultants working with the CEPD Board of Commissioners to achieve CEPD goals; a Senior Administration Management Consultant and a Business Support Consultant.

Partners in Progress seeks a qualified individual to work on a contract basis to perform the consulting engagement described below.

Roles and Responsibilities:

Reporting to, and taking direction from, the Partners in Progress Senior Administrative Management Consultant, the Project Support Consultant will be responsible for performing the following functions:

- Developing project plans and documenting those plans using Microsoft Project.
- Tracking and reporting on project progress and status against the project plan, again using Microsoft Project.
- Assisting the Senior Administrative Management Consultant in coordinating projects and negotiating with multiple external agencies, both governmental and non-governmental
- Executing project and administrative tasks, as assigned
- Researching and reporting on various topics, as assigned
- Acquiring and negotiating project funding, including:
 - working with the Senior Administrative Management Consultant, lobbyists, and CEPD Commissioners to maximize federal, state and local project funding
 - researching and applying for other grants
- Participating in Public Relations activities, including working with a public relations specialist, public relations planning, event coordination, public speaking, writing press releases, article placement, and maintaining and fostering media relations
- Researching, applying for and acquiring beach related or coastal management related awards for Captiva/CEPD
- Performing administrative tasks as backup for the Business Support Consultant, such as answering the phones, collecting parking meter revenue, scanning incoming correspondence, producing meeting minutes
- Developing and implementing technology strategy for the CEPD

- Working with the CEPD Accountant to assist with and obtain a detailed understanding of financial reporting, general ledger account structures, budget processing, tax roll processing and other financial processing performed for the CEPD

Qualifications / Hiring Requirements:

Skill set

- Excellent written and oral communication skills
- Excellent presentation skills
- Excellent skills working with the general public
- Excellent skills in liaising with project stakeholders
- Excellent negotiating skills
- Excellent project planning and project management skills
- Excellent analytical and research skills
- Facility with the Microsoft Office Suite and Microsoft Project.
- Ability to work in a self-motivated, self-directed manner within parameters agreed upon with the Senior Administration Management Consultant
- Ability to provide general administrative support as backup for the Business Support Consultant
- A demonstrated understanding of best practices information systems technology as it relates to the small business office environment; Excellent computer skills, including word processing, spreadsheet processing, presentation software, internet facility, project management software, e-mail, digital document management and electronic calendaring; ability to lead website design, implementation and maintenance initiatives
- Ability to develop and maintain web content
- Ability to interface with the news media
- Ability to work under pressure for demanding clients
- Ability to address ad-hoc requests successfully
- Exposure to generally accepted book-keeping / accounting practices
- Facility with financial reporting; able to create, review, comment on, present and prove financial reports
- Excellent computer skills, including word processing, spreadsheet processing, presentation software, internet facility, project management software, e-mail, digital document management and electronic calendaring
- Must be able to lift at least 15 pounds
- Must be able to work outdoors during the day for several hours at a time

Experience

- Five years recent large and small scale project planning / project management experience, including budget management, in a matrix management environment
- Demonstrated record of success in managing, liaising with and influencing stakeholders and external dependent parties in the on-time, on-budget completion of large and small scale projects
- Five years experience giving presentations to large and small groups
- Five to ten years experience performing public relations or lobbying tasks, writing press releases and working with the news media
- Ten
- Five years experience that demonstrates an understanding of how an organization budgets, tracks and reports on its financials
- Five to ten years grant writing and research experience
- Five to ten years experience with technology management for small businesses, including web site management
- Some exposure to the Coastal Management industry

Education

- Bachelor's Degree required
- Degree in natural sciences such as biology, geology, oceanography, or coastal zone management preferred.

May 2012

Captiva Erosion Prevention District

Procedures for Contracting for Professional services Covered by Consultants Competitive Negotiation Act (CCNA)

Draft #2 – October 4, 2011

1. INTRODUCTION

A. PURPOSE

The purpose of these procedures is to ensure the Captiva Erosion Prevention District's compliance with Section 287.055 of the Florida Statutes referred to as the "Consultants' Competitive Negotiation Act" (CCNA). The following is a summary of the sections of the CCNA that are most frequently used by counties and special districts in the acquisition of services for architects, professional engineers, landscape architects, registered surveyors and mappers. (For complete text, refer to the Florida Statutes.)

CCNA requires the CEPD to announce, in a uniform and consistent manner, each occasion when professional services must be purchased for a project, the basic construction cost of which is estimated by the District to exceed the threshold amount provided in s. 287.017 for CATEGORY FIVE or for a planning or study activity when the fee for professional services exceeds the threshold amount provided in s. 287.017 for CATEGORY TWO.

287.017 Purchasing categories, threshold amounts

The following purchasing categories are hereby created:

- (1) CATEGORY ONE: \$20,000.
- (2) CATEGORY TWO: \$35,000.
- (3) CATEGORY THREE: \$65,000.
- (4) CATEGORY FOUR: \$195,000.
- (5) CATEGORY FIVE: \$325,000.

These procedures establish guidelines by which architects, professional engineers, landscape architects, surveyors and mappers are selected for jobs. The criteria include that these firms should be chosen on the basis of professional personnel; whether or not a firm is a certified minority business enterprise; past performance; willingness to meet time and budget requirements; location; recent, current and projected workloads of the firms; and the volume of work previously awarded to each firm by the District.

There is nothing in the Act that precludes the District from entering into a continuing contract. The Act defines a "continuing contract" as a contract for professional services entered into in accordance with all the procedures of the Act between the

CEPD and a firm whereby the firm provides professional services for projects in which construction costs do not exceed \$2,000,000; study activity when the fee for such professional service does not exceed \$200,000; or for work of a specified nature as outlined in the contract required by the agency, with no time limitation except that the contract must provide a termination clause.

