

**DOCUMENT ROUTING FORM**

3 ✓ 3/19/14 (L)

NAME OF DOCUMENTS: **MILLER LEGG & ASSOCIATES, INC. TASK ORDER #18 FOR FXE GOPHER TORTOISE AND BURROWING OWL PERMITTING AND RELOCATION - \$18,070.**

Approved Comm. Mtg. on **MARCH 4, 2014** CAM #14-0226 ITEM: M-6

Routing Origin:  CAO Also attached:  copy of CAR  copy of document

On 3/6/14 LINDA B. forwarded to: **RAFEELA PERSAUD, PUBLIC WORKS ENGINEERING**

1.) Approved as to Content: [Signature] 3/7/2014  
Department Director

Capital Improvements defined as having a life of at least 10 years and a cost of at least \$50,000 and shall mean improvements to real property (land, buildings, fixtures) that add value and/or extend useful life, inc. major repairs such as roof replacement, etc. Term "Real Property" include: land, real estate, realty, real.

Please Check the proper box: CIP FUNDED  YES  NO  
Capital Improvement Projects

2.) Approved as to Funds Available: by [Signature] Date: 3/11/14  
Finance Director

Amount Required by Contract/Agreement \$ 18,070. Funding Source: TAM070101 NT  
Dept./Div. PBS/Eng/Tam Index/Sub-object 3196 Project # N/A

3.) City Attorney's Office: Approved as to Form:# 3 Originals to City Mgr. By: L. Blanco

**COLE J COPERTINO** [Signature]

4.) Approved as to content: Assistant City Manager:

By: Stanley Hawthorne, Assistant City Manager By: Susanne Torriente Assistant City Manager

- 5.) City Manager: Please sign as indicated and forward 3 original to Clerk.
- 6.) To City Clerk for attestation and City seal.

**INSTRUCTIONS TO CLERK'S OFFICE**

7.) City Clerk: retains one original document and forwards 2 originals document to:  
**FERNANDO BLANCO, PUBLIC WORKS ENGINEERING**

Original Route form to Linda Blanco, CAO

2014 MAR 1 AM 7:35 2014 MAR 14 PM 1:17  
CITY CLERK

3/17

**TASK ORDER No. 18**

Dated this 4<sup>th</sup> day of March, 2014

**FORT LAUDERDALE PUBLIC WORKS DEPARTMENT**

**FORT LAUDERDALE EXECUTIVE AIRPORT – GOPHER TORTOISE AND BURROWING OWL  
PERMITTING AND RELOCATION**

**PROFESSIONAL SERVICES**

Describing a specific agreement between the City of Fort Lauderdale (CITY) and Miller, Legg & Associates, Inc. (CONSULTANT) in accordance with terms of the agreement for General Environmental Engineering Consultant Services dated August 23, 2011 between CITY and CONSULTANT (“MASTER AGREEMENT”) and amended and extended to August 22, 2013 by City Commission approval at its meeting on May 15, 2012, and extended to August 22, 2014 by City Commission approval on February 19, 2013.

**PROJECT BACKGROUND**

As part of moving excess fill from airside property on the eastern side of the airfield, the presence of protected gopher tortoise and burrowing owl species will need to be permitted and subsequently relocated to move this excess fill material. This excess fill material has been placed here by other airfield projects and can be used at the Airport's Parcels B, C, and D sites and address potential grading and drainage issues of on-site tenants at FXE airside.

The gopher tortoise and burrowing owl are protected and require two separate permit authorizations from the Florida Fish and Wildlife Conservation Commission (FFWCC). The gopher tortoise requires utilization of a permitted / authorized gopher tortoise agent, which CONSULTANT shall provide.

It should be noted that relocation of burrowing owls cannot be performed if there is presence of eggs or flightless young in the burrow. This can happen anytime, but is more prevalent from February to July.

