

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2007	2008	2009	2010	2011
Capital Expenditures	<u>\$573,903</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
In-Kind Match (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
NET FISCAL IMPACT	<u>\$573,903</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>

ADDITIONAL FTE
POSITIONS (Cumulative) _____

Is Item Included in Current Budget? Yes X No
Budget Acct No.: Fund 3504 Dept. 361 Unit 0951 Object 6505
Program

B. Recommended Sources of Funds/Summary of Fiscal Impact:

Road Impact Fee Fund - Zone 4
Congress Ave/S of Lantana Rd to S of Melaleuca Ln

Supplement #6 - Basic Services	\$415,452.91
- Reimbursables	\$ 24,950.00
Consultant Authorization	\$440,402.91
Contingency	\$ 22,250.09
Staff Costs-Roadway	\$ 89,000.00
-Eng Services	\$ 22,250.00
Fiscal Impact	<u>\$573,903.00</u>

C. Departmental Fiscal Review: _____ *[Signature]*

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

[Signature] 4.10.07
OFMB
4.10.07
CN
4/19/07

[Signature] 4/11/07
Contract Dev. and Control
6.22.07 4/11/07

B. Approved as to Form and Legal Sufficiency:

This item complies with current County policies.

[Signature] 4/11/07
Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.

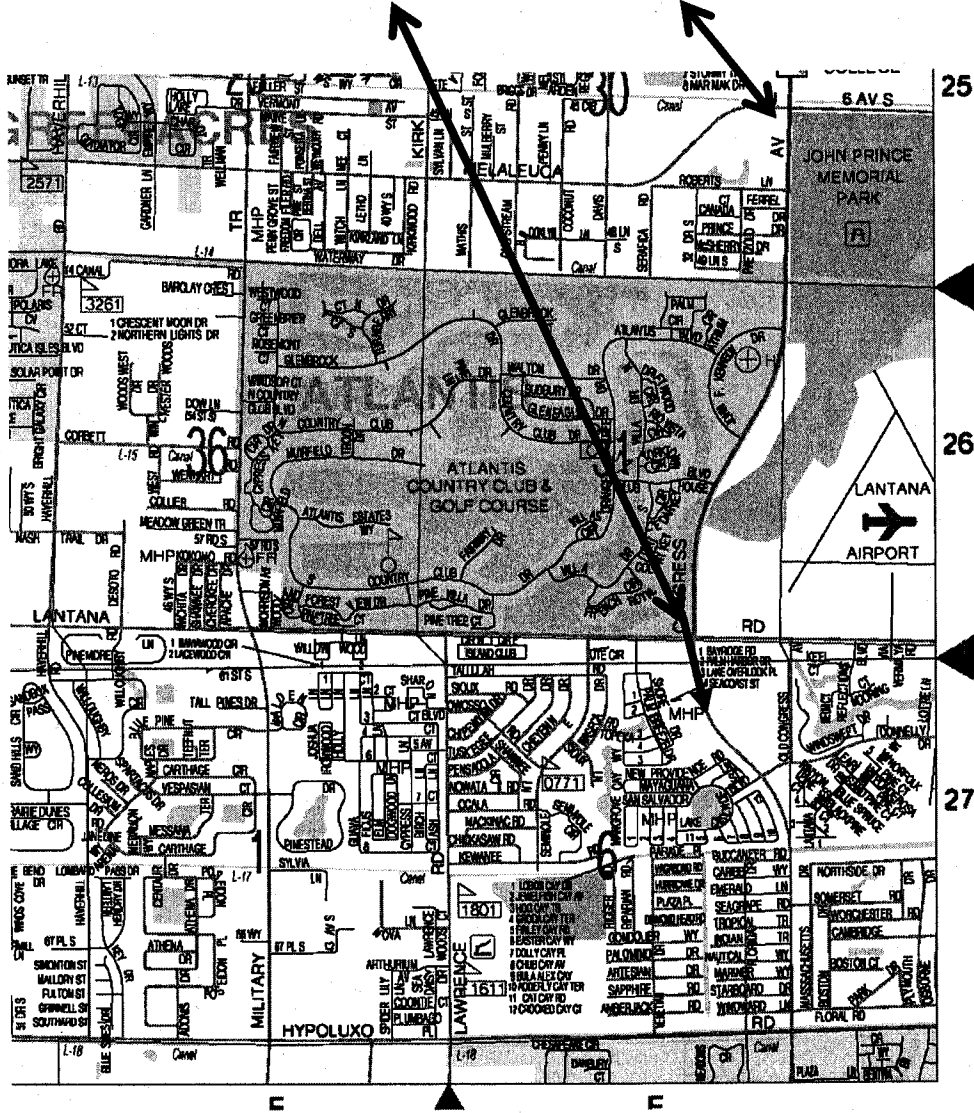
(Continued from page 1)

Due to the nature of the required additional services, MLA achieved a SBE participation of only 2.63% for this supplement. MLA's SBE participation to date, including this supplement, is 19.04% overall. The fee, as detailed in Exhibit "A" of the attached Supplemental Agreement, has been negotiated as just and reasonable compensation as follows:

Basic Services (Lump Sum)	\$ 415,452.91	(Design, Survey, PD&E update, Uniform Act)
Reimbursable Expenses (Not to Exceed)....	\$ 24,950.00	(Title Commitments, Property Appraiser Fees, Postage and Printing)
Total:	<u>\$ 440,402.91</u>	

After reviewing the attached Supplemental Agreement and finding it in proper order, staff recommends the Board's approval.

Project No. 2003507
Congress Avenue
South of Lantana Road to South of Melaleuca Lane



LOCATION SKETCH

ATTACHMENT 2

SUPPLEMENTAL AGREEMENT BETWEEN

**PALM BEACH COUNTY
AND
MILLER-LEGG & ASSOCIATES, INC.
FOR PROFESSIONAL ENGINEERING SERVICES ON**

**CONGRESS AVENUE
S. OF LANTANA ROAD TO S. OF MELALEUCA LANE
PALM BEACH COUNTY PROJECT NO.: 2003507**

PALM BEACH COUNTY, FLORIDA

THIS SUPPLEMENTAL AGREEMENT No. 6, made and entered into this day of _____ 2007 by and between Palm Beach County, hereinafter **COUNTY**, and, Miller-Legg & Associates, Inc., a Florida Corporation with an address of 2005 Vista Parkway, Suite 100, West Palm Beach, Florida 33411-2719, hereinafter **CONSULTANT**.