B. DEFINITIONS

Administrator – The highest-ranking staff member and chief operating officer of the CEPD.

Board - The Board of Commissioners of the Captiva Erosion Prevention District.

Compensation -The total amount paid by the CEPD for professional services.

CEPD - The Captiva Erosion Prevention District

District – The Captiva Erosion Prevention District

Firm - Any individual, company, firm, partnership, corporation, association or other legal entity permitted by law to practice architecture, engineering, landscape architecture or land surveying in the State of Florida.

Professional Services - Those services within the scope of practice of architecture, professional engineering, landscape architecture or registered land surveying, as defined by the laws of the State of Florida; or those performed by any architect, professional engineer, landscape architect or registered land surveyor, in connection with their professional employment or practice.

Proposal - An executed formal document submitted to the County by a qualified firm or individual which states the professional service offered to satisfy the need as requested in the Request for Proposal.

2. PROCEDURES

A. PUBLIC ANNOUNCEMENT AND QUALIFICATION PROCEDURES

I. Public Announcement

The Administrator or designee publicly advertises in a uniform and consistent manner on each occasion when professional services are required to be engaged, except in cases of valid public emergencies as declared by the Board of Commissioners. The announcement includes a general description of the project and indicates how, and the time within which, interested parties apply for consideration.

II. Request for Information

Interested parties are sent a Request for Information ((RFI), which includes a cover letter and all information and forms from which CEDP may determine certification and pre-qualification.

III. Certification and Pre-Qualification

Any firm or individual interested in providing professional services to the District must first be certified as qualified.

- a. Certification is based upon meeting the following qualifications:
 - i. Firms are properly registered with the Department of Professional Regulation to practice their profession in the State of Florida.
 - ii. If the firm offering professional services is a corporation, it is properly chartered with the Florida Department of State.
 - iii. Standard Form (SF) 330 for the firm are completed and on file. Separate SF 330's are required for corporate offices and local offices, if applicable.
 - iv. Equal Employment Opportunity Plans, for firms with fifteen (15) or more employees, are on file with the Administrator.
- b. The Administrator prepares and maintains a list of firms qualified by training and experience in the various technical fields of specialty and which have expressed a desire to be considered for District work.
- c. Firms desiring to provide professional services to the District are required to submit a current statement of qualification and performance data.

B. PROFESSIONAL SERVICES SELECTION COMMITTEE

I. Committee Composition

The Chair of the Board of Commissioners appoints two sitting Board members to serve with the Administrator on the Professional Services Selection Committee. The Chair may appoint additional members to the Committee at his or her discretion.

II. Committee Chair

The Administrator chairs the Committee.

III. Meetings

Meetings of the Professional Services Selection Committee are held on any Thursday when a Board Briefing is scheduled and noticed.

IV. Minutes

Written minutes are kept of all meetings.

V. Contact with Potential Service Providers during the Review Process

Members of the Professional Services Selection Committee are prohibited from discussing a submittal on any project with any firm whose proposal they are reviewing until such time as a final selection has been made.

VI. Questions from Prospective Service Providers

Questions from prospective providers received during the review period are submitted in writing. No verbal questions are allowed. Questions may be communicated by email. Answers will be provided by the Committee to all prospective service providers in writing. Committee responses to questions by email are acceptable. No verbal responses are allowed.

C. COMPETITIVE SELECTION

I. Recommendation for Selection

After careful review of all proposals submitted, the Professional Services Selection Committee identifies no less than three (3) firms deemed to be most highly qualified to perform the required services. If fewer than 3 firms are identified and recommended, meeting minutes should reflect the reason why.

The Professional Services Selection Committee Procurement Division submits the recommendations to the CEPD Board of Commissioners for their review and approval of the committee's ranking and authorizes negotiation of a contract with the selected firm(s). When negotiations are completed, the contract(s) are submitted to the Board for approval and execution.

Recommendations for selection of firms are based on the following criteria:

- a. Experience and expertise of the consulting firm and its key personnel in projects similar to those in the Request for Information (25 points)

The firms provide project experience and contact personnel with elements of experience and expertise as may relate to the scope of

service or project(s) requested in the RFP. The firms supply key personnel's experience for services called for in the RFP.

- b. Approach to meeting the District's needs as stated in the Scope of Services (15 points)

The proposal demonstrates that the firm understands the District's needs and has a clear and specific plan to respond to request for specific project proposals. The firm clearly states its proposed design philosophy, possible alternatives, and/or cost savings.

- c. Specific documentation that demonstrates an ability to work with District and regulatory agency staff (5 points)

Consideration is given to the firm's ability to expedite permitting.

- d. Client reference list. (10 points)

Firms submit for evaluation a client list showing the current contact person, telephone number, address, and email for each project used as a reference. Additional information is provided if it is requested in the Request for Proposal. The Committee may design and use a survey of clients and other methods it deems appropriate to evaluate client satisfaction and the firm's performance.

- e. Ability to complete projects in a timely manner (5 points)

A description of the means the firm will use to maintain the project team and manage the project team members' time in order to ensure sufficient time to complete project. The firm may provide a description of methods that will be used to expedite a project if called upon.

