

**BOGGY CREEK IMPROVEMENT DISTRICT
BOARD OF SUPERVISORS' MEETING MINUTES**

FIRST ORDER OF BUSINESS

The Board of Supervisors' Meeting for the Boggy Creek Improvement District was called to order on Monday, December 18, 2017 at 3:30 p.m. at 6900 Tavistock Lakes Blvd., Suite 200, Orlando, Florida 32827. Members listed below constituted a quorum.

Richard Levey	Chairman
Thad Czapka	Assistant Secretary
Heather Isaacs	Board Member

Also, attending:

Joe MacLaren	Fishkind & Associates, Inc.
Jennifer Walden	Fishkind & Associates, Inc.
Tucker Mackie	Hopping Green & Sams
Patrice Ragusa	Construction Committee
Larry Kaufmann	Construction Supervisor
Jeff Newton	Donald W. McIntosh Assoc., Inc.
John Florio	Donald W. McIntosh Assoc., Inc. (via phone)
Scott Gasaway	Tavistock Development
Stephen Flint	Tavistock Development

SECOND ORDER OF BUSINESS

Public Comment Period

Mr. Levey called for any public comments on any agenda items. There were no public comments.

THIRD ORDER OF BUSINESS

**Consideration of the
Minutes of the November
21, 2017 Board of
Supervisors' Meeting**

Board Members reviewed the minutes from the November 21, 2017 Board of Supervisors' Meeting. Mr. Florio provided comments.

On Motion by Mr. Czapka, second by Ms. Isaacs, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the Minutes of the November 21, 2017 Board of Supervisors' Meeting, as amended.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution
2018-02, Election of
Officers**

Mr. MacLaren recommended delaying this agenda item until a future Board meeting.

FIFTH ORDER OF BUSINESS

**Consideration of Third
Addendum to the Personnel
Leasing Agreement with
Lake Nona Management
Company**

Mr. MacLaren stated that the Personnel Leasing Agreement is an existing agreement. He explained that District staff is recommending an amendment to add Stephen Flint and Scott Gasaway to the Personnel Leasing Agreement to name them as responsible people in regards to landscaping and common area maintenance, replacing Patrice Ragusa. Mr. Levey noted that the appropriate entity is no longer Lake Nona Management Company and asked District staff to draft a new agreement with the appropriate entity. Ms. Isaacs asked for the correct address to be listed as well. Ms. Mackie noted that District staff will also review the Project Management Agreement which is a separate agreement and that both of the agreements will be brought back before the Board at the next meeting.

On Motion by Ms. Isaacs, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District authorized the Personnel Leasing Agreement with Lake Nona Management Company to be redrafted with the updates to the proper entity, Tavistock Development Management, LLC, and address.

SIXTH ORDER OF BUSINESS

**Consideration of First
Amendment to Drainage
Easement Agreement**

Ms. Mackie noted that in the back of Tab 4 in the agenda package there is a graphic of the area being discussed. She explained that the District was approached by Lake Nona to modify an existing Drainage Easement to provide for the outfall area identified in yellow on the graphic. Ms. Mackie noted that this agreement follows the same form as all the other drainage easement agreements the District has with the Landowner. However, she explained that because this area currently benefits a private party that Landport Land Holding will continue to be responsible for maintaining the area. She also stated that this may change in the future but as of now that is the only difference between this form of easement and the District's typical form. She stated that both engineering and legal have reviewed the First Amendment to Drainage Easement Agreement and that all changes they have recommended were incorporated into the version currently before the Board. Mr. Kaufmann noted that some of this is temporary ditching that will be relocated later when the rest of the property gets developed.

On Motion by Ms. Isaacs, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the First Amendment to Drainage Easement Agreement.

SEVENTH ORDER OF BUSINESS

**Consideration of
Temporary Construction &
Access Easement
Agreement**

Ms. Mackie noted that in the back of Tab 5 in the agenda package there is a graphic of the area being discussed. She noted that this is for Nemours Parkway West and Lift Station No. 10, also referred to as the Loop Road. She stated that the District currently only owns a corner clip of this area that was the subject of the CFX acquisition. She added that the District still does not own the area identified in yellow at this time and the District will consider the award of a Construction project later on in the agenda. Ms. Mackie noted that the District looks to have a Temporary Construction Easement Agreement established until such time as the District does take ownership of the right-of-way. She added that the easement is from Lake Nona Land Company to the Improvement District. Ms. Mackie also noted that District staff is still working on the description because the right-of-way was subject to some change and there are additional areas that staff would like to include as well but it will be attached at the time of execution.

On Motion by Ms. Isaacs, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the Temporary Construction & Access Easement Agreement.

EIGHTH ORDER OF BUSINESS

**Consideration of Public
Facilities Report**

Mr. MacLaren explained that this is a statutory requirement. He noted that the report is produced by the District Engineer and if the Board approves it a copy will be provided to the City of Orlando. Mr. Levey stated that this is required every seven years.

On Motion by Mr. Czapka, second by Ms. Isaacs, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the Public Facilities Report.

NINTH ORDER OF BUSINESS

**Consideration of Amended
and Restated Engineer's
Report for Capital
Improvements**

Mr. MacLaren recommended deferring this agenda item until a future Board meeting.

TENTH ORDER OF BUSINESS

**Consideration of Award of
Lake Nona Nemours
Parkway West & Lift
Station #10
a) Construction
Committee
Recommendation**

Mr. MacLaren explained that there is a copy of the bid results behind Tab 8A in the agenda package. Mr. Kaufmann stated that the District received the bids on December 14, 2017, and the Construction Committee met that same day to review the bids. He explained that the low bid for this project was Jon M. Hall Company, Inc., in the amount of \$9,239,092.00 with a completion schedule of 225 days. The Construction Committee ranked and recommended Jon M. Hall Company, Inc., to be the selected Contractor. Mr. Kaufmann stated he is a little concerned about the timing because it is a tough project but it gives the District the ability to pressure them to get it done as quickly as possible. Mr. Kaufmann noted he had estimated that the project would take approximately 300 days and stated that this Contractor has done projects in the area but not directly with the District. Mr. Levey asked if the District would contract for 225 days. Mr. Kaufmann replied that is correct. Mr. Levey asked if there are damages associated with it. Mr. Kaufmann stated that if the Board wishes, District staff could talk to the Contractor about their bid proposal for that schedule and get a more realistic time frame.

Ms. Mackie noted that the only other issue to point out is that when reviewing the bids during the Construction Committee meeting, there were several firms where there were differences in the bid tabulation sheet in terms of quantities in the way they bid. She stated that this is typical, however there were also some firms which didn't provide material costs and labor costs but only provided the total for certain line items. She explained that it was the Construction Committee's recommendation to make sure Jon M. Hall Company, Inc., understood that the District would be holding them to that amount despite whether the material costs would change. She added that District staff would look to flush out those numbers at the time of contract to make sure that any change order that may follow could be based upon a unit price but it would not affect the total. She added that the Jon M. Hall Company, Inc., confirmed that to be the case. Mr. Newton stated this is important because there is going to be a change order right away because the Landscape Plans and the Engineering Plans have not been synced up yet. He also stated that the District will get those unit prices taken care of before the change order is done.