WITNESSETH

WHEREAS, the **COUNTY** and **CONSULTANT** entered into a Project Agreement dated February 3, 2004 (R2004-0192), to provide professional engineering services for Congress Avenue from south of Lantana Road to south of Melaleuca Lane, Palm Beach County, Florida (hereinafter **PROJECT**); and

WHEREAS, the **COUNTY** now desires for the **CONSULTANT** to provide the engineering services necessary to prepare a reevaluation of the Project Development and Environmental (PD&E) Study and to provide services necessary to comply with the Uniform Act, to revise the proposed joint use drainage facility, and to revise the proposed drainage system; and

**RE: Congress Avenue – S. of Lantana Road to S. of Melaleuca Lane
Project No. 2003507**

WHEREAS, the following fee has been negotiated as just and reasonable compensation for these professional services to be performed by the **CONSULTANT**:

Basic Services in a lump sum fee of \$419,977.87;
Reimbursable Expenses capped at \$24,950.00;
Totaling \$444,927.87

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That for and in consideration of the mutual benefits to flow from each to the other, the parties hereto agree as follows:

1. The **CONSULTANT** agrees to provide professional services as described in Exhibit "A" of the Agreement known as "SCOPE OF WORK & FEE".
2. The **CONSULTANT** agrees to "CERTIFICATION" statements as described in Exhibit "B" of the Agreement.
3. The **CONSULTANT** agrees to Small Business Enterprise (SBE) Participation, described in Exhibit "C" of the Agreement.
4. The **CONSULTANT** has provided sub-consultant "Letters of Intent" to perform as an SBE as described in Exhibit "D" of the Agreement.
5. The **COUNTY** agrees to pay the **CONSULTANT** a fee up to, but not to exceed, Four Hundred Forty Four Thousand Nine Hundred Twenty Seven Dollars and 87/100 cents (\$444,927.87).
6. The **CONSULTANT** agrees to indemnify, defend and hold harmless the **COUNTY** against all claims that may arise as a result of negligence, wrongdoing, misconduct or want of care by the **CONSULTANT**.

Except as hereby amended, changed or modified, all other terms and conditions of the original Agreement dated February 3, 2004 (R2004-0192), and;

Supplements and Amendments thereto, shall remain in full force and effect.

**RE: Congress Avenue – S. of Lantana Road to S. of Melaleuca Lane
Project No. 2003507**

IN WITNESS WHEREOF, the parties hereto have made and executed this Authorization as of the day and year first above written.

OWNER:

Palm Beach County, Florida,
a Political Subdivision of the
State of Florida

BOARD OF COUNTY COMMISSIONERS

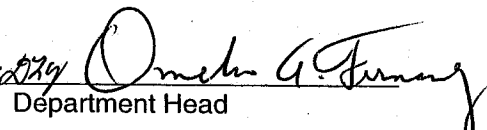
BY: _____
Addie L. Greene, Chairperson

ATTEST:
Sharon R. Bock, Clerk
Circuit Court

BY: _____
Deputy Clerk

SEAL

**APPROVED AS TO TERMS
AND CONDITIONS:**


BY: 
Department Head

**APPROVED AS TO FORM & LEGAL
SUFFICIENCY:**

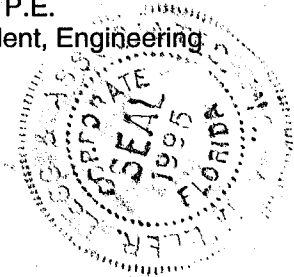
County Attorney

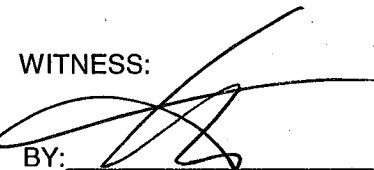
CONSULTANT:

Miller-Legg & Associates, Inc.
a Florida Corporation

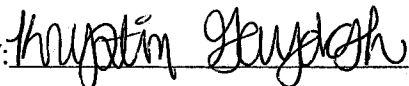
BY: 
Dennis J. Thomas, P.E.
Assistant Vice President, Engineering

CORPORATE SEAL



WITNESS:
BY: 

Michael Skowron
(Printed Name)

BY: 

Krystin Gaydash
(Printed Name)

EXHIBIT "A"



*Scope & Fee accepted,
DJY
3-1-07*

February 26, 2007

Mr. David Young, P.E.
Special Projects Manager
Palm Beach County Engineering & Public Works Department
P.O. Box 21229
West Palm Beach, Florida 33416-1229

Re: **Congress Avenue – South of Lantana Road to South of Melaleuca Lane
Supplement Number 6
P.B.C. Project No. 2003507
ML Project No.: 04-00073**

Dear Dave:

Pursuant to our discussions, please find enclosed our scope of work and man-hour estimate for additional services related to the above referenced project. The scope of work for this supplement includes the Project Development and Environmental Study Reevaluation, Right-of-Way Acquisition Services and Mitigation Area and Drainage Conveyance Plan Redesign in accordance with Parks and Recreation Department requests and Drainage Conveyance Redesign to accommodate the drainage trunk line relocation.

\$24,950.00

✓ We propose to complete this scope of services outlined in Exhibit "A" for the Lump Sum Fee of \$428,996.76 and reimbursables in the amount of ~~\$26,050.00~~. We are prepared to begin work upon receipt of a fully executed Consultant Services Agreement for the project.

We appreciate the opportunity to present this revised proposal and if you have any questions regarding this matter, please give me a call.

Very truly yours,


Michael F. Schwartz, P.E.
Associate, Engineering

Enc.

HBU

IMPROVING COMMUNITIES. CREATING ENVIRONMENTS.