- f. Minority Consultants/Sub-consultants (5 points)

- g. The District's evaluation rating for past projects with the District (10 points maximum)

If the firm has worked for the County and there are no evaluations on file or the Consultant has not worked for the District (4 points average rating)

- h. Volume of Work Previously Awarded by the County

Contract value awarded to a firm during the two (2) previous completed fiscal years are distributed as follows:

- \$0 -\$200,000 (5 points)
- \$200,001 -\$400,000 (4 points)
- \$400,001 -\$600,000 (3 points)

\$600,001 -\$800,000 (2 points) \$801,000 -\$1,000,000 (1 point)
Over \$1,000,000 (0 points)

i. Location of key personnel

Firms with corporate headquarters in Lee County (10 points)

All other firms - (5 points)

II. Interviews or Oral Presentations

If the Professional Services Selection Committee so chooses, interviews or presentations are scheduled with the firms that are under considerations.

a. The Professional Selection Committee is provided with worksheets listing the following criteria to assist in ranking the short-listed firms. The committee members may use other criteria, as they deem appropriate. All worksheets become a part of the record.

- (a) Management Team approach
- (b) Approach to the project and methods used to plan, design and administer the project.
- (c) Project Experience
- (d) Other criteria
- (e) Minority Firm
- (f) Location of Firm

b. In instances where interviews or oral presentations are not required, the Professional Services Selection Committee may request the Committee Chairperson conduct telephone discussions with not less than three (3) firms regarding their qualifications, their approach to the project, and their ability to furnish the required services.

c. Should information arise during the discussions that the Chair thinks warrants further review by the Professional Selection Committee, the Chairperson can convene the committee to review the information in question.

d. No points are assessed for telephone discussion. The Selection Committee may decrease the scores of the firms if the information received during the telephone discussion conflicts with information provided in the written response.

D. COMPETITIVE NEGOTIATION AND CONTRACT NEGOTIATIONS

The CEPD Administrator is negotiates a contract with the top ranked firm or firms.

If a contract cannot be negotiated with the top ranked firm, negotiations with the top ranked firm will be formally terminated and the Administrator begins to negotiate with the second and third ranked firms as necessary.

Should the Administrator be unable to negotiate a satisfactory contract with any of the selected firms, the CEPD Board of Commissioners selects additional firms in order of their competence and qualifications and negotiations continue in accordance with this section until an agreement is reached.

Contracts are not officially ratified until they are approved by a motion of the the Board of Commissioners at an official Board meeting.

Appendix

INTERVIEWS OR ORAL PRESENTATION PROFESSIONAL SELECTION COMMITTEE WORKSHEET

NAME OF FIRM:

1. MANAGEMENT TEAM APPROACH

Knows member's strengths and uses them in an effective and appropriate manner.

- 5 points Project personnel and management team do not have the appropriate level of experience and/or does not contain all necessary disciplines. Team leader answers the questions and does not rely on team members for support.
- 10 points Some project personnel and management team have the proper level of experience and contains most discipline. Team or leadership not working well together; they do not seem to work effectively as a team.
- 15 points Most, if not all, project personnel and management team have the proper level of experience. The team seems functional and understands each other's role well.
- 25 points All project personnel and management team have proper level of experience. The project manager, as well as several members of the team, is uniquely qualified. Team leader

2. APPROACH TO THE PROJECT(S) AND METHODS USED TO PLAN, DESIGN AND ADMINISTER THE PROJECT(S)

- 5 points Interview or presentation shows inadequate understanding of the scope of services, project(s), and program requirements. No application of special knowledge, innovations or technology.
- 10 points Interview or presentation shows adequate understanding of the scope of services, project(s), and program requirements. No application of special knowledge, innovations or technology.
- 15 points Interview or presentation indicates more than adequate understanding of the scope of services, project(s), and program requirements. Minor application of special knowledge, innovations or technology.
- 25 points Interview or presentation provided shows superior understanding of the scope of services, project(s), and program requirements. Application of special knowledge, innovations or technology.

3. PROJECT EXPERIENCE

- 5 points Project team members do not have the appropriate level of experience and/or do not represent all necessary disciplines.
- 10 points Most, if not all, project team members have the proper level of experience and represent most disciplines.
- 15 points All project team members have the proper level of experience and project manager is uniquely qualified. All necessary disciplines are represented.
- 25 points All project team members have the proper level of experience and several are uniquely qualified. The team members successfully convey how insights gained from other projects are applicable and beneficial to the project(s).

4. OTHER CRITERIA

- 5 points Criteria to be determined by committee members.

5. MINORITY FIRM

- 5 points Ownership of firm is at least 51 % minority (scores carried over from short-list selection).

6. LOCAL FIRM

- 15 points Firm is located in Polk County (Score carried over from short-list selection).
- 5 points Firm is headquartered in Polk County (Score carried over from short-list selection).



Month, Date, Year

Name
Consulting Company Name
Address 1
Address 2
City, State and Zip Code

Re: Request for Information (RFI)

Dear _____:

The Captiva Erosion Prevention District is a governmental body created by special act of the Florida Legislature. Its mandate is to handle erosion-related problems on Captiva Island. CEPD is an official beach and shore preservation district under Section 161.32 of the Florida Statutes. The CEPD's jurisdiction includes all lands within the tidal waters of Captiva Island.

The Board of Commissioners of the Captiva Erosion Prevention District is seeking qualified consultants to provide professional engineering and related professional services to the District. The District is preparing for a beach nourishment project in its fiscal year 2013/14, with construction estimated to commence between the 3rd and 4th quarter of 2013. The purpose of this document is to inform interested parties of the information required to enable the CEPD Professional Services Selection Committee to select consultants under the Consultants Competitive Negotiation Act (CCNA) -Section 287.055 of the Florida Statutes.

Firms with the qualifications and desiring to provide these services should submit six (6) copies of a Statement of Qualifications to:

Captiva Erosion Prevention District
CCNA Services RFI
P. O. Box 365
Captiva, FL 33924

Submittals must include the following information in the order shown:

1. One or two page Letter of Interest.
2. Statement of Qualifications Standard Form SF 254 (form included)
3. References for the proposed Project Director, Manager, or Lead Employee.
4. Description of completed similar projects and names and telephone numbers of contact persons for those completed projects.
5. Detailed resumes of individual team members indicating years of service with current firm.