Mr. Levey asked if Jon M. Hall Company was one of the firms that the Construction Committee talked to. Ms. Mackie stated that they were the company that was spoken to. Mr. Levey asked if this was in writing and documented. Ms. Mackie stated that prior to when the District goes to contract the actual schedule that is attached to the ultimate contract would reflect the correct tabulation. Ms. Mackie recommended that in the Notice of Award the District indicate in writing that the Contractor's response was positive and that the District would be looking to do that in advance. Mr. Levey stated that if something should go awry he thinks that the District should include the authorization so that if pricing were to go above the No. 2 firm, the District could then move to the second firm. Ms. Mackie stated that the District always adopts a recommended ranking which would be in order of the magnitude of price. Mr. Kaufmann indicated that some of the blanks left out of the bid form had to do with materials that were in other categories.

Mr. MacLaren noted that the District had at the end of November about \$2,000,000.00 in Bond Construction Funds on hand. He stated that he believes this project will be funded pursuant to a funding agreement with the Developer. Ms. Mackie added that the District will fund up until the amount that the District has and then revert back to the Completion Agreement that is in place with the District. Mr. Levey asked if the District would enter into a separate agreement with the Developer. Ms. Mackie replied no as it was part of the bond process that the District entered into a Completion Agreement and it is already factored in.

On Motion by Ms. Isaacs, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the ranking that that has been presented by the Construction Committee with Jon M. Hall Company, Inc. being ranked first, Dewitt Excavation, LLC being ranked second, Jr. Davis Construction Company, Inc. being ranked third, JMHC, Inc. being ranked fourth, Hubbard Construction Company being ranked fifth and Watson Civil Construction, Inc. being ranked sixth.

ELEVENTH ORDER OF BUSINESS

**Ratification of Requisition
Nos. 333 – 340 Approved in
November 2017 in an
amount totaling
\$112,217.37**

Board Members reviewed Requisition Nos. 333 – 340 approved in November 2017 in an amount totaling \$112,217.37.

On Motion by Ms. Isaacs, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District ratified payment of Requisition Nos. 333 – 340 approved in November 2017 in an amount totaling \$112,217.37.

TWELFTH ORDER OF BUSINESS

**Ratification of Operation
and Maintenance
Expenditures Paid in
November 2017 in the
amount of \$188,077.63**

Board Members reviewed the Operation & Maintenance expenditures paid in November 2017 in the amount of \$188,077.63.

On Motion by Ms. Isaacs, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District ratified the Operation and Maintenance expenditures paid in November 2017 in the amount of \$188,077.63.

THIRTEENTH ORDER OF BUSINESS

**Recommendation of Work
Authorizations/Proposed
Services**

Mr. Kaufmann presented a Work Authorization from Donald W. McIntosh Associates, Inc. (Minutes Exhibit A) for surveying services for Nemours Parkway West. He stated this proposal would provide the legal descriptions for the yellow highlighted area that the Board previously saw in the agenda package which is in the amount of \$10,000.00. Mr. Levey noted that this is a temporary construction easement and asked how long it will take to move to actual right-of-way acquisition. Mr. Kaufmann replied that he is hoping that will happen in January.

On Motion by Ms. Isaacs, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the Work Authorization from Donald W. McIntosh Associates, Inc. in the amount of \$10,000.00 for surveying services for Nemours Parkway West for the Town Center Parcel 22A project.

Mr. Kaufmann presented (Minutes Exhibit B) a Work Authorization from Donald W. McIntosh Associates, Inc. for construction phase services for Nemours Parkway West in the amount of \$166,160.00.

On Motion by Ms. Isaacs, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the Work Authorization from Donald W. McIntosh Associates, Inc. in the amount of \$166,160.00 for Construction Phase Services for Nemours Parkway West.

Mr. Kaufmann presented (Minutes Exhibit C) a Work Authorization from Donald W. McIntosh Associates for professional engineering services for roadway and drainage improvements in the amount of \$18,800.00. This is for the Lake Nona Blvd. signal modifications at Veterans Way. Mr. Levey requested that in the future the District Manager take control of this part of the agenda and make sure that these get put into the agenda package rather than under separate cover. Mr. Levey asked Mr. Kaufmann to explain what is happening at the intersection at Nemours Parkway which is the fourth proposal (Minutes Exhibit D). Mr. Kaufmann explained that at Nemours Parkway the physical part that this involves is the turn lane coming south from the intersection to westbound into the Town Center. A right deceleration lane needs to be added, a mast arm needs to be removed, and a dual left will be added exiting the Town Center. The next intersection is Tavistock Lakes Boulevard where there will be minor modifications to the signal itself. Ms. Isaacs asked what McIntosh is doing on that intersection if it is just traffic signal modifications. Mr. Newton stated that there are some restriping plans and signage. Mr. Kaufmann noted that the next intersection is Veterans Way where the median will be cut down to accommodate dual lefts. Mr. Levey asked if the signal modification is just for the Nemours Parkway intersection. Mr. Kaufmann replied that that the Veterans Way intersection will also need signal modifications due to the dual left lane being added. Mr. Levey stated that the VHB contract only states Nemours Parkway. Mr. Kaufmann clarified that the Veterans Way signal work was previously approved by the Board and is in design by VHB. Mr. Levey requested that the Board take up the DWMA proposal to modify the intersection configurations and striping to the amount of \$18,800.00.

On Motion by Ms. Isaacs, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the Work Authorization from Donald W. McIntosh Associates, Inc. for Professional Engineering Services for roadway and drainage improvements in the amount of \$18,800.00 for Lake Nona Blvd. Signal Modifications at Veterans Way.

Mr. Levey requested that the Board take up the VHB proposal for the intersection of Lake Nona Boulevard in the amount of \$19,500.00.

On Motion by Ms. Isaacs, second by Mr. Czapka, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the Work Authorization from VHB for the Intersection of Lake Nona Boulevard in the amount of \$19,500.00 for Lake Nona Blvd. Signal Modifications at Nemours Parkway.

FOURTEENTH ORDER OF BUSINESS

**Review of District's
Financial Position and
Budget to Actual YTD**

Board Members reviewed the Statement of Financial Position and Budget to Actual through today's date. Mr. MacLaren noted that through the end of November the District had \$70,000.00 in expenses vs. a budget of \$97,000.00. He noted that the District is slightly under budget at this point in the fiscal year. No action was required by the Board.