Palm Beach Office: 2005 Vista Parkway • Suite 100 • West Palm Beach, Florida • 33411-2719
(561) 689-1138 • Fax: (561) 689-8108
www.millerlegg.com

EXHIBIT 'A'

SCOPE OF CONSULTANT SERVICES
CONGRESS AVENUE WIDENING SOUTH OF LANTANA ROAD TO
SOUTH OF MELALEUCA LANE
SUPPLEMENT NUMBER 6

PALM BEACH COUNTY PROJECT NO. 2003507
MILLER LEGG PROJECT NO.: 04-00073

February 26, 2007

1.0 PROJECT DESCRIPTION

The PROJECT consists of design/CONSULTANT services necessary for the widening of Congress Avenue (State Road 807), from Lantana Road to Melaleuca Lane (PROJECT). Such improvements consist of the design of widening the existing four (4) lane roadway to a six (6) lane urban highway design section, a total distance of 1.25 miles (more or less). The specific limits of work shall be on the south, from approximately 1200 feet south of Lantana Road; and on the north, about 800 south of Melaleuca Lane where the PROJECT connects with COUNTY Project No.2001503.

This supplement is divided into three primary parts and includes the following:

I. Project Development and Environmental Study Reevaluation.

- Reevaluation of the Project Development and Environmental (PD&E) Study completed for the project as required by FDOT.
- A Public Workshop for the PD&E Reevaluation as required by FDOT

II. Right-of-Way Acquisition Services

- Right-of-Way acquisition services to acquire all right-of-way and temporary construction easements necessary for the construction of this project in accordance with the Uniform Act.
- Real Estate Appraisal services required to acquire all right-of-way and temporary construction easements necessary for the construction of this project.
- Title Certification on title work provided by Palm Beach County
- Engineering services to support right-of-way acquisition.
- Revisions to the right-of-way acquisition maps and sketches and legal descriptions to meet FDOT requirements.

III. Mitigation Area and Drainage Conveyance Redesign

- Redesign of the mitigation area at the request of Palm Beach County Parks Department to remove the canoe trails originally planned and submitted for permit. The mitigation area will now include the expansion of the existing lake west of Lake Osborne. In addition, all existing wetlands located on the 19 acre airport property will be removed and mitigated within the proposed park mitigation area.
- Submittal of revised permit documents to South Florida Water Management District (SFWMD) and The U.S. Army Corps of Engineers (USACOE) and continued coordination with the SFWMD and USACOE to obtain approval of the mitigation plans.

- Additional survey of the existing lake area to provide information to design the expansion of this lake.
- Preparation of detailed construction plans for the mitigation area.
- Preparation of detailed construction plans for the expanded lake.
- Construction oversight of the mitigation area construction as required by SFWMD, USACOE and PBCERM for a maximum period of 6-months.
- Time Zero Mitigation monitoring report at the completion of construction as required by SFWMD.
- Revisions to the roadway construction plans to relocate the proposed drainage trunk line north of the proposed lake to the LWDD L-14 Canal from the location currently depicted on the approved 96% plans to within the 19-acre airport property right-of-way landscape buffer as agreed upon by Palm Beach County Airports Division. The plans will also be revised to depict a separate south trunk line to support the 15 acre airport parcel at the intersection of Lantana Road and Congress Avenue.

2.0 BASIS OF SCOPE

- 2.1 A PD&E Study has been previously completed by Carter Burgess and approved by FDOT and the FHWA for State Road 807 (Congress Avenue) from Lantana Road to Melaleuca Lane. In accordance with FHWA requirements to receive Federal Funding, a PD&E Reevaluation of this section is required at the current design stage.
- 2.2 Palm Beach County has extended the project limits southerly by approximately 1300 feet. It is desired that this additional segment of roadway be include in the Federal Funding request by FDOT. The reevaluation will include this project extension.
- 2.3 The agencies with jurisdiction for this project include U.S. Army Corps of Engineers (USACOE) and South Florida Water Management District (SFWMD).
- 2.4 The plans are based on the January 25, 2007 meeting with Palm Beach Parks and Recreation and the Dredge/Fill Sketches previously submitted and approved by SFWMD and the USACOE. Should significant changes be required by the regulating agencies, it may need to be addressed as an additional service. Plans to accommodate the future airport roadway at the south property line of the Park will be provided as a separate supplement.
- 2.5 Relocation of existing gopher tortoises is not included in this scope. If relocation is necessary based on the results of the gopher tortoise assessment, permitting and relocation will be addressed as an additional service.
- 2.6 FDOT requires a revised Level I and a new Level 2 assessment of the corridor to assess the contaminated areas. These assessments will determine if there are direct impacts to contaminated areas. Should a Level 3 assessment be required to assess contaminated impacts, additional services will be required.
- 2.7 FDOT requires a public workshop as part of this reevaluation.
- 2.8 Palm Beach COUNTY will provide updated title work necessary for the right-of-way acquisition services.
- 2.9 Palm Beach COUNTY will provide all attorney/legal services related to the acquisition of right-of-way necessary for this project.
- 2.10 In accordance with discussions with FDOT, filing of notices to local, state or federal agencies is not required as part of this project and only the areas specified to be addressed in the scope of work (Section 3.0) are required for the Reevaluation.

- 2.11 The plans are based on the January 25, 2007 meeting with Palm Beach Parks and Recreation Department and the Dredge/Fill Sketches previously submitted and approved by SFWMD and the USACOE.
- 2.12 The SFWMD will require mitigation monitoring reports for 5 years after the time zero report. Preparation of these reports is not included in this scope and fee proposal.
- 2.13 Palm Beach County Airports Division has approved the construction of the drainage trunk line within their property and documentation of this approval will be provided by Palm Beach County.
- 2.14 Palm Beach County Parks Department has approved the proposed mitigation area construction and documentation of this approval will be provided by Palm Beach County.
- 2.15 The Right-of-Way maps for this corridor provided by LBFH under separate agreement with FDOT, have not been approved by FDOT. The right-of-way maps require approval by FDOT in order to complete acquisition.
- 2.16 In accordance with FDOT requirements, only right-of-way acquisition maps and sketches and legal descriptions are required for the acquisitions.
- 2.17 Review of potential archeological impacts within the right-of-way acquisition area. This review will be completed by coordination with Palm Beach COUNTY's archeological staff member. Should additional investigation be required, additional services maybe necessary.
- 2.18 Review appraisal services will be provided by FDOT.