6. Proof of the firm's certification as Minority Business Enterprise (MBE) as provided by the Florida Small and Minority Business Assistance Act of 1985, if applicable.
7. Proof of licensing with the State of Florida Department of Professional Regulation.
8. A list of typical services provided.
9. Qualification for Professional Consultants, Supplemental Information (form included)

For further information on this project, please contact Ms. Kathy Rooker at 239-472-2472.

Please acknowledge that you have received this document by sending a formal written letter of receipt to:

Kathy Rooker
CEPD Administrator
P. O. Box 365
Captive, FL 33924

If you do not formally acknowledge the receipt of this document within 5 working days of receipt of this RFI, CEPD will not be able to review formally any subsequent response.

The evaluation process will be as follows:

The requirement for profession services is publically advertised and interested parties are sent this Request for Information. Interested parties must acknowledge receipt of the RFI. A formal response as outlined in the RFI should be sent to the designated contact for CEPD's Professional Services Selection Committee. The Committee will then review the responders' information against a set of pre-defined criteria and rate the responders on their ability to satisfy the generic requirements. Personal interviews may be conducted at the discretion of the Committee but are not required. A short-list of potential suppliers will be selected based on the highest awarded ratings. The Selection Committee will make a recommendation to the CEPD Board of Commissioners. Upon approval of the Board, a contract will be negotiated and executed with the selected contractor. More than one contractor may be selected at the discretion of the Board of Commissioners.

Other Information

Confidentiality

All information included in this RFI is confidential and only for the recipient's knowledge. No information included in this document or in discussions connected to it may be disclosed to any other party.

Local, state, and federal compliance requirements

The laws of the State of Florida apply

Independent contractor

The contractor acknowledges that it is an independent contractor.

Insurance

The District will require Professional Liability Insurance in addition to other business insurance coverage in amounts set forth by the District before a contract is signed.

Questions

Questions from interest parties received during the review period are submitted in writing. No verbal questions are allowed. Questions may be communicated by email. Answers will be provided by the Selection Committee to all prospective consultants in writing. Committee responses to questions by email are acceptable. No verbal responses are allowed.

Other documents and information

Prospective consultants are encouraged to submit additional documents and information that they think will help the Committee in making its selection. This may include:

- marketing brochures
- web site addresses for product listings
- profiles of staff providing services
- samples of methods for delivery of the services offered
- activities involved with training, documentation and support
- activities involved with undertaking other project deliverables
- examples of implementation approaches

Contact with CEPD staff and Commissioners

Prospective consultants are prohibited from contacting members of the Professional Services Selection Committee to discuss a submittal on any project whose proposal they are reviewing until such time as a final selection has been made. Similarly, members of the Board of Commissioners may not be contacted to discuss a submittal on any project whose proposal is under consideration until such time as a final selection has been made.

We look forward to your response.

Sincerely,

Captiva Erosion Prevention District

Kathy Rooker
Administrator

Enclosures: Form SF 254
Qualification for Professional Consultants, Supplemental Information

STANDARD
FORM (SF)
254

Architect-Engineer and Related Services Questionnaire

Form Approved
OMB No. 9000-0004

Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the FAR Secretariat (VRS), Office of Federal Acquisition and Regulatory Policy, GSA, Washington, D.C. 20405; and to the Office of Management and Budget, Paperwork Reduction Project (9000-0004), Washington, D.C. 20503.

Purpose:

The policy of the Federal Government in acquiring architectural, engineering, and related professional services is to encourage firms lawfully engaged in the practice of those professions to submit annually a statement of qualifications and performance data. Standard Form 254, "Architect-Engineer and Related Services Questionnaire," is provided for that purpose. Interested A-E firms (including new, small, and/or minority firms) should complete and file SF 254's with each Federal agency and with appropriate regional or district offices for which the A-E is qualified to perform services. The agency head for each proposed project shall evaluate these qualification resumes, together with any other performance data on file or requested by the agency, in relation to the proposed project. The SF 254 may be used as a basis for selecting firms for discussions, or for screening firms preliminary to inviting submission of additional information.

Definitions:

"**Architect-Engineer Services**" are defined in Part 36 of the Federal Acquisition Regulation.

"**Parent Company**" is that firm, company, corporation, association or conglomerate which is the major stockholder or highest tier owner of the firm completing this questionnaire, i.e., Firm A is owned by Firm B which is, in turn, a subsidiary of Corporation C. The "parent company" of Firm A is Corporation C.

"**Principals**" are those individuals in a firm who possess legal responsibility for its management. They may be owners, partners, corporate officers, associates, administrators, etc.

"**Discipline**" as used in this questionnaire, refers to the primary technological capability of individuals in the responding firm. Possession of an academic degree, professional registration, certification, or extensive experience in a particular field of practice normally reflects an individual's primary technical discipline.

"**Joint Venture**" is a collaborative undertaking by two or more firms or individuals for which the participants are both jointly and individually responsible.

"**Consultant**," as used in this questionnaire, is a highly specialized individual or firm having significant input and responsibility for certain aspects of a project and possessing unusual or unique capabilities for assuring success of the finished work.

"**Prime**" refers to that firm which may be coordinating the concerted and complementary inputs of several firms, individuals or related services to produce a completed study or facility. The "prime" would normally be regarded as having full responsibility and liability for quality of performance by itself as well as by subcontractor professionals under its jurisdiction.