FIFTEENTH ORDER OF BUSINESS

Staff Reports

District Counsel -

Ms. Mackie stated that the District should be closing on the CFX acquisition and the Board will see the requisition for the remainder of the cost at the next meeting.

District Manager -

No Report

District Engineer -

Mr. Newton distributed the Construction Status Memorandum (Minutes Exhibit E). Mr. Florio explained that he is still waiting

on the easement resolutions on Lake Nona Boulevard Phase 3.
There was no action required by the Board.

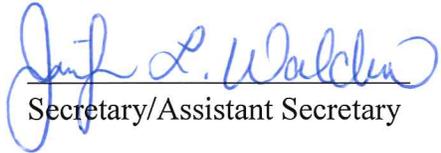
Construction Supervisor - No Report

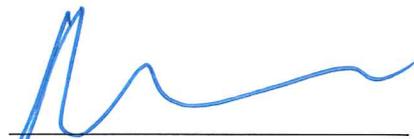
SIXTEENTH ORDER OF BUSINESS

**Supervisor and Audience
Comments & Adjournment**

There were no Supervisor requests or audience comments. There was no other business to discuss.

On Motion by Ms. Isaacs, second by Mr. Czapka, with all in favor, the December 18, 2017 Meeting of the Board of Supervisors for the Boggy Creek Improvement District was adjourned.


Secretary/Assistant Secretary


Chair/Vice Chair

BOGGY CREEK IMPROVEMENT DISTRICT

Recommendation for Work Authorization / Proposed Services

Project Name: In Town Center Parcel 22A

Brief Description: Surveying Services for Nemours Parkway West

Name of Consultant /Vendor: DWMA, Inc.

Is this work pursuant to an existing Agreement? Yes No

If so, name and date of Agreement: Service Agreement

Is this project included in the District Capital Improvement Plan? Yes No

Are the services required contemplated in the Capital Improvement Yes No

Is this a continuation of previously authorized work? Yes No

Proposal attached: Yes No

Form of Agreement Utilized: _____

Amount of Services: \$ 10,000.00

Recommendation: Approve Deny

By:  Date 12/18/17
Larry Kaufmann, Chairman
Boggy Creek Improvement District Construction Committee

- c: Joe MacLaren
- Jennifer Walden
- Tucker Mackie
- John Florio



**DONALD W. MCINTOSH
ASSOCIATES, INC.**

December 18, 2017
rlevey@tavistock.com

Mr. Richard Levey, Chairman
Board of Supervisors
Boggy Creek Improvement District
12051 Corporate Boulevard
Orlando, Florida 32817

Subject: Lake Nona Town Center Parcel 22A – Nemours Parkway West
Additional Sketches of Descriptions
DWMA Job No. 16193.045

Dear Mr. Levey:

As you requested, Donald W. McIntosh Associates, Inc. (DWMA) is pleased to submit for your consideration this additional services agreement to Boggy Creek Improvement District (BCID) (“CLIENT”) to provide professional surveying services for Nemours Parkway West (aka Perimeter Road) (“Project”). As detailed in the scope of services, this proposal includes preparation of additional sketches of descriptions for various easements to support the project. We will provide these services pursuant to our current contract with Boggy Creek Improvement District dated September 8, 2003 (“Contract”) as follows:

CIVIL ENGINEERS

LAND PLANNERS

SURVEYORS

BASIC SERVICES & ITEMIZED FEES

The nature, scope and schedule (if any) of Basic Services to be performed by DWMA under this Agreement, are set forth below.

CLIENT may, from time to time, request DWMA to perform services in connection with the Project which are outside the scope of the services listed herein. Should DWMA agree to perform such services (hereinafter referred to as “Additional Services”), they shall be subject to and governed by the provisions of this Agreement. Additional Services and Basic Services to be provided under this Agreement shall hereinafter be referred to collectively as “Services.”

PART I - PROFESSIONAL SURVEYING & MAPPING

A. ADDITIONAL MISCELLANEOUS LEGAL DESCRIPTIONS AND SKETCHES - Preparation of additional sketches of descriptions to support the Nemours Parkway West project including but not limited to:

- New Site Boundaries
- Drainage Easements
- Utility Easements
- Temporary Construction Easements

The professional services will be billed on an hourly basis as requested with an estimated fee (*not to exceed without prior CLIENT authorization*) of

045 \$10,000.00

TOTAL PART I

\$10,000.00

2200 Park Ave. North

Winter Park, FL

32789-2355

Fax 407-644-8318

407-644-4068

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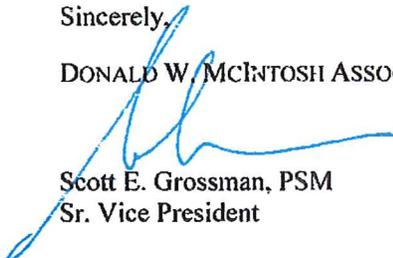
*Mr. Richard Levey, Chairman
Boggy Creek Improvement District
Re: Lake Nona Town Center Parcel 22A - Additional Sketches of Descriptions
DWMA Job No. 16193.
December 18, 2017
Page 2 of 2*

This proposal, together with the Engineering Agreement, represents the entire understanding between Boggy Creek Improvement District and Donald W. McIntosh Associates, Inc. (Engineer) with regard to the referenced work authorization.

DWMA will be compensated for this work at the quoted lump sum amount or at the hourly rates and direct costs established pursuant to the Contract. If additional services are requested they will be provided under a separate proposal as and when requested.

If you wish to accept this Services Agreement, please sign and return a complete copy to our office (executed electronic scanned copies are acceptable). Upon receipt, we will promptly schedule our services.

Sincerely,
DONALD W. MCINTOSH ASSOCIATES, INC.


Scott E. Grossman, PSM
Sr. Vice President

APPROVED AND ACCEPTED

By: 
Authorized Representative of Boggy Creek Improvement District

Date: 12.18.17

PURSUANT TO FLORIDA STATUTE 558.0035, AN INDIVIDUAL EMPLOYEE OR AGENT OF DONALD W. MCINTOSH ASSOCIATES, INC. MAY NOT BE HELD INDIVIDUALLY LIABLE FOR NEGLIGENCE.

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BOGGY CREEK IMPROVEMENT DISTRICT

Recommendation for Work Authorization / Proposed Services

Project Name: LN Town Center Parcel 22A

Brief Description: Construction Phase Services Nemours Parkway West

Name of Consultant /Vendor: DWMA, Inc.