3.0 SCOPE OF BASIC SERVICES AND FEE

The scope of services to be provided by CONSULTANT shall be divided into the following tasks

I. Project Development and Environmental Study Reevaluation

Task 1 Project Development and Environment Study Reevaluation Document

CONSULTANT shall prepare a reevaluation of the Project Development and Environmental Study (PD&E) for the project site, in accordance with Chapter 11 of the FDOT PD&E Manual Part 1. CONSULTANT shall prepare a PD&E Reevaluation Package to include the following:

- Transmittal letter
- Completion of reevaluation form with required attachments
- Evaluation of previous project recommendations/commitment compliance,
- Evaluation of major design changes and revised design criteria
- Evaluation of mitigation status and commitment compliance
- Review of wetland impacts associated with any right-of-way acquisition
- Review of wildlife impacts associated with any right-of-way acquisition
- Update of wetlands evaluated as part of previously completed PD&E Study, including wetlands impacted by right-of-way acquisition and John Prince Park wetland enhancements.
- Evaluation of protected species as part of previously completed PD&E Study, including the areas adjacent to the airport. This evaluation includes an updated Gopher Tortoise Survey. CONSULTANT shall assess the proposed mitigation area for the presence/absence of gopher tortoises using the fixed-transect method. Location of tortoise burrows, if observed, will be recorded using a Differential

Global Positioning Satellite (dGPS). Status of burrow (active/inactive) will be estimated based on burrow condition and/or signs of recent tortoise activity. This task includes a survey report, with tortoise burrow location/activity status map on an aerial photograph. CONSULTANT will also evaluate relocation potential, if necessary.

- Level 1 Reassessment of any potential contamination within the corridor including areas impacted by right-of-way acquisition and by the expansion of the project. CONSULTANT shall reevaluate the corridor for possible contaminated sites based on the original Contamination Screening Evaluation Report (CSER). Risk rankings will be assigned based on historical and regulatory information obtained during this investigation. A contamination potential of "No", "Low", "Medium", and "High" will be assigned to existing sites along the project corridor. A detailed report summarizing the findings will be included in the PD&E Reevaluation report.

Based on previous knowledge of petroleum contaminated sites located at the intersection of Congress and Lantana, a Level 2 Assessment is anticipated. The purpose of this assessment is to determine if contamination does exist and is likely to affect construction at sites identified during the CSER with a contamination potential score of "High".

The scope for this task includes the mobilization of a direct push technology (DPT) rig to the corridor for one (1) day of shallow groundwater sampling in the right-of-way adjacent to the three (3) affected properties. Six (6) groundwater samples will be collected and analyzed for benzene, toluene, ethylbenzene, total xylenes (BTEX) and methyl tert-butyl ether (MTBE) by Environmental Protection Agency (EPA) Method SW8021B, poly aromatic hydrocarbons (PAHs) by EPA Method SW8310, and total recoverable petroleum hydrocarbons (TRPH) by method FLPRO. Recommendations will be provided based on the findings of this assessment.

Should the reevaluation determine that there is a direct impact to additional contaminated sites, a Level 3 assessment and mitigation plans will be required and additional services will be necessary.

CONSULTANT will follow the suggested project reevaluation format suggested by the FDOT. The format specifies the completion of 7 sections:

- Section I – General Information
- Section II – Conclusion and Recommendations
- Section III – FHWA or Lead Federal Agency Concurrence
- Section IV – Changes in Impact Status or Document Compliance
- Section V – Evaluation of Major Design Changes and Revised Design Criteria
- Section VI – Mitigation Status and Commitment Compliance
- Section VII – Permit Status

CONSULTANT will complete the sections as follows:

Section I - Application Completion

Section II - The conclusions and recommendations will summarize the information reviewed in the above referenced bullet items and specify that the project can move to the next phase in accordance with FDOT's criteria. Palm Beach County and the CONSULTANT will coordinate with FDOT to gain approval of the Reevaluation and FDOT will coordinate with the FHWA.

Should FDOT disagree with the conclusion and recommendation to proceed forward for any reason and additional reevaluation is necessary, additional services will be required.

Section III - Not applicable to the CONSULTANT.

Section IV - Changes in Impact Status and Document Compliance

- A. Social Impacts - Based on our preliminary review, there are no expected changes to any of the social impacts such as land use, community cohesion, relocation potential, community services, Title VI Considerations, Controversy Potential, Utilities and Railroads from the original PD&E. Therefore this section will not warrant further evaluation.
- B. Cultural Impacts - Based on our review there are no expected changes to any of the cultural impacts such as Section 4(f) Lands, Historic Sites, Recreational Areas, and Pedestrian Bicycle Facilities from the original PD&E. Therefore these areas will not warrant further evaluation. This project does not have an adverse affect on Recreation areas, therefore this project, even in its expanded area, does not affect Section 4(f) Lands. The Archeological site evaluation from the original PD&E will require investigation as described above. It is our understanding that the original PD&E Study verified that the construction within the park would not qualify as an affect on Section 4(f) lands and in accordance with discussions with FDOT only a letter of agreement with the proposed scope of work is required from Palm Beach County Parks and Recreation Department.
- C. Natural Environment - Aquatic Preserves, Outstanding Florida Waters, Wild and Scenic Rivers, Floodplains, Coastal Zone Consistency, Coast Barrier Islands, Farmlands and Visual/Aesthetics are not affected by this project and will not require reevaluation. The wetlands, water quality and wildlife habitat will require evaluation.
- D. Physical Impacts - There have been no changes to the project that warrant reevaluation of Air, Noise, or Navigation. The contamination and construction sections will require reevaluation. Pursuant to discussions with FDOT, due to the remote proximity of residential areas to the expanded area, a noise study of the expanded area is not required.

Section V - Evaluation of Major Design Changes will describe the extension of the project and the right-of-way acquisitions required.

Section VI - Mitigation Status will describe the status of the wetland impacts to this project.

Section VII - Permit Status will list the permit status of the project.