"**Branch Office**" is a satellite, or subsidiary extension, of a headquarters office of a company, regardless of any differences in name or legal structure of such a branch due to local or state laws. "Branch offices" are normally subject to the management decisions, bookkeeping, and policies of the main office.

Instructions of Filing (Numbers below correspond to numbers contained in form):

1. Type accurate and complete name of submitting firm, its address, and zip code.
 - 1a. Indicate whether form is being submitted in behalf of a parent firm or a branch office. (Branch office submissions should list only personnel in, and experience of, that office.)
2. Provide date the firm was established under the name shown in question 1.
3. Show date on which form is prepared. All information submitted shall be current and accurate as of this date.
4. Enter type of ownership, or legal structure, of firm (sole proprietor, partnership, corporation, joint venture, etc.).

Check appropriate boxes indicating if firm is (a) a small business concern; (b) a small business concern owned and operated by socially and economically disadvantaged individuals; and (c) Woman-owned (See 48 CFR 19.101 and 52.219-9).
5. Branches of subsidiaries of large or parent companies, or conglomerates, should insert name and address of highest-tier owner.
 - 5a. If present firm is the successor to, or outgrowth of, one or more predecessor firms, show name(s) of former entity(ies) and the year(s) of their original establishment.
6. List not more than two principals from submitting firm who may be contacted by the agency receiving this form. (Different principals may be listed on forms going to another agency.) Listed principals must be empowered to speak for the firm on policy and contractual matters.
7. Beginning with the submitting office, list name, location, total number of personnel, and telephone numbers for all associated or branch offices, (including any headquarters or foreign offices) which provide A-E and related services.
 - 7a. Show total personnel in all offices. (Should be sum of all personnel, all branches.)
8. Show total number of employees, by discipline, in submitting office. (*If form is being submitted by main or headquarters office, firm should list total employees, by discipline, in all offices.) While some personnel may be qualified in several disciplines, each person should be counted only once in accord with his or her primary function. Include clerical personnel as "administrative." Write in any additional disciplines -- sociologists, biologists, etc. -- and number of people in each, in blank spaces.

STANDARD
FORM (SF)
254

**Architect-Engineer
and Related Services
Questionnaire**

9. Using chart (below) insert appropriate index number to indicate range of professional services fees received by submitting firm each calendar year for last five years, most recent year first. Fee summaries should be broken down to reflect the fees received each year for (a) work performed directly for the Federal Government (not including grant and loan projects) or as a sub to other professionals performing work directly for the Federal Government; (b) all other domestic work, U.S. and possessions, including Federally-assisted projects, and (c) all other foreign work.

Ranges of Professional Services Fees

INDEX

1. Less than \$100,000
2. \$100,000 to \$250,000
3. \$250,000 to \$500,000
4. \$500,000 to \$1 million

INDEX

5. \$1 million to \$2 million
6. \$2 million to \$5 million
7. \$5 million to \$10 million
8. \$10 million or greater

10. Select and enter, in numerical sequence, **not more than thirty** (30) "Experience Profile Code" numbers from the listing (next page) which most accurately reflect submitting firm's demonstrated technical capabilities and project experience. **Carefully review list.** (It is recognized some profile codes may be part of other services or projects contained on list; firms are encouraged to select profile codes which best indicate type and scope of services provided on past projects.) For each code number, show total number of projects and gross fees (in thousands) received for profile projects performed by firm during past few years. If firm has one or more capabilities not included on list, insert same in blank spaces at end of list and show numbers in question 10 on the form. In such cases, the filled-in listing **must** accompany the complete SF 254 when submitted to the Federal agencies.

11. Using the "Experience Profile Code" numbers in the same sequence as entered in item 10, give details of at least one recent (within last five years) representative project for each code number, up to a **maximum** of thirty (30) separate projects, or portions of projects, for which firm was responsible. (Project examples may be used more than once to illustrate different services rendered on the same job. Example: a dining hall may be part of an auditorium or educational facility.) Firms which select less than thirty "profile codes" may list two or more project examples (to illustrate specialization) for each code number so long as total of all project examples does not exceed thirty (30). After each code number in question 11, show: (a) whether firm was "P," the prime professional, or "C," a consultant, or "JV," part of a joint venture on that particular project (new firms, in existence less than five (5) years may use the symbol "IE" to indicate "Individual Experience" as opposed to firm experience); (b) provide name and location of the specific project which typifies firm's (or individual's) performance under that code category; (c) give name and address of the owner

of that project (if government agency indicate responsible office); (d) show the estimated construction cost (or other applicable cost) for that portion of the project for which the firm was primarily responsible. (Where no construction was involved, show approximate cost of firm's work); and (e) state year work on that particular project was, or will be, completed.

12. The completed SF 254 should be signed by a principal of the firm, preferably the chief executive officer.

13. Additional data, brochures, photos, etc. should not accompany this form unless specifically requested.

NEW FIRMS (not reorganized or recently-amalgamated firms) are eligible and encouraged to seek work from the Federal Government in connection with performance of projects for which they are qualified. Such firms are encouraged to complete and submit Standard Form 254 to appropriate agencies. Questions on the form dealing with personnel or experience may be answered by citing experience and capabilities of individuals in the firm, based on performance and responsibility while in the employee of others. In so doing, notation of this fact should be made on the form. In question 9, write in "N/A" to indicate "not applicable" for those years prior to firm's organization.