Is this work pursuant to an existing Agreement? Yes No

If so, name and date of Agreement: Service Agreement

Is this project included in the District Capital Improvement Plan? Yes No

Are the services required contemplated in the Capital Improvement Yes No

Is this a continuation of previously authorized work? Yes No

Proposal attached: Yes No

Form of Agreement Utilized: _____

Amount of Services: \$ 166,160.00

Recommendation: Approve Deny

By:  Date 12/18/17
Larry Kaufmann, Chairman
Boggy Creek Improvement District Construction Committee

- c: Joe MacLaren
- Jennifer Walden
- Tucker Mackie
- John Florio



**DONALD W. MCINTOSH
ASSOCIATES, INC.**

December 18, 2017
rlevey@tavistock.com

Mr. Richard Levey, Chairman
Board of Supervisors
Boggy Creek Improvement District
12051 Corporate Boulevard
Orlando, Florida 32817

Subject: Lake Nona Town Center Parcel 22A – Construction Phase Services
Nemours Parkway West, Lift Station No. 10 and
Offsite Sanitary Force Main Construction Phase Services
DWMA Job No. 16193.046 – 16193.062

Dear Mr. Levey:

CIVIL ENGINEERS

LAND PLANNERS

SURVEYORS

AS you requested, Donald W. McIntosh Associates, Inc. (DWMA) is pleased to submit for your consideration this additional services agreement to Boggy Creek Improvement District (BCID) ("CLIENT") to provide engineering services for Nemours Parkway West (aka Perimeter Road), Lift Station No. 10 and the offsite sanitary force main ("Project"). As detailed in the scope of services, this proposal includes construction phase services for the project. We will provide these services pursuant to our current contract with Boggy Creek Improvement District dated September 8, 2003 ("Contract") as follows:

BASIC SERVICES & ITEMIZED FEES

The nature, scope and schedule (if any) of Basic Services to be performed by DWMA under this Agreement, are set forth below.

CLIENT may, from time to time, request DWMA to perform services in connection with the Project which are outside the scope of the services listed herein. Should DWMA agree to perform such services (hereinafter referred to as "Additional Services"), they shall be subject to and governed by the provisions of this Agreement. Additional Services and Basic Services to be provided under this Agreement shall hereinafter be referred to collectively as "Services."

SECTION A - BASIC SERVICES

Nemours Park West (±5240 lf), Lift Station No. 10 and
Offsite Sanitary Force Main (±4800 lf)

PART I – CONSTRUCTION PHASE SERVICES

- | | |
|--|-------------------|
| <p>A. PRECONSTRUCTION CONFERENCE - CITY - Attendance and coordination of City of Orlando project preconstruction conference. 046</p> | <p>\$1,250.00</p> |
| <p>B. PRECONSTRUCTION CONFERENCE – OUC - Attendance and coordination of Orlando Utilities Commission (OUC) project preconstruction conference. 047</p> | <p>\$930.00</p> |

2200 Park Ave North

Winter Park, FL

32789-2355

Fax 407-644-8318

407-644-4068

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Mr. Richard Levey, Chairman
Boggy Creek Improvement District
Lake Nona Town Center Parcel 22A – Construction Phase Services
Nemours Parkway West, Lift Station No. 10 and
Offsite Sanitary Force Main Construction Phase Services
DWMA Job No. 16193.046 – 16193.062
December 18, 2017
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- C. SHOP DRAWING REVIEW - Review (one time) shop drawing information (limited to review for general conformance with the design intent and with information given in construction documents). Detailed geometric review along with means, methods, techniques, sequences or procedures of construction and all safety precautions is not included and remains Contractor's responsibility. 048 \$13,200.00
- D. CONTRACTOR PAY REQUESTS - Contractor payment requests, review and approvals (for construction related to DWMA designs) and pertinent site observation (based on an estimated construction schedule of twelve (12) months with one visit per month for twelve months). 049 \$9,360.00
- E. SITE VISITS – Make site visits for observation of materials, construction and testing for Nemours Parkway West, Lift Station No. 10 and the offsite sanitary force main for the specific purpose of providing certifications listed below. Visits are to be at discretion of DWMA based on the direction of and on Contractor's submitted construction schedule for various elements. Schedule to be required and kept current by Contractor. Based on information provided by CLIENT to DWMA, it is anticipated the total duration of the construction activity for this project will be 12 months. The estimated fee is based on the above referenced 12 month civil construction schedule with approximately 6 site visits per month. If more than 72 site visits are required, each additional site visit will be billed per our rate schedule, as authorized by CLIENT. 050 \$39,600.00
- F. FDEP CERTIFICATIONS – Provide Florida Department of Environmental Protection (FDEP) standard form certification of completion for potable water, sanitary sewer and/or re-use water permits. Contractor to provide information and testing as follows:
- Water system pressure test
 - Water system bacteriological testing and reports
 - Reclaimed water system pressure test
 - Sanitary sewer system leakage testing/lamping/televising
 - Record drawings, signed by contractor
 - As-built survey signed by registered surveyor
 - Lift station start up testing coordinated with site contractor
- Note: This line item includes two (2) water clearances and one (1) sanitary sewer clearance. 051 \$11,860.00

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Mr. Richard Levey, Chairman
Boggy Creek Improvement District
Lake Nona Town Center Parcel 22A – Construction Phase Services
Nemours Parkway West, Lift Station No. 10 and
Offsite Sanitary Force Main Construction Phase Services
DWMA Job No. 16193.046 – 16193.062
December 18, 2017
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N. CONSULTANT COORDINATION – Coordination of geotechnical, hardscape, landscape and other consultants during construction phase of project. The professional services will be billed on an hourly basis with an estimated fee (<i>not to exceed without prior CLIENT authorization</i>) of	059	\$4,320.00
O. RECORD DRAWINGS – Preparation of “Record Drawings” from contractor furnished as-built survey data. The professional services will be billed on an hourly basis with an estimated fee (<i>not to exceed without prior CLIENT authorization</i>) of	060	\$17,400.00
P. SITE VISITS FOR RETESTING – Construction phase testing resulting from failures or no-shows, and therefore requiring additional site visits shall be additional services and will be billed on an hourly basis with an estimated fee (<i>not to exceed without prior CLIENT authorization</i>) of	061	\$3,540.00
Q. LIMITED AS-BUILT MEASUREMENTS – As deemed necessary by the DWMA Construction Observation Engineer, DWMA will survey limited as-built measurements of constructed infrastructure to provide information to the engineer necessary for the project certifications.	062	\$11,000.00
TOTAL SECTION A PART I		\$166,160.00

Note: This proposal does not include assistance with National Pollutant Discharge Elimination System (NPDES) permit which will be processed by the CLIENT or prepared by others. If this item is requested it will be contracted separately.

The following services are not included:

1. Assistance with the National Pollutant Discharge Elimination System (NPDES) permit;
2. Structural geotechnical/soil professional services (to be undertaken by CLIENT selected consultant); and
3. Hazardous waste consultant (by CLIENT selected consultant).