As discussed with Palm Beach COUNTY and FDOT, CONSULTANT will coordinate with the one (1) property owner referenced in the original PD&E to obtain a letter from them specifying that the property owner does not have the desire to have a noise wall installed at their property. In addition CONSULTANT will coordinate with Palm Beach COUNTY Airports, Palm Beach COUNTY Parks and Recreation and the City of Atlantis to obtain letters specifying no objection to the project.

The PD&E Reevaluation will be transmitted to the COUNTY for transmittal to FDOT. FDOT will review the reevaluation and transmit it to the Federal Highway Administration (FHWA). This task includes up to two meetings with various representatives as required by the COUNTY and coordination with representatives from Palm Beach COUNTY, SFWMD, and USACOE, as necessary to complete the reevaluation package. This task also includes up to one response to comments from the FDOT and one response to comments from the FHWA.

Task 2 Public Workshop

Pursuant to discussions with FDOT, CONSULTANT will conduct one (1) public workshop in accordance with Chapter 8 of the PD&E Requirements provided by FDOT, to review the project. The following items are included in the public workshop scope of services:

- In accordance with FDOT standards, all property owners within 300 feet of the project area must be notified of the public workshop. CONSULTANT will prepare a map depicting this 300-foot area.
- CONSULTANT will coordinate with the Palm Beach COUNTY Property Appraisers Office to obtain mailing labels of the land owners with 300 feet of the project.
- CONSULTANT will prepare the mailing to the applicable land owners.
- CONSULTANT will prepare a legal advertisement for notification in local newspapers and Florida Administrative Weekly. The legal advertisement will be approved by FDOT and Palm Beach County.
- CONSULTANT will prepare boards, handouts, power point presentations and other necessary items to conduct the public workshop.
- CONSULTANT will coordinate with Palm Beach COUNTY and FDOT to review all public workshop materials.
- CONSULTANT will coordinate, obtain and pay for the services of a court reporter to transcript the public workshop.
- CONSULTANT will coordinate the public comment period (10 calendar days) and issue all comments and responses to comments with the PD&E Reevaluation.
- CONSULTANT will coordinate the use of a location for the public meeting (most likely the City of Atlantis City Hall).
- CONSULTANT staff (Firm Principal, Project Manager, Project Engineer, and Project Biologist) will set up and attend and conduct the Public Workshop.
- CONSULTANT will prepare a final summary report of the public workshop meeting information such as meeting minutes and public workshop comments.

II. Right-of-Way Acquisition Services

Task 3 Right-of-Way Acquisition Services

Scope of Services
Congress Avenue South of Lantana Road to South of Melaleuca Lane
Supplement Number 6
February 26, 2007
Page 7 of 9

PBC: 2003-507
04-00073

CONSULTANT will provide right-of-way acquisition services in accordance with attached scope of work (Exhibit B) from O.R. Colan and Associates.

CONSULTANT will provide real estate appraisal services in accordance with the attached scope of work (Exhibit C) from The Spivey Group.

CONSULTANT will provide title certification services in accordance with the attached scope of work (Exhibit D) from American Government Services.

In addition, CONSULTANT will provide the following engineering services to support the right-of-way acquisition and appraisal services:

- Review of on-site field conditions of acquisition and TCE parcels to field verify level of impact
- Parcel 103 and 303 – CONSULTANT will provide a traffic routing plan to address driveways closed during construction. In addition CONSULTANT will provide Auto-Turn Plans depicting the truck route through the property upon completion of the acquisitions. Consultant will also provide a detailed engineering plan of the reconstructed improvements affected by the taking. This plan will be specific to this site and utilized for acquisition appraisal services and will also be included within the construction plans. Consultant will provide a cost estimate of the affected improvements and reconstructed improvements.
- Parcel 101 is currently undeveloped and cure plan is not required. Should evaluation of future development plans be required, additional services maybe required.
- Parcels 104/105 and 304 - Consultant will also provide a detailed engineering plan of the reconstructed improvements affected by the taking. This plan will be specific to this site and utilized for acquisition appraisal services and will also be included within the construction plans. Consultant will provide a cost estimate of the affected improvements and reconstructed improvements. Plans will include landscape plan and irrigation specification to repair/replace affected landscape and irrigation. Irrigation plans will not be provided as part of this scope of work.
- Parcel 106 - Consultant will also provide a detailed plan depicting relocation of fence and sod replacement.. This plan will be specific to this site and utilized for acquisition appraisal services and will also be included within the construction plans. Consultant will provide a cost estimate of the affected improvements and reconstructed improvements. Irrigation plans will not be provided as part of this scope of work.
- Parcel 306, 307, 308, 309, 310, 311, 312 and 313– CONSULTANT will provide detailed plans to depict the affected site items, including landscaping and irrigation specification, and the repair of the affected items. Consultant will provide a cost estimate of the affected improvements and reconstructed improvements.

Consultant will provide detailed survey as required for Parcel 103 in accordance with scope of work provided by Brown and Phillips attached as Exhibit E.

Task 4 Parcel Acquisition Map and Sketch and Legal Description Revisions

CONSULTANT will revise the parcel acquisition maps provided as part of the 96% submittal to meet FDOT right-of-way acquisition map requirements.

CONSULTANT will revise existing sketches and descriptions in accordance with the attached scope of work (Exhibit F) from Brown and Phillips.

III. Mitigation Area and Drainage Conveyance Plan Revisions

Task 5 Mitigation Plan Redesign

Consultant shall revise the mitigation plan as requested by Palm Beach County Parks and Recreation at the project meeting on January 25, 2007. The new design will eliminate the canoe trail, expand the northern lake; other previously planned improvements (exotic vegetation removal, wetland creation, and hydrologic improvements to existing wetlands) are still planned. The design shall include conceptual contours with cross sections and initial mitigation program.

Consultant shall submit a conceptual mitigation design to Palm Beach County, SFWMD, and USACOE for approval.

Task 6 Permit Revisions and Coordination

Consultant shall schedule and participate in two (2) coordination meetings with representatives of the SFWMD and USACOE. Consultant shall prepare and submit revised sketches indicating proposed wetland mitigation design changes, UMAM calculations, and supporting data to SFWMD and USACOE.

Task 7 Additional Topographic Survey

Consultant shall engage with Brown and Phillips, Inc. to complete the following additional surveying services.