Experience Profile Code Numbers
for use with questions 10 and 11

001 Acoustics, Noise Abatement
002 Aerial Photogrammetry
003 Agricultural Development; Grain Storage;
Farm Mechanization
004 Air Pollution Control
005 Airports; Navais; Airport Lighting;
Aircraft Fueling
006 Airports; Terminals & Hangars; Freight
Handling
007 Arctic Facilities
008 Auditoriums & Theatres
009 Automation; Controls; Instrumentation
010 Barracks; Dormitories
011 Bridges
012 Cemeteries (*Planning & Relocation*)
013 Chemical Processing & Storage
014 Churches; Chapels
015 Codes; Standards; Ordinances
016 Cold Storage; Refrigeration; Fast Freeze
017 Commercial Building (*low rise*);
Shopping Centers
018 Communication Systems; TV;
Microwave
019 Computer Facilities; Computer Service
020 Conservation and Resource
Management
021 Construction Management
022 Corrosion Control; Cathodic Protection;
Electrolysis
023 Cost Estimating
024 Dams (*Concrete; Arch*)
025 Dams (*Earth; Rock*); Dikes; Levees
026 Desalinization (*Process & Facilities*)
027 Dining Halls; Clubs; Restaurants
028 Ecological & Archeological
Investigations
029 Educational Facilities; Classrooms
030 Electronics
031 Elevators; Escalators; People-Movers
032 Energy Conservation; New Energy
Sources
033 Environmental Impact Studies,
Assessments or Statements
034 Fallout Shelters; Blast-Resistant Design
035 Field Houses; Gyms; Stadiums
036 Fire Protection
037 Fisheries; Fish Ladders
038 Forestry & Forest Products
039 Garages; Vehicle Maintenance Facilities;
Parking Decks
040 Gas Systems (*Propane; Natural, Etc.*)

041 Graphic Design
042 Harbors; Jetties; Piers, Ship Terminal Facilities
043 Heating; Ventilating; Air Conditioning
044 Health Systems Planning
045 Highrise; Air-Rights-Type Buildings
046 Highways; Streets; Airfield Paving
Parking Lots
047 Historical Preservation
048 Hospital & Medical Facilities
049 Hotels; Models
050 Housing (*Residential, Multi-Family;
Apartments; Condominiums*)
051 Hydraulics & Pneumatics
052 Industrial Buildings; Manufacturing Plants
053 Industrial Processes; Quality Control
054 Industrial Waste Treatment
055 Interior Design; Space Planning
056 Irrigation; Drainage
057 Judicial and Courtroom Facilities
058 Laboratories; Medical Research
Facilities
059 Landscape Architecture
060 Libraries; Museums; Galleries
061 Lighting (*Interiors; Display; Theatre, Etc.*)
062 Lighting (*Exteriors; Streets; Memorials;
Athletic Fields, Etc.*)
063 Materials Handling Systems; Conveyors;
Sorters
064 Metallurgy
065 Microclimatology; Tropical Engineering
066 Military Design Standards
067 Mining & Mineralogy
068 Missile Facilities (*Silos; Fuels; Transport*)
069 Modular Systems Design; Pre-Fabricated
Structures or Components
070 Naval Architecture; Off-Shore Platforms
071 Nuclear Facilities; Nuclear Shielding
072 Office Building; Industrial Parks
073 Oceanographic Engineering
074 Ordnance; Munitions; Special Weapons
075 Petroleum Exploration; Refining
076 Petroleum and Fuel (*Storage and
Distribution*)
077 Pipelines (*Cross-Country - Liquid & Gas*)
078 Planning (*Community, Regional,
Areawide and State*)
079 Planning (*Site, Installation, and Project*)
080 Plumbing & Piping Design
081 Pneumatic Structures, Air-Support Buildings
082 Postal Facilities
083 Power Generation, Transmission,
Distribution
084 Prisons & Correctional Facilities

085 Product, Machine & Equipment Design
086 Radar; Sonar; Radio & Radar
Telescopes
087 Railroad; Rapid Transit
088 Recreation Facilities (*Parks, Marinas,
Etc.*)
089 Rehabilitation (*Buildings; Structures;
Facilities*)
090 Resource Recover; Recycling
091 Radio Frequency Systems & Shieldings
092 Rivers; Canals; Waterways; Flood Control
093 Safety Engineering; Accident Studies;
OSHA Studies
094 Security Systems; Intruder & Smoke
Detection
095 Seismic Designs & Studies
096 Sewage Collection, Treatment and
Disposal
097 Soils & Geologic Studies; Foundations
098 Solar Energy Utilization
099 Solid Wastes; Incineration; Land Fill
100 Special Environments; Clean Rooms,
Etc.
101 Structural Design; Special Structures
102 Surveying; Platting; Mapping; Flood Plain
Studies
103 Swimming Pools
104 Storm Water Handling & Facilities
105 Telephone Systems (*Rural; Mobile;
Intercom, Etc.*)
106 Testing & Inspection Services
107 Traffic & Transportation Engineering
108 Towers (*Self-Supporting & Guyed
Systems*)
109 Tunnels & Subways
110 Urban Renewals; Community
Development
111 Utilities (*Gas & Steam*)
112 Value Analysis; Life-Cycle Costing
113 Warehouses & Depots
114 Water Resources; Hydrology; Ground
Water
115 Water Supply; Treatment and Distribution
116 Wind Tunnels; Research/Testing
Facilities Design
117 Zoning; Land Use Studies
201 _____
202 _____
203 _____
204 _____
205 _____

STANDARD FORM (SF)