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*Mr. Richard Levey, Chairman
Boggy Creek Improvement District
Lake Nona Town Center Parcel 22A – Construction Phase Services
Nemours Parkway West, Lift Station No. 10 and
Offsite Sanitary Force Main Construction Phase Services
DWMA Job No. 16193.046 – 16193 062
December 18, 2017
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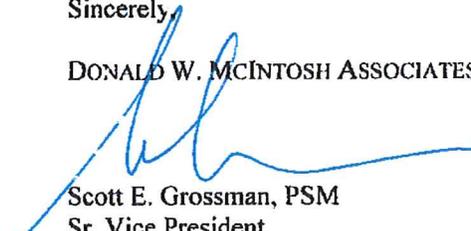
This proposal, together with the Engineering Agreement, represents the entire understanding between Boggy Creek Improvement District and Donald W. McIntosh Associates, Inc. (Engineer) with regard to the referenced work authorization.

DWMA will be compensated for this work at the quoted lump sum amount or at the hourly rates and direct costs established pursuant to the Contract. If additional services are requested they will be provided under a separate proposal as and when requested.

If you wish to accept this Services Agreement, please sign and return a complete copy to our office (executed electronic scanned copies are acceptable). Upon receipt, we will promptly schedule our services.

Sincerely,

DONALD W. MCINTOSH ASSOCIATES, INC.


Scott E. Grossman, PSM
Sr. Vice President

APPROVED AND ACCEPTED

By: 
Authorized Representative of Boggy Creek Improvement District

Date: 12.18.17

PURSUANT TO FLORIDA STATUTE 558.0035, AN INDIVIDUAL EMPLOYEE OR AGENT OF DONALD W. MCINTOSH ASSOCIATES, INC. MAY NOT BE HELD INDIVIDUALLY LIABLE FOR NEGLIGENCE.

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BOGGY CREEK IMPROVEMENT DISTRICT

Recommendation for Work Authorization / Proposed Services

Project Name: LN Blvd. Signal Modifications at Veterans Way

Brief Description: Professional Engineering Services for roadway and drainage improvements

Name of Consultant /Vendor: DWMA, Inc.

Is this work pursuant to an existing Agreement? ✓ Yes No

If so, name and date of Agreement: Shirley Depant

Is this project included in the District Capital Improvement Plan? ✓ Yes No

Are the services required contemplated in the Capital Improvement ✓ Yes No

Is this a continuation of previously authorized work? ✓ Yes No

Proposal attached: ✓ Yes No

Form of Agreement Utilized: _____

Amount of Services: \$ 18,800.00

Recommendation: ✓ Approve Deny

By: [Signature] Date 12/18/07
Larry Kaufmann, Chairman
Boggy Creek Improvement District Construction Committee

- c: Joe MacLaren
- Jennifer Walden
- Tucker Mackie
- John Florio



**DONALD W. MCINTOSH
ASSOCIATES, INC.**

December 4, 2017
rlevey@tavistock.com

Mr. Richard Levey, Chairman
Board of Supervisors
Boggy Creek Improvement District
12051 Corporate Boulevard
Orlando, Florida 32817

Subject: Lake Nona Boulevard Signal Modifications at Veterans Way,
Tavistock Lakes Boulevard and Nemours Parkway
DWMA Job No. 17162.001 – 17162.005

Dear Mr. Levey:

CIVIL ENGINEERS

LAND PLANNERS

SURVEYORS

As requested by Larry Kaufmann, Donald W. McIntosh Associates, Inc. (DWMA) is pleased to submit for your consideration this additional services agreement to provide professional engineering services to Boggy Creek Improvement District (BCID) ("CLIENT") for the roadway and drainage improvements required to support the proposed Signal Modifications on Lake Nona Boulevard at Veterans Way, Tavistock Lakes Boulevard and Nemours Parkway ("Project"). As detailed in the scope of services, this proposal includes: 1) Preparation of the intersection improvement plans at each of the three intersections with signage, pavement markings, turning movements and the additional left turn lane at Veterans Way; 2) Preparation and submittal of three (3) City of Orlando digital permit applications; 3) Processing of the three (3) City of Orlando digital permit applications and 4) Coordination with project team consultants, Owner representatives and contractors including distribution of plans and files, meetings, teleconference calls and assistance. The Signal Modification Plans and the Maintenance of Traffic Plans are not included in this scope and will be prepared by others. We will provide these services pursuant to our current contract with Boggy Creek Improvement District dated September 8, 2003 ("Contract") as follows:

BASIC SERVICES & ITEMIZED FEES

The nature, scope and schedule (if any) of Basic Services to be performed by DWMA under this Agreement, are set forth below.

CLIENT may, from time to time, request DWMA to perform services in connection with the Project which are outside the scope of the services listed herein. Should DWMA agree to perform such services (hereinafter referred to as "Additional Services"), they shall be subject to and governed by the provisions of this Agreement. Additional Services and Basic Services to be provided under this Agreement shall hereinafter be referred to collectively as "Services."

2200 Park Ave. North

Winter Park, FL

32789-2355

Fax 407-844-8318

407-844-4068

PART I - CIVIL ENGINEERING

A. INTERSECTION IMPROVEMENT PLANS FOR SIGNAL MODIFICATIONS - Prepare three (3) intersection improvement plans including geometry, signage and pavement markings, turning movements and the added left turn lane at Veterans Way.	001	\$6,400.00
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Mr. Richard Levey, Chairman

Boggy Creek Improvement District

Re: Lake Nona Boulevard Signal Modifications at Veterans Way,
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B.	PREPARATION AND SUBMITTAL OF THE THREE (3) CITY OF ORLANDO DIGITAL PERMIT APPLICATIONS FOR SIGNAL MODIFICATIONS – Prepare and submit three (3) City of Orlando digital permit applications for review and approval.	002	\$2,550.00
C.	PROCESS THE THREE (3) CITY OF ORLANDO DIGITAL PERMIT APPLICATIONS FOR SIGNAL MODIFICATIONS - Process the three (3) City of Orlando digital permit applications including responses to City staff comments and plan revisions associated with the review and approval process.	003	\$3,550.00
D.	OPINION OF PROBABLE COSTS – Preparation and submittal of three (3) Engineer's Opinion of Probable Costs for both final engineering plan submittals and post construction cost estimate provision for City of Orlando required bonding amounts.	004	\$3,300.00
E.	PROJECT COORDINATION AND MEETINGS - Project coordination, meetings, distribution of plans and files for the three (3) signal modifications.	005	\$3,000.00
TOTAL PART I			\$18,800.00

This proposal, together with the Engineering Agreement, represents the entire understanding between Boggy Creek Improvement District and Donald W. McIntosh Associates, Inc. (Engineer) with regard to the referenced work authorization.

DWMA will be compensated for this work at the quoted lump sum amount or at the hourly rates and direct costs established pursuant to the Contract. If additional services are requested they will be provided under a separate proposal as and when requested.

If you wish to accept this Services Agreement, please sign and return a complete copy to our office (executed electronic scanned copies are acceptable). Upon receipt, we will promptly schedule our services.