**SPECIFIC SCOPE OF SERVICES AND DELIVERABLES**

The Scope of Services to be provided by CONSULTANT shall be as follows:

- Task 1      **Species Survey** – CONSULTANT shall perform a 100% area survey by an authorized gopher tortoise agent as required by FFWCC rules. CONSULTANT shall also perform survey of the presence of burrowing owls. CONSULTANT shall prepare necessary maps and reports outlining the survey methodology and findings. CONSULTANT shall prepare brief report that includes survey methodology, findings, species presence and population estimates, and graphic maps of burrows or species observed.
- Task 2      **Permitting** – CONSULTANT shall prepare permit applications for processing a gopher tortoise conservation permit to relocate the affected tortoises to a permitted recipient mitigation bank through the FFWCC. CONSULTANT shall also process a migratory bird removal permit through FFWCC for the relocation of the burrowing owls. CONSULTANT shall submit for processing. It is assumed the burrowing owls will be relocated on-site, and the gopher tortoise to a permitted off-site gopher tortoise recipient bank.

Task 3 **Relocation / Compliance Reports** – CONSULTANT shall perform the field relocation services with an authorized backhoe operator for the gopher tortoise burrows – subconsultant Gopher Tortoise Services, Inc. Gopher tortoises will be handled and possession transferred to an off-site mitigation bank in accordance with regulations and coordinated with the recipient site. On-site starter burrows will be created for the burrowing owls and the on-site owl burrows in the project area will be relocated/collapsed. CONSULTANT shall perform the relocation/collapse of the owl burrows. Since the owls may reoccupy the area during construction, multiple relocation efforts may be required. A final report will be prepared for the gopher tortoise relocation and burrowing owl relocation, respectively, and submitted to FFWCC for permit compliance.

Task 4 **Meetings / Consultation** – CONSULTANT shall meet with FFWCC staff and FXE for review and coordination on the project during permitting and relocation efforts.

**Deliverables:**

Deliverables for this project shall consist of the following:

- Species Survey – PDF
- Permit applications

**PROJECT ASSUMPTIONS**

Proposed relocation will happen during nesting season (February through July).

**CITY'S RESPONSIBILITIES**

Airport shall provide access and airside escort services to FXE site. City shall pay the FFWCC permit fees and the recipient site mitigation bank fees directly.

**ADDITIONAL SERVICES**

If authorized in writing by the CITY as an amendment to this Task Order, the CONSULTANT shall furnish, or obtain from others, Additional Services of the types listed in Article 8 of the Master Agreement. The CITY, as indicated in the Master Agreement, will pay for these services.

**PERFORMANCE SCHEDULE**

The CONSULTANT shall perform the services identified in Tasks 1, 2, within five (5) months of written Notice to Proceed and Tasks 3 and 4 in accordance with Contractor Construction Schedule associated with Parcel B, C, D Earthwork activity.

**PROJECT FUNDING**

Performance of this project is at the CITY's discretion and may be contingent upon the CITY receiving funding from the Airport's Capital Improvement Program, and work shall not begin until funding sources for this project are in place.

**METHOD OF COMPENSATION**

The services performed will be accomplished using the Not-to-Exceed method of compensation. Reimbursable expenses associated with these services are not included in the fees and will be itemized separately, subject to an established Not-to-Exceed limit. The total hourly rates payable by the CITY for each of CONSULTANT's employee categories, reimbursable expenses and sub-consultant fees are shown on Exhibit "A" attached hereto and made a part hereof.