254

Architect-Engineer and Related Services Questionnaire

1. Firm Name/Business Address:

1a. Submittal is for Parent Company Branch or Subsidiary Office

2. Year Present Firm Established _____

3. Date Prepared: _____

4. Specify type of ownership and check below, if applicable.

A. Small Business

B. Small Disadvantaged Business

C. Woman-owned Business

5. Name of Parent Company, if any: _____

5a. Former Parent Company Name(s), if any, and Year(s) Established: _____

6. Names of not more than Two Principals to Contact: Title/Telephone

1) _____

2) _____

7. Present Offices: City / State / Telephone / No. Personnel Each Office

7a. Total Personnel _____

8. Personnel by Discipline: (List each person only once, by primary function.)

<input type="checkbox"/> Administrative	<input type="checkbox"/> Electrical Engineers	<input type="checkbox"/> Oceanographers	_____
<input type="checkbox"/> Architects	<input type="checkbox"/> Estimators	<input type="checkbox"/> Planners: Urban/Regional	_____
<input type="checkbox"/> Chemical Engineers	<input type="checkbox"/> Geologist	<input type="checkbox"/> Sanitary Engineers	_____
<input type="checkbox"/> Civil Engineers	<input type="checkbox"/> Hydrologists	<input type="checkbox"/> Soils Engineers	_____
<input type="checkbox"/> Construction Inspectors	<input type="checkbox"/> Interior Designers	<input type="checkbox"/> Specification Writers	_____
<input type="checkbox"/> Draftsmen	<input type="checkbox"/> Landscape Architects	<input type="checkbox"/> Structural Engineers	_____
<input type="checkbox"/> Ecologists	<input type="checkbox"/> Mechanical Engineers	<input type="checkbox"/> Surveyors	_____
<input type="checkbox"/> Economists	<input type="checkbox"/> Mining Engineers	<input type="checkbox"/> Transportation Engineers	_____

9. Summary of Professional Services Fees Received: (Insert index number)

	Last 5 Years (most recent year first)				
	19	19	19	19	19
Direct Federal contract work, including overseas	_____	_____	_____	_____	_____
All other domestic work	_____	_____	_____	_____	_____
All other foreign work*	_____	_____	_____	_____	_____

- Ranges of Professional Services Fees INDEX
1. Less than \$100,000
 2. \$100,000 to \$250,000
 3. \$250,000 to \$500,000
 4. \$500,000 to \$1 million
 5. \$1 million to \$2 million
 6. \$2 million to \$5 million
 7. \$5 million to \$10 million
 8. \$10 million or greater

*Firms interested in foreign work, but without such experience, check here:

Profile of Firm's Project Experience, Last 5 Years

Profile Code	Number of Projects	Total Gross Fees (in thousands)	Profile Code	Number of Projects	Total Gross Fees (in thousands)	Profile Code	Number of Projects	Total Gross Fees (in thousands)
1)			11)			21)		
2)			12)			22)		
3)			13)			23)		
4)			14)			24)		
5)			15)			25)		
6)			16)			26)		
7)			17)			27)		
8)			18)			28)		
9)			19)			29)		
10)			20)			30)		

11. Project Examples, Last 5 Years

Profile Code	"P," "C," "JV," or "IE"	Project Name and Location	Owner Name and Address	Cost of Work (in thousands)	Completion Date (Actual or Estimated)
		1			
		2			
		3			
		4			
		5			
		6			
		7			

		8			
		9			
		10			
		11			
		12			
		13			
		14			
		15			
		16			
		17			
		18			
		19			

		20		
		21		
		22		
		23		
		24		
		25		
		26		
		27		
		28		
		29		
		30		

12. The foregoing is a statement of facts

Signature: _____ Typed Name and Title: _____

Date:

02/03/98



Qualification for Professional Consultants
Supplemental Information

Firm Name as it appears on Form SF 254:

Firm Name as it is registered with Florida Secretary of State:

Federal Employer ID Number: _____

Tel: _____ Fax: _____ Web-site: _____

Contact Person: _____ E-mail: _____

Name of Parent Company (if applicable): _____

Address:

Type of Firm: Corporation Partnership Individual Other

If Corporation: Date Incorporated: _____ State Incorporated: _____

Date Authorized in Florida: _____ Name of President: _____

If Partnership: Date organized: _____ Type: General Limited Other

Name(s) of Partner(s): _____

Florida Secretary of State Document No.: _____

Florida State Board:

Professional Engineer's Certificate No.: _____ Date: _____

Land Surveyor's & Mapper's Certificate No.: _____ Date: _____

Architecture & Interior Design Registration No.: _____ Date: _____

Landscape Architecture Registration No.: _____ Date: _____

List of Branch Offices in Florida

Please include address, city, zip code, county, contact person, telephone number, and email address.

Firm's Current Annual Gross Income: \$ _____

I hereby certify that the information contained in this package is true and correct to the best of my knowledge and that this firm is duly authorized to conduct business in the State of Florida.

I further certify that this firm understands that the work to be performed takes place in and around Captiva Island, Lee County, Florida and that it is both willing and capable of performing the work required on site when it is necessary.

I further certify that neither the firm, nor any officer, director, employee of the firm or any of its affiliates have been criminally or civilly charged with antitrust criminal acts under State or Federal law which involved fraud, bribery, collusion, conspiracy, antitrust violations or material misrepresentation with respect to a public contract, except for matters disclosed below.

I further certify that the employment practices of this organization fully comply with Title VI provisions of the 1964 Civil Rights Act.

Name of Company: _____

By: _____
Signature Title Date

Disclosure of pending court cases and settled cases and other litigation:

Proposed 2012 CEPD Meeting Dates

Meetings are scheduled on the second Wednesday of each month at noon unless otherwise noted.