Sincerely,

DONALD W. MCINTOSH ASSOCIATES, INC.

John M. Florio
Executive Vice President

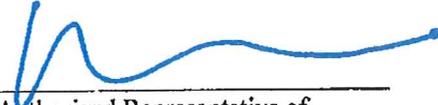
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*Mr. Richard Levey, Chairman
Boggy Creek Improvement District
Re: Lake Nona Boulevard Signal Modifications at Veterans Way,
Tavistock Lakes Boulevard and Nemours Parkway
DWMA Job No. 17162.001 - 17162.005*

*December 4, 2017
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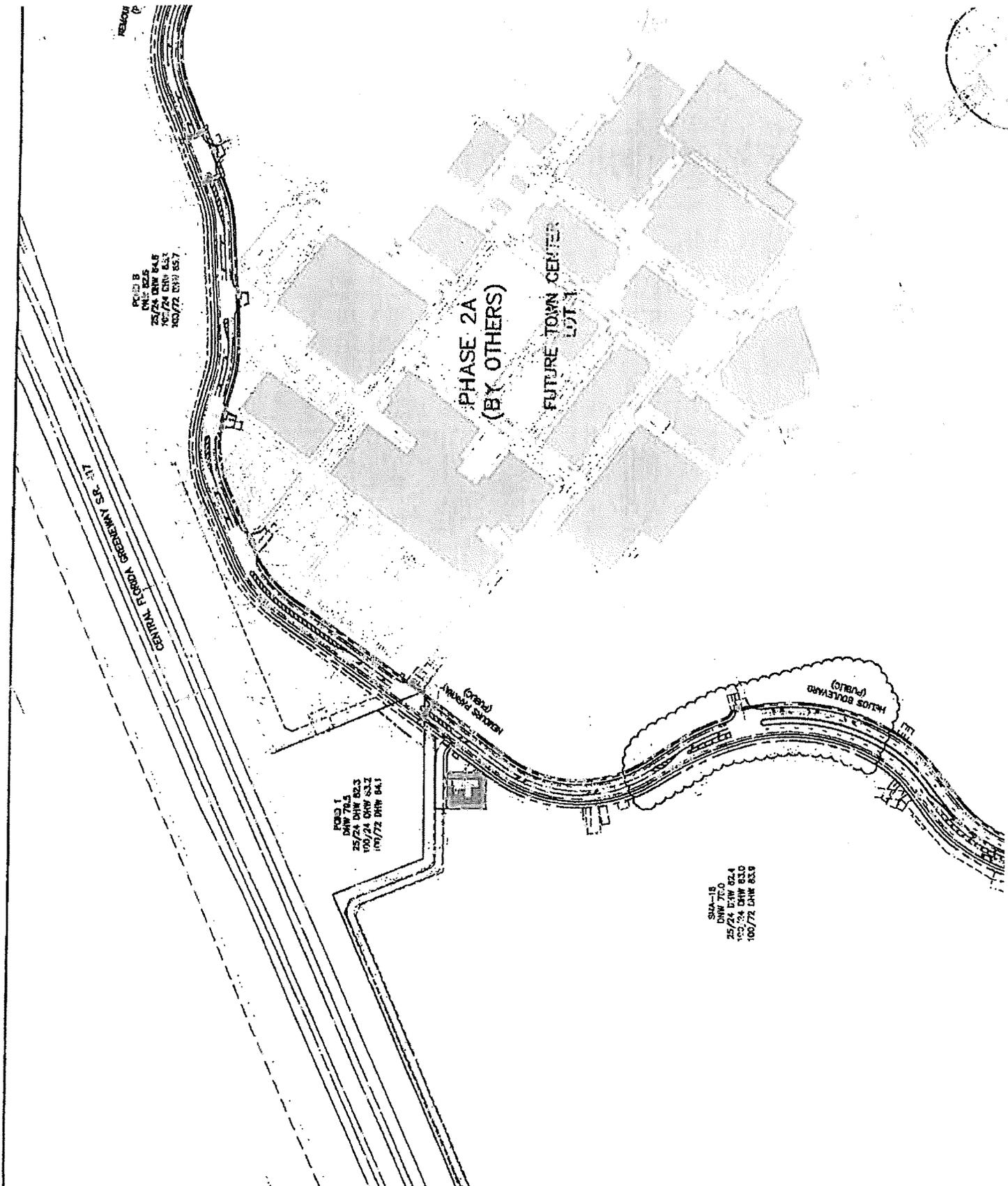
APPROVED AND ACCEPTED

By: 
Authorized Representative of
Boggy Creek Improvement District

Date: 12.18.17

PURSUANT TO FLORIDA STATUTE 558.0035, AN
INDIVIDUAL EMPLOYEE OR AGENT OF DONALD W.
MCINTOSH ASSOCIATES, INC. MAY NOT BE HELD
INDIVIDUALLY LIABLE FOR NEGLIGENCE.

COPYRIGHT AND PROPERTY RIGHTS TO THIS DRAWING WHICH MAY NOT BE REPRODUCED, CHANGED, OR COPIED IN ANY FORM OR MANNER, NOR CAN IT BE ASSIGNED TO ANY PARTY WITHOUT DONALD W. LIGHTSH ASSOCIATES, INC.'S WRITTEN CONSENT.



REARVIEW
POND 2
DHW 825
25/24 DHW 845
100/24 DHW 852
100/72 DHW 857

PHASE 2A
(BY OTHERS)

FUTURE TOWN CENTER
LOT 1

CENTRAL TOWN CENTER WAY SR. 17

HAYES BOULEVARD (PUBLIC)

HAYES BOULEVARD (PUBLIC)

POND 1
DHW 743
25/24 DHW 823
100/24 DHW 832
100/72 DHW 841

POND 3
DHW 829
25/24 DHW 854
100/24 DHW 830
100/72 DHW 839

BOGGY CREEK IMPROVEMENT DISTRICT

Recommendation for Work Authorization / Proposed Services

Project Name: LN Boulevard Traffic Signal Modification at Nemours Parkway

Brief Description: Intersection of LN Boulevard

Name of Consultant /Vendor: VHB

Is this work pursuant to an existing Agreement? Yes No

If so, name and date of Agreement: Service Agreement

Is this project included in the District Capital Improvement Plan? Yes No

Are the services required contemplated in the Capital Improvement Yes No

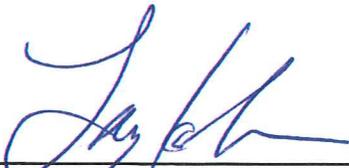
Is this a continuation of previously authorized work? Yes No

Proposal attached: Yes No

Form of Agreement Utilized: _____

Amount of Services: \$ 19,500.00

Recommendation: Approve Deny

By:  Date 12/18/17
Larry Kaufmann, Chairman
Boggy Creek Improvement District Construction Committee