- Additional cross sections on the North and South sides of the existing lake to coordinate with the design of the lake addition (See Exhibit 'G')
- Topographic survey at a 50-foot grid around the existing lake and at the limits of the lake extension (See Exhibit 'G')

Scope and fee will be in accordance with attached proposal from Brown and Phillips, attached as Exhibit 'G'.

Task 8 Preparation of Restoration Construction Plans

Consultant shall prepare construction plans and specifications (specifications will be shown on plans) for the proposed enhancements approved by SFWMD and the USACOE. The design shall include contours with cross sections and planting plans for the creation and enhancement of wetlands. Plans will also include plan and profile views of the enhancements. Consultant will provide the Client with an opinion of probable cost of construction of the proposed work. Consultant will attend up to two (2) meetings with the Client, Parks and Recreation, and Environmental Resource Management to review the construction plans.

Task 9 Mitigation Construction Oversight

Consultant shall perform site visits twice a week to observe mitigation construction and associated enhancements to reduce the chance of non-permitted impacts to existing wetlands from occurring. This includes general observation of the work and integrity of the turbidity controls. This task also includes an initial field meeting with the selected Contractor to identify any areas of concern. This task is based on an estimated wetland enhancement construction period of 6 months.

Task 10 Mitigation Monitoring

Consultant shall review the existing dredge and fill permits for this Project, visit the Project, photograph the wetland mitigation areas that have been constructed as part of this Project, prepare a time zero monitoring report, and submit the report to the USACOE and SFWMD for approval. Subsequent annual monitoring reports will be required for the 5-year monitoring period. Preparation of such reports will require a separate authorization.

Task 11 Roadway Drainage Revisions

Consultant shall revise the approved 96% roadway construction plans to relocate the proposed drainage trunk line originating south of the LWDD L-14 Canal to the proposed lake, from the current location to within the 19 acre airport lease property landscape buffer as agreed upon by Palm Beach County Airports. The plans will also be revised to relocate the proposed drainage trunk line originating at the 15 acre airport parcel at the intersection of Lantana Road and Congress Avenue to the proposed lake, from the current location to within the area between the Congress Avenue right of way and the fence line of the Palm Beach County Airports Department. The drainage trunk line relocations will require revisions to the drainage report and an additional utility coordination and utility conflict resolution meeting. The following plan sheets will be included with the revised 96% submittal:

- Drainage Map (4 sheets)
- Quantities (computations and plans)
- 40 Scale Plan Sheets (9)
- 40 Scale Profile Sheets (9)

Task 12 Lake Excavation Plans

Consultant shall prepare construction plans for the excavation of the expanded northern lake in accordance with the sketch provided in our meeting of January 25, 2007 located within the existing wetlands as approved by Palm Beach County. The plans will include plan sheets and cross sections of the lake excavation necessary for the lake expansion. The expansion is approximately 1.50 acres.



PALM BEACH COUNTY ROADWAY PRODUCTION DIVISION
 CONGRESS AVENUE WIDENING FROM SOUTH OF LANTANA ROAD TO SOUTH OF MELALEUCA LANE - SUPPLEMENT 6

Hourly Breakdown of Services - Summary
 PALM BEACH COUNTY PROJECT NUMBER: 2003-507
 MLA PROJECT NUMBER: 04-00073
 DATE: February 28, 2007

Miller Legg Activities	Sr. Engineer		PM/Sr. Biologist		Design Eng/Biologist		Sr. Cadd Tech		Total Man Hours by Activity	Salary Cost by Activity
	Man Hours	Hourly Rate	Man Hours	Hourly Rate	Man Hours	Hourly Rate	Man Hours	Hourly Rate		
Task 1 - Project Development and Environmental Study Reevaluation	87	\$47.00	132	\$38.00	390	\$25.00	24	\$19.00	633	\$19,311.00
Task 2 - Public Workshop	26	\$47.00	38	\$38.00	93	\$25.00	88	\$19.00	225	\$5,283.00
Task 3 - Right-of-Way Acquisition Services	91	\$47.00	88	\$38.00	266	\$25.00	306	\$19.00	751	\$20,085.00
Task 4 - Right-of-Way Map and Sketch and Legal Description Revisions	3	\$47.00	1	\$38.00	8	\$25.00	16	\$19.00	28	\$683.00
Task 5 - Mitigation Plan Redesign	25	\$47.00	84	\$38.00	135	\$25.00	132	\$19.00	376	\$10,250.00
Task 6 - Permit Preparation and Coordination	2	\$47.00	52	\$38.00	58	\$25.00	8	\$19.00	120	\$3,672.00
Task 7 - Additional Topographic Survey	0	\$47.00	4	\$38.00	0	\$25.00	0	\$19.00	4	\$152.00
Task 8 - Restoration Construction Plans	12	\$47.00	32	\$38.00	108	\$25.00	162	\$19.00	314	\$7,558.00
Task 9 - Construction Oversight	0	\$47.00	16	\$38.00	192	\$25.00	0	\$19.00	208	\$5,408.00
Task 10 - Mitigation Monitoring	0	\$47.00	16	\$38.00	68	\$25.00	6	\$19.00	90	\$2,422.00
Task 11 - Roadway Drainage Revisions	21	\$47.00	21	\$38.00	106	\$25.00	126	\$19.00	274	\$6,829.00
Task 12 - Lake Excavation Plans	0	\$47.00	8	\$38.00	16	\$25.00	56	\$19.00	80	\$1,768.00
Totals	267	\$12,549.00	492	\$18,696.00	1440	\$36,000.00	904	\$17,176.00	3103	\$84,421.00

Total Contract Fee Computations	
Total Activity Salary Costs	\$84,421.00
Overhead Activities (168%)	\$141,827.28
Subtotal (Salaries + Overhead)	\$226,248.28
Operating Margin (12%)	\$27,149.79
Total Lump Sum Fee	\$253,398.07