**TERMS OF COMPENSATION**

Services will be provided for the following Not-to-Exceed amounts:

Task	Task Title	Labor Fees		Total
		Consultant	Sub consultant	
1	Species Survey	\$ 1,620.00	\$	\$ 1,620.00
2	Permitting	\$ 5,310.00		\$ 5,310.00
3	Relocation / Compliance Reports	\$ 6,940.00	\$ 2,100.00	\$ 9,040.00
4	Meetings / Consultation	\$ 2,100.00	\$	\$ 2,100.00
TOTAL				\$ 18,070.00

**CITY CONTACTS**

Requests for payments should be directed to City of Fort Lauderdale Accounts Payable via e-mail to [AcctsPayable@FortLauderdale.gov](mailto:AcctsPayable@FortLauderdale.gov). All other correspondence and submittals should be directed to the attention of Fernando Blanco, Airport Engineer, at the address shown below. **Please be sure that all correspondence refers to the City project number and title as stated above.**

City of Fort Lauderdale  
City Hall, 4<sup>th</sup> Floor Engineering  
100 North Andrews Avenue  
Fort Lauderdale, FL 33301

**CONSULTANT CONTACTS**

Miller Legg & Associates, Inc.  
5747 North Andrews Way  
Fort Lauderdale, FL 33309  
Dylan Larson, PWS, CEP  
Email: [dlarson@millerlegg.com](mailto:dlarson@millerlegg.com)  
Phone: 954-436-7000  
Fax: 954-436-8664

**CLOSURE**


IN WITNESS OF THE FOREGOING, the parties have set their hands and seals the day and year first above written.

CITY OF FORT LAUDERDALE, a municipal corporation  
of the State of Florida

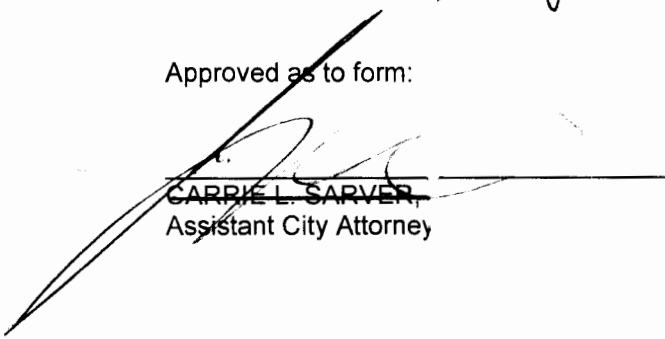
By   
LEE R. FELDMAN, City Manager

(CORPORATE SEAL)

ATTEST:

  
JONDA K. JOSEPH, City Clerk

Approved as to form:

  
CARRIE L. SARVER,  
Assistant City Attorney

WITNESSES:

[Signature]

William Mohler III  
Print Name

[Signature]  
Eric Ferrer  
Print Name

MILLER, LEGG & ASSOCIATES, INC.,  
A Florida Corporation

By: [Signature]

Name: Dylan Larson

Title: Principal

(CORPORATE SEAL)

ATTEST:

By: [Signature]

Name: MICHAEL D. KROLL

Title: VICE PRESIDENT

STATE OF FLORIDA:  
COUNTY OF BROWARD:

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of January, 2014  
by Dylan Larson and Michael D. Kroll as Principal and  
Vice President respectively, of Miller, Legg & Associates, Inc, on behalf of the corporation.  
They are personally known to me and did not take an oath.

(SEAL)

[Signature]  
Notary Public, State of Florida  
(Signature of Notary taking Acknowledgement)



Darlene Luna  
Name of Notary Typed, Printed or Stamped

My Commission Expires

Commission No.

EXHIBIT 1



Project  
Location

### A. Fee Schedule

CONSULTANT

Fee Schedule										Total Hours	Labor Cost (\$)
Labor Category		Principal		Proj Bio		Admin					
Percent Utilization		18%		79%		3%					
Labor Rate		\$180.00 /hr		\$115.00 /hr		\$55.00 /hr					
Task No	Task Title	Hours	Subtotal (\$)	Hours	Subtotal (\$)	Hours	Subtotal (\$)				
1	Species Survey	2	\$ 360.00	10	\$ 1,150.00	2	\$ 110.00	14	\$ 1,620.00		
2	Permitting	4	\$ 720.00	38	\$ 4,370.00	4	\$ 220.00	46	\$ 5,310.00		
3	Relocation/Compliance Reports	6	\$ 1,080.00	50	\$ 5,750.00	2	\$ 110.00	58	\$ 6,940.00		
4	Meetings / Consultation	4	\$ 720.00	12	\$ 1,380.00		\$ -	16	\$ 2,100.00		
<b>Totals</b>		<b>16</b>	<b>\$ 2,880.00</b>	<b>110</b>	<b>\$ 12,650.00</b>	<b>8</b>	<b>\$ 440.00</b>	<b>134</b>	<b>\$ 15,970.00</b>		