- c: Joe MacLaren
- Jennifer Walden
- Tucker Mackie
- John Florio



Phone: 407.839.4006
 Fax: 407.839.4008
 www.vhb.com
 Engineers | Scientists | Planners | Designers

Vanasse Hangen Brustlin, Inc.
 Landmark Center Two
 Suite 300
 225 E. Robinson Street
 Orlando, Florida 32801

Contractin Phase - Done

Client Authorization

New Contract **Date** December 15, 2017
 Amendment No. 1 **Project No.** 63084.02

Project Name Lake Nona Boulevard Traffic Signal Modification at Nemours Parkway

To:	Cost Estimate	Amendment	Contract Total
Boggy Creek Improvement District c/o Fishkind Associates 12051 Corporate Boulevard Orlando, FL 32817	Labor		\$19,500
	Expenses		As incurred

As Requested By: John Florio, P.E. Fixed Fee Time & Expenses
 Cost + Fixed Fee Other

Pursuant to the original agreement, Vanasse Hangen Brustlin, Inc., (VHB) provides this amendment for the additional services as outlined below. The services will be accomplished in accordance with the conditions of the original agreement. The additional scope of work is described below.

PROJECT DESCRIPTION

VHB will provide traffic engineering services associated with traffic signal design modifications for the intersection of Lake Nona Boulevard at Nemours Parkway. The traffic signal modifications are prompted by a traffic study completed by Kittelson Engineering recommending demolition of the plaza in the northwest quadrant of the intersection to widen the west leg of the intersection. The scope of services is described in more detail as follows.

SCOPE OF SERVICES

1.0 Traffic Signal Modification Design Plans

VHB will prepare the traffic signal modification plans associated with the proposed demolition. The signal work under this task will be the installation of a new mast arm assembly with luminaire, and the removal of the existing mast arm assembly in the northwest quadrant of the intersection. The existing GPS Opticom receiver, red light enforcement light, video detector and illuminated street name sign with cantilever will be relocated onto the new mast arm assembly. A new conduit will be installed under the sidewalk between the proposed mast arm and the existing signal pull boxes. The westbound lane configuration is being modified from a left, a through and a right turn lane to dual left turn lanes and a through/right turn lane. The signal head configuration for this approach will consist of two 3-sections for the through movement and two 3-sections with left turn arrows over each of the left

turn lanes. The signal head configuration for eastbound Nemours Parkway will be modified to two 3-sections for the through movement and one 4-section with flashing yellow over the left turn lane.

VHB will utilize existing intersection design plans, existing signalization drawings, and engineering drawings of the proposed intersection configuration. The signal modification plans will contain a key sheet, tabulation of quantities sheet, general and pay item notes sheet, a plan sheet prepared at 1"=40' scale and mast arm detail sheets. The design plans will be prepared on 11" x 17" half size sheets and will be submitted at the 90% and 100% complete phases. VHB will submit the plans to the City of Orlando for review.

VHB will respond to Requests for Information (RFIs) and review shop drawing submittals for signal related components of the project. VHB's review and approval of submittals such as shop drawings, product data, samples and other data will be for the limited purpose of checking for conformance with the design concept and the information in VHB's documents. This review will not include review of the accuracy or completeness of details, such as quantities, dimensions, weights or gauges, fabrication processes, construction means or methods, coordination of the work with other trades or construction safety precautions, all of which are the sole responsibility of the contractor and other unrelated parties. Review of a specific item will not indicate that VHB has reviewed the entire assembly of which the item is a component. VHB will not be responsible for any deviations from VHB's documents or other documents which are not brought to the attention of VHB in writing by the contractor. VHB will not be required to review partial submissions or those for which submission of correlated items have not been received.

2.0 Mast Arm Structural Analysis

VHB will provide structural engineering services for the proposed mast arm pole foundation. The services are limited to analyzing the loading to determine compliance with the Florida Department of Transportation (FDOT) standard mast arm loading tree and to provide special drilled shaft foundation designs if sub-standard soil conditions are found at the intersection. VHB will also perform dead load moment calculations for the proposed signal head configuration on the existing mast arm assembly in the southeast quadrant to ensure that the proposed loading does not exceed that of the FDOT standard loading tree.

3.0 Geotechnical Services

As a convenience to the Client, VHB will contract with a geotechnical engineer to provide soil boring services. VHB will not direct, supervise or influence their work activities or product. VHB's responsibility will be to communicate with and manage the sub-consultant as part of the consulting team. The soil boring will be done at the proposed mast arm pole foundation. Once the soil is analyzed, the subconsultant will provide a soils report which will be prepared for the project. The report will characterize the subsurface soil conditions which will then be used to compare with FDOT standard design soil conditions. Sub-standard soil conditions will require a special foundation design. Foundation design and construction recommendations will be provided based on the properties encountered.

4.0 Subsurface Utility Engineering (SUE) Services

As a convenience to the Client, VHB will contract with a subconsultant to provide SUE services. VHB will not direct, supervise or influence their work activities or product. VHB's responsibility will be to communicate with and manage the sub-consultant as part of the consulting team. The SUE will be completed at the proposed mast arm pole foundation. The purpose of the SUE work is to identify conflicts between the proposed foundation and existing underground utilities. VHB will provide an alternate location should conflicts be found during the process, or communicate with the utility company should conflicts be unavoidable.

ASSUMPTIONS

It is understood that VHB will perform services under the sole direction of the Client. In the performance of these services, VHB will communicate its efforts with those of other project team members as required.

CLIENT FURNISHED INFORMATION

VHB will rely upon the accuracy and completeness of Client-furnished information in connection with the performance of services under this Amendment. The Client will provide VHB the following information:

- Topographic Survey/Engineering Drawings of existing intersections in CAD format.
- Design plans for the proposed lane configurations.

SCHEDULE

VHB will begin performance of the above services on the date written authorization to proceed is received. The schedule is also subject to timely delivery of information promised by the Client and is exclusive of Client and local review of interim products.

VHB will complete the services described above and submit 80% complete plans within eight weeks from the time the notice to proceed is received from the Client. VHB will submit 100% complete plans within two weeks from the time comments are received.

COMPENSATION

VHB will perform the Scope of Services contained in this Agreement on a lump sum basis per task. Services performed outside of these tasks will be billed hourly using the standard hourly billing rates in effect at the time the work is performed.

Task	Lump Sum Fee
1.0 Traffic Signal Modification Design Plans	\$10,000
2.0 Mast Arm Structural Analysis	\$4,500
3.0 Geotechnical Services	\$2,000
4.0 Subsurface Utility Engineering (SUE) Services	\$3,000
TOTAL	\$19,500

In addition to the labor compensation, VHB shall be reimbursed for expenditures made specifically for the project such as: printing and reprographics; travel and subsistence; computer charges; telephone charges; shipping, postage, and courier service charges; purchase of maps and similar documents; etc. These direct expenses will be billed at 1.10 times their actual cost. If sub-consultants and subcontractors are engaged by VHB for this project and are, therefore, under contract to VHB, their services will be invoiced at 1.10 times their actual cost. This adjustment covers the additional expense of coordination/ administration.