Calculated Multiplier 3.00

Total Burdened Costs by Activity	
Task 1 - Project Development and Environmental Study Reevaluation	\$57,963.90
Task 2 - Public Workshop	\$18,859.05
Task 3 - Right-of-Way Acquisition Services	\$60,287.14
Task 4 - Right-of-Way Map and Sketch and Legal Description Revisions	\$2,050.09
Task 5 - Mitigation Plan Redesign	\$30,766.40
Task 6 - Permit Preparation and Coordination	\$11,021.88
Task 7 - Additional Topographic Survey	\$456.24
Task 8 - Restoration Construction Plans	\$22,686.09
Task 9 - Construction Oversight	\$16,232.65
Task 10 - Mitigation Monitoring	\$7,269.88
Task 11 - Roadway Drainage Revisions	\$20,497.93
Task 12 - Lake Excavation Plans	\$5,306.83
Total	\$253,398.07

Subconsultant Expenses	
Task 3 - O.R. Colan and Associates	\$69,868.80
Task 3 - The Spivey Group	\$85,100.00
Task 3 - Brown and Phillips	\$2,550.00
Task 4 - Brown and Phillips	\$1,806.00
Task 7 - Brown and Phillips	\$7,255.00
Total Subconsultant Expenses	\$166,579.80

Total Lump Sum Fee \$419,977.87

Reimbursable Expenses	
Equipment Rental for Level 2 Contamination Assessment	\$3,500.00
Lab Analysis for Level 2 Contamination Assessment	\$3,000.00
EDR Database Report	\$250.00
American Government Services	\$6,900.00
O.R. Colon Reimbursable Expenses	\$3,900.00
Misc Expenses (Printing, Color Graphics, Court Reporter Fees, Legal Advertisement Fees, Property Appraisers Office Fees, Postage)	\$7,500.00
Total Reimbursable Expenses	\$24,650.00

TOTAL MAXIMUM FEE \$444,927.87

MILLER LEGG

PALM BEACH COUNTY ROADWAY PRODUCTION DIVISION
 CONGRESS AVENUE WIDENING FROM SOUTH OF LANTANA ROAD TO SOUTH OF MELALEUCA LANE

SUPPLEMENT NUMBER 6

Hourly Breakdown of Services

PALM BEACH COUNTY PROJECT NUMBER: 2003-507

MLA PROJECT NUMBER 04-00073

DATE: February 26, 2007

ACTIVITY	SENIOR ENGINEER	PROJECT MANAGER/ SENIOR SCIENTIST	DESIGN ENGINEER/ BIOLOGIST	SENIOR CAD TECH	TOTAL HOURS	UNITS	NUMBER OF UNITS	HOURS PER UNIT	LABOR COST
RAW LABOR RATES	\$47.00	\$38.00	\$25.00	\$18.00	ACTIVITY				ACTIVITY
I. Project Design & Environment Study Reevaluation									
Task 1 - Project Development and Environmental Study Reevaluation									
Evaluation of PD&E Recommendations	8	40			48	LS	1	48.0	\$1,896.00
Coordination with Palm Beach County Archeological Staff Member	1	4			5	LS	1	5.0	\$199.00
Coordination with Property Owner to obtain Noise Wall Release Letter	1	4			5	LS	1	5.0	\$199.00
Coordination with Palm Beach County Airports for No-Objection Letter	2				2	LS	1	2.0	\$94.00
Coordination with Palm Beach County Parks and Recreation for No-Objection Letter	2				2	LS	1	2.0	\$94.00
Coordination with City of Atlantis for No-Objection Letter	2				2	LS	1	2.0	\$94.00
Wetland/ Wildlife Reevaluation		32	44	8	84	LS	1	84.0	\$2,468.00
Gopher Tortoise Field Assessment		16			16	LS	1	16.0	\$608.00
Gopher Tortoise Summary Letter w/Map		4	16	16	36	LS	1	36.0	\$856.00
Level 1 Contamination Evaluation Research	1	8	40		49	LS	1	49.0	\$1,351.00
Level 1 Contamination Evaluation Site Visit		2	8		10	LS	1	10.0	\$276.00
Level 1 Contamination Evaluation Reporting	1	4	40		45	LS	1	45.0	\$1,199.00
Level 2 Contamination Utility Clearance	2	2	8		12	LS	1	12.0	\$370.00
Level 2 Contamination Permitting for work within FDOT RAW	1	2	16		19	LS	1	19.0	\$523.00
Level 2 Contamination Field Work	8		24		32	LS	1	32.0	\$976.00
Level 2 Contamination Meetings (2)	6				6	LS	1	6.0	\$282.00
Level 2 Contamination Report	8	4	40		52	LS	1	52.0	\$1,528.00
Complete PD&E Reevaluation Application	1		2		3	LS	1	3.0	\$97.00
Section II - Conclusions and Recommendations	1		2		3	LS	1	3.0	\$97.00
Section IV- Documentation of Changes	4		12		16	LS	1	16.0	\$488.00
Section V - Evaluation of Major Design Changes	8		32		40	LS	1	40.0	\$1,176.00
Section VI - Mitigation Status	1	2	4		7	LS	1	7.0	\$223.00
Section VII - Permit Status	1		2		3	LS	1	3.0	\$97.00
Summary Report	8		40		48	LS	1	48.0	\$1,376.00
Meetings (2)	4		4		8	LS	1	8.0	\$288.00
Response to FDOT Comments (1)	8	4	28		40	LS	1	40.0	\$1,228.00
Response to FHWA Comments (1)	8	4	28		40	LS	1	40.0	\$1,228.00
Subtotal	87	132	390	24	633				\$19,311.00

#4,089. #5,016. #9,750. #456

MILLER LEGG

PALM BEACH COUNTY ROADWAY PRODUCTION DIVISION
 CONGRESS AVENUE WIDENING FROM SOUTH OF LANTANA ROAD TO SOUTH OF MELALEUCA LANE