January 11, 2012	Noon	Regular Meeting	
February 8, 2012	Noon	Regular Meeting	
March 14, 2012	Noon	Regular Meeting	
April 11, 2012	Noon	Regular Meeting	
May 9, 2012	Noon	Regular Meeting	
June 13, 2012	Noon	Regular Meeting	
July 11, 2012	Noon	Regular Meeting	
August 8, 2012	Noon	Regular Meeting	
September 6, 2012	3:00 pm	Regular Meeting	
September 6, 2012	5:01 pm	Tentative Budget Hearing*	
September 20, 2012	5:01 pm	Final Budget Hearing*	
October 10, 2012 Oct. 17	Noon	Regular Meeting	Conflicts with ASBPA Meeting in San Diego, October 9-12
November 14, 2012	Noon	Regular Meeting	
December 12, 2012	Noon	Regular Meeting	

*Budget Hearings cannot occur on the same date as the School Board or County Commission Budget Hearings. It is suggested that the Tentative Budget Hearing be held on Thursday in the first week in September and the Final Budget Hearing be held on Thursday in the third week in September. These dates are less likely to conflict but would need to be adjusted if the School Board or BoCC selects these dates for their hearings. Also, they do not conflict with the FSBPA meeting dates, which are September 26-28.

Note: Panel meetings have not yet been scheduled but Ken Gooderham reports that he anticipates they will be the second Tuesday of each month.

CEPD Meeting Calendar 2012 Draft #1

January							February							March						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7				1	2	3	4				1	2	3	
8	9	10	11	12	13	14	5	6	7	8	9	10	11	4	5	6	7	8	9	10
15	16	17	18	19	20	21	12	13	14	15	16	17	18	11	12	13	14	15	16	17
22	23	24	25	26	27	28	19	20	21	22	23	24	25	18	19	20	21	22	23	24
29	30	31					26	27	28	29				25	26	27	28	29	30	31

April							May							June							
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	
1	2	3	4	5	6	7				1	2	3	4	5						1	2
8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7	8	9	
15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16	
22	23	24	25	26	27	28	20	21	22	23	24	25	26	17	18	19	20	21	22	23	
29	30						27	28	29	30	31			24	25	26	27	28	29	30	

Holidays and Observances					
Jan 01	New Year's Day	Jan 16	M L K Day	Feb 14	Valentine's Day
Feb 20	Presidents' Day	Apr 08	Easter Sunday	May 13	Mother's Day
May 28	Memorial Day	Jun 17	Father's Day	Jul 04	Independence Day
Sep 03	Labor Day	Oct 08	Columbus Day	Nov 06	Election Day
Nov 12	Veterans Day Holiday	Nov 22	Thanksgiving Day	Dec 25	Christmas Day

Key	
Holidays and Observances	ASBPA Meeting dates (TBA)
Regular Board Meeting dates	FSBPA Meeting dates
Budget Hearing dates	

July							August							September						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7				1	2	3	4							1
8	9	10	11	12	13	14	5	6	7	8	9	10	11	2	3	4	5	6	7	8
15	16	17	18	19	20	21	12	13	14	15	16	17	18	9	10	11	12	13	14	15
22	23	24	25	26	27	28	19	20	21	22	23	24	25	16	17	18	19	20	21	22
29	30	31					26	27	28	29	30	31	23	24	25	26	27	28	29	
													30							

October							November							December						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6					1	2	3							1
7	8	9	10	11	12	13	4	5	6	7	8	9	10	2	3	4	5	6	7	8
14	15	16	17	18	19	20	11	12	13	14	15	16	17	9	10	11	12	13	14	15
21	22	23	24	25	26	27	18	19	20	21	22	23	24	16	17	18	19	20	21	22
28	29	30	31				25	26	27	28	29	30	23	24	25	26	27	28	29	
													30	31						

Key	
Holidays and Observances	ASBPA Meeting dates
Regular Board Meeting dates	FSBPA Meeting dates
Budget Hearing dates	



Lee County Legislative Delegation

State Representative Gary Aubuchon, Chair

MEMORANDUM

TO: All Agencies of Local Government, Interested Parties and SW Florida Media
FROM: Representative Gary Aubuchon, Chairman, Lee County Legislative Delegation
SUBJECT: Lee County Legislative Delegation Meeting and Public Hearing
DATE: September 13, 2011
cc: Members, Lee County Legislative Delegation, Candidates for legislative office

The Lee County Legislative Delegation Meeting has been set for Tuesday, November 8, 2011, 9:00AM – 4:30PM, Taeni Hall (Room S-117) at Edison State College (8099 College Parkway SW, Fort Myers, 33919) The Delegation will conduct local business including a public hearing on local bills (if filed), funding requests and other issues for which people may have registered to speak.

The deadline for submitting local bills to the Delegation is 5:00pm on Friday, October 28, 2011. All local bills must be accompanied by completed paperwork required by the Florida Legislature, including original signatures of the legislative sponsors, and should be forwarded to Representative Aubuchon at 3501 Del Prado Blvd., Suite 305, Cape Coral, FL 33904.

The deadline to register to make a general presentation (not related to local bills) to the Delegation is also 5:00pm on Friday, October 28, 2011. All requests for time on the agenda must be submitted in writing, via hard copy letter to the address listed above or via email to paige.biagi@myfloridahouse.gov. Requests made by electronic mail will be acknowledged within two (2) days of receiving the request. The agenda for the meeting will be set by Tuesday, November 1, 2011 and will be changed only to accommodate unforeseen emergencies.

Presenters who wish to provide supporting materials to the Delegation must submit twenty (20) copies of those materials to the address above by 5:00pm on Friday, October 28, 2011. Each set of materials must be printed on letter-size paper and three-hole punched at the left margin. **Supporting materials may not be submitted by electronic mail.**

For more information or to request required forms, please contact Paige Anne Biagi, Chief Legislative Assistant to Representative Aubuchon, at 239-344-4900.

All meetings of the Lee County Legislative Delegation are open to the public.