Prepared By: K. Lee

Department Approval: P. Yeargain

Please execute this Client Authorization for VHB to proceed with the above scope of services at the stated estimated costs. No services will be provided until it is signed and returned to VHB.

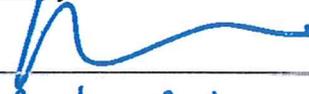
Subject to attached terms & conditions.

Subject to terms & conditions in our original agreement dated 8/15/2017.

Vanasse Hangen Brustlin, Inc. Authorization

By 
Paul W. Yeargain, P.E.
Title Managing Director, Orlando
Date December 15, 2017

Client Authorization (Please sign original and return)

By 
Richard Levey
Date 12.18.17



MEMORANDUM

DONALD W. McINTOSH
ASSOCIATES, INC.

DATE: December 18, 2017
TO: Boggy Creek Improvement District
Board of Supervisors
FROM: Donald W. McIntosh Associates, Inc. *DWF*
District Engineer
RE: Construction Contract Status

Dear Board Members,

Please accept this correspondence as a current summary of our construction contract status. Listed below by project is a brief summary of recent contract activity. A copy of the latest Change Order Log is attached.

CIVIL ENGINEERS

Lake Nona Blvd. Road L to Boggy Creek Road, and Sanger Road Extension

LAND PLANNERS

Construction Status: The final project certification package was submitted to the City of Orlando on June 27, 2017 and included the drainage pipe manufacturer's written acceptance of the drainage pipe repairs and their certification of the integrity of the drainage system. The updated maintenance bond for the project was received from the Contractor and submitted to the City on July 5, 2017. Following receipt of all final documentation from the Contractor and as directed by the Board of Supervisors, release of the contract retainage was authorized by the District Engineer. District Staff is following up with the City on the project acceptance letter and Certificate of Completion.

SURVEYORS

Change Order (C.O.) Status: None at this time.

Recommended Motion: None at this time.

Should there be any questions, please advise.

Thank you.
End of memorandum.

c: Mr. Larry Kaufmann
Ms. Patrice Ragusa
Jason Good, P.E.
James C. Nugent, P.E.

2200 Park Ave. North

Winter Park, FL

32789-2355

Fax 407-644-8318

407-644-4068

LAKE NONA SOUTH
Boggy Creek Improvement District
Lake Nona Boulevard Road "L" to Boggy Creek Road
Change Order Log
Jr. Davis

C.O. #	Date	Description of Revision	Additional Days	Amount	Status	New Contract Amount Original Contract Date	To Board	Approval Date	Notes
						\$ 7,598,148.15			
1	8/18/2014	MOT Plans	0	\$ 4,077.50	Approved	\$ 7,602,225.65	9/15/14 revision to board 10/20/14	10/20/2014	Revised from \$3,500 due to charges not included for markup and bond
2	8/20/2014	Cost to line the wet well.			REJECTED	\$ 7,602,225.65	9/15/2014	9/15/2014	City has said no liner is needed.
3	9/9/2014	Change Order for revised plans dated 4/14/2014		\$ 315,511.55	Approved	\$ 7,917,737.20	9/15/2014	9/15/2014	
4	9/22/2014	Changes for plan revisions dated 7/28/14 and 8/21/14.	0	\$ (40,122.59)	Approved	\$ 7,877,614.61	9/20/2014	10/20/2014	
5	3/11/2015 Revised 5/19/15	Add power conduit on the Lake Nona Blvd. plan changes were per the OUC design revision dated 2/4/15		\$ 98,321.05	Approved	\$ 7,975,935.66	3/16/2015	3/16/2015	Approved up to amount. Still in pending agreement. Revision approved on 5/19/15
6	3/16/2015	Remove street signs and regulatory signs from contract		\$ (18,921.00)	Approved	\$ 7,957,014.66	4/20/2015	4/20/2015	
7	5/18/2015	Place and compact fill at the future Lift Station Site LS#9		\$ 7,786.51	Approved	\$ 7,964,801.17	6/15/2015	6/15/2015	
8	6/8/2015	Additional DOT Signage and removing and replacing thermoplastic striping.		\$ 7,975.00	Approved	\$ 7,972,776.17	7/20/2015	7/20/2015	REVISED amount
9	6/17/2015	Installation of 2" lighting conduit		\$ 43,845.00	Approved	\$ 8,016,621.17	7/20/2015	7/20/2015	
10	7/17/2015	Extending electric conduit outside of pavement		\$ 16,672.00	Approved	\$ 8,033,293.17	7/20/2015	7/20/2015	
11	7/17/2015	Installation of 2" traffic signal interconnection as requested by City of Orlando.		\$ 45,450.00	Approved	\$ 8,078,743.17	7/20/2015	7/20/2015	
12	9/8/2015	Relocate Electrical Pull Boxes \$4725			Revised to CO No. 14	\$ 8,078,743.17	9/21/2015	9/21/2015	
13	9/17/2015	Removal of existing pavement markings and placement of new striping.		\$ 3,895.00	Approved	\$ 8,082,638.17	9/21/2015	9/21/2015	

**LAKE NONA SOUTH
Boggy Creek Improvement District
Lake Nona Boulevard Road "L" to Boggy Creek Road
Change Order Log
Jr. Davis**

C.O. #	Date	Description of Revision	Additional Days	Amount	Status	New Contract Amount Original Contract Date	To Board	Approval Date	Notes
14	9/8/2015	Relocate Electrical Pull Boxes \$4725		\$ 4,725.00	Approved	\$ 8,087,363.17	9/21/2015	9/21/2015	
15	1/24/2016	Direct Owner Purchase Deduction		\$ (2,335,698.65)	Approved	\$ 5,751,664.52	1/25/2016	1/25/2016	Approved by all in for signature
16	1/28/2016	MOT for Additional Thermo Striping		\$ 3,173.75	Approved	\$ 5,754,838.27	2/22/2016	2/22/2016	
17	2/3/2016	Installation of (3) 2" Sleeves		\$ 991.29	Approved	\$ 5,755,829.56	2/22/2016	2/22/2016	
18	12/15/2016	Lake Nona Blvd. - Isolated Pavement Distress		\$ 124,285.00	Approved	\$ 5,880,114.56	12/20/2016	12/20/2016	
19	9/26/2017	Boggy Creek year end walkthrough with County deficiencies for correction		\$ 15,670.00	Approved	\$ 5,895,784.56	10/17/2017	10/17/2017	