SUPPLEMENT NUMBER 6

Hourly Breakdown of Services

PALM BEACH COUNTY PROJECT NUMBER: 2003-507

MLA PROJECT NUMBER 04-00073

DATE: February 26, 2007

ACTIVITY	SENIOR ENGINEER	PROJECT MANAGER/ SENIOR SCIENTIST	DESIGN ENGINEER/ BIOLOGIST	SENIOR CAD TECH	TOTAL HOURS	UNITS	NUMBER OF UNITS	HOURS PER UNIT	LABOR COST
RAW LABOR RATES	\$47.00	\$38.00	\$25.00	\$19.00	ACTIVITY				ACTIVITY
Task 2 - Public Workshop									
Preparation of Property Owner Map		1	2	8	11	LS	1	11.0	\$240.00
Coordination with PBC Property Appraisers Office to Obtain Mailing List			4		4	LS	1	4.0	\$100.00
Preparation of Mailing		2	28		30	LS	1	30.0	\$776.00
Prepare Legal Advertisement		1	3		4	LS	1	4.0	\$113.00
Preparation of Workshop Materials (Boards, Presentation, Handouts)	8	12	40	60	120	LS	1	120.0	\$2,972.00
Coordination with PBC and FDOT	4	8			12	LS	1	12.0	\$492.00
Coordination with Court Reporter		2			2	LS	1	2.0	\$76.00
Attendance at Public Meeting (includes setup and attendance by staff)	8	4	4		16	LS	1	16.0	\$628.00
Review and Response of Public Comments	4	4	4		12	LS	1	12.0	\$440.00
Prepare Final Summary Report to Accompany PD&E Reevaluation	2	4	8		14	LS	1	14.0	\$446.00
Subtotal	26	38	93	68	225				\$6,283.00
									\$1,222 \$1,444 \$2,325 \$1,292
II. Right of Way Acquisition Services									
Task 3 - Right-of-Way Acquisition Services									
O.R. Colon and Associates (See Attached Breakdown)									
The Spivey Group (See Attached Breakdown)									
Coordination with Right of Way Subconsultants	24	55	74		153	LS	1	153.0	\$5,068.00
Engineering Support to O.R. Colon and Associates	16	16	40	40	112	LS	1	112.0	\$3,120.00
Review of On-Site Field Conditions and report to O.R. Colon	6		6		12	LS	1	12.0	\$432.00
Parcel 103 and 303 Engineering Services	8	4	32	40	84	Parcel	2	42.0	\$2,088.00
Parcel 104/105 and 304 Engineering Services	12	4	50	90	156	Parcel	3	52.0	\$3,676.00
Parcel 106	1	1	4	16	22	Parcel	1	22.0	\$489.00
Parcel 306 - 313	24	8	60	120	212	Parcel	7	30.3	\$5,212.00
Subtotal	91	88	266	306	751				\$20,085.00
Task 4 - Right-of-Way Map and Sketch and Legal Description Revisions									
Revise Parcel Acquisition Maps	3	1	8	16	28				\$683.00
Brown and Phillips Services (See Attached Breakdown)									
Subtotal	3	1	8	16	28				\$683.00
									\$141 \$38 \$200 \$304

MILLER LEGG

PALM BEACH COUNTY ROADWAY PRODUCTION DIVISION
 CONGRESS AVENUE WIDENING FROM SOUTH OF LANTANA ROAD TO SOUTH OF MELALEUCA LANE

SUPPLEMENT NUMBER 6

Hourly Breakdown of Services

PALM BEACH COUNTY PROJECT NUMBER: 2003-507

MLA PROJECT NUMBER 04-00073

DATE: February 26, 2007

ACTIVITY	SENIOR ENGINEER	PROJECT MANAGER/ SENIOR SCIENTIST	DESIGN ENGINEER/ BIOLOGIST	SENIOR CAD TECH	TOTAL HOURS	UNITS	NUMBER OF UNITS	HOURS PER UNIT	LABOR COST
RAW LABOR RATES	\$47.00	\$38.00	\$25.00	\$19.00	ACTIVITY				ACTIVITY
III. Mitigation Area and Drainage Conveyance Plan Revisions									
Task 5 - Mitigation Plan Redesign									
Preliminary Plan Preparation (work already completed)	12	46	52	92	202	LS	1	202	\$5,360.00
Coordination Meetings PBC (3) (2 meetings already completed)	8	6	6		18	Mtg.	3	6	\$660.00
Mitigation design	6	30	68	40	144	LS	1	144	\$3,882.00
Mitigation summary	1	2	9		12	LS	1	12	\$348.00
Subtotal	✓ 25	✓ 84	✓ 135	✓ 132	✓ 376				✓ \$10,250.00
Task 6 - Permit Preparation and Coordination									
Revise UMAM analysis		6	8		14	LS	1	14	\$428.00
UMAM revisions/meetings		8	12		20	LS	1	20	\$604.00
Revise dredge/fill sketch set	2	6	6	8	22	LS	1	22	\$624.00
Coordination/Meetings with SFWMD & USACOE		32	32		64	LS	1	64	\$2,016.00
Subtotal	✓ 2	✓ 52	✓ 58	✓ 8	✓ 120				✓ \$3,672.00
Task 7 - Additional Topographic Survey									
Coordination		4			4	LS	1	4	\$152.00
Subtotal	0	✓ 4	0	0	✓ 4				✓ \$152.00
Task 8 - Restoration Construction Plans									
Cover sheet		2	0	2	4	sht	1	4.0	\$114.00
Prepare base sheets		8	24	40	72	sht	12	6.0	\$1,864.00
Plan and profile sheets	8	12	40	60	120	sht	12	10.0	\$2,972.00
Details and specification sheets		2	24	40	66	sht	2	33.0	\$1,436.00
Review meeting with ERM/Client	2	4	8	16	30	LS	1	30.0	\$750.00
Prepare quantities & cost estimate	2	4	12	4	22	sht	1	22.0	\$622.00
Subtotal	✓ 12	✓ 32	✓ 108	✓ 162	✓ 314				✓ \$7,558.00

\$564 \$1,216 \$2,700 \$5,078

MILLER LEGG

PALM BEACH COUNTY ROADWAY PRODUCTION DIVISION
 CONGRESS AVENUE WIDENING FROM SOUTH OF LANTANA ROAD TO SOUTH OF MELALEUCA LANE

SUPPLEMENT NUMBER 6

Hourly Breakdown of Services

PALM BEACH COUNTY PROJECT NUMBER: 2003-507

MLA PROJECT NUMBER 04-00073

DATE: February 26, 2007

ACTIVITY	SENIOR ENGINEER	PROJECT MANAGER/ SENIOR SCIENTIST	DESIGN ENGINEER/ BIOLOGIST	SENIOR CAD TECH	TOTAL HOURS