SUB CONSULTANT

Fee Schedule										Total Hours	Labor Cost (\$)
Labor Category		Backhoe & Operator									
Percent Utilization		13%		0%		0%					
Labor Rate		\$1,050.00 /day		/hr		/hr					
Task No	Task Title	Days	Subtotal (\$)	Hours	Subtotal (\$)	Hours	Subtotal (\$)				
1	Species Survey		\$ -		\$ -		\$ -	0	\$ -		
2	Permitting		\$ -		\$ -		\$ -	0	\$ -		
3	Relocation/Compliance Reports	2	\$ 2,100.00		\$ -		\$ -	2	\$ 2,100.00		
4	Meetings/Consultation		\$ -		\$ -		\$ -	0	\$ -		
<b>Totals</b>		<b>2</b>	<b>\$ 2,100.00</b>	<b>0</b>	<b>\$ -</b>	<b>-</b>	<b>\$ -</b>	<b>2</b>	<b>\$ 2,100.00</b>		



**Gopher Tortoise Services, Inc.**  
10646 Marianne Lane New Port Richey, FL 34654  
Phone (727) 861-5013 Fax (727) 862-0646  
Email: TomConnolly@GopherTortoise.or ;

Thursday, January 30, 2014

**Dylan Larson, PWS, CEP**  
*Principal*

**Miller Legg**  
5747 North Andrews Way  
Fort Lauderdale, FL 33309  
Phone: (954) 436-7000  
Cell: (954) 802-4643

RE: Quotation Request / Agreement for Gopher Tortoise Excavation Services

Fort Lauderdale Executive Airport  
Airside Fill project, Authorized Agent Gopher Tortoise Excavation Services

Folio: 494209290010 Broward County, Florida  
Coordinates: 26°11'58.30"N 80° 9'30.87"W  
Address: 1350 NW 55 ST Fort Lauderdale, FL 33309

Gopher Tortoise Services, Inc. appreciates the opportunity to provide this fee proposal for your consideration. Gopher Tortoise Services, Inc. proposes furnishing the required Gopher Tortoise Agent services described below, for the fees stipulated herein.

## **Scope of Services**

### **Task I. Gopher Tortoise Burrow Excavation**

Mechanical Excavation of Gopher Tortoise Burrows will be performed on the proposed donor area as required by FWC, Equipment and operator necessary to accomplish this task is included.

## **Fee's**

**Proposed Project Fee payable to Gopher Tortoise Services, Inc.**  
**Task I- \$1,050 Per Day**


Two Days Estimated \$2,100

**Total Proposed Project Fees** **\$2,100**

**Gopher Tortoise Services, Inc.**  
10646 Marianne Lane New Port Richey, FL 34654  
Phone (727) 861-5013 Fax (727) 862-0646  
Email: TomConnolly@GopherTortoise.org

1. A signed scan returned by email is sufficient for us to begin services.
2. Task I fee's are due in full upon receipt of deliverables.
3. All balances are due in full within 30 days following notice of completion.

If you agree with the terms and conditions of this agreement sign and date below.

<p>Signed Dylan Larson, PWS, CEP</p> <p>Miller Legg 5747 North Andrews Way Fort Lauderdale, FL 33309</p>	<p> 1/30/2014</p> <p>Date Thomas Connolly, President FWC Permit #GTA-13-00014</p> <p>Gopher Tortoise Services, Inc. 10646 Marianne Lane New Port Richey, FL 34654</p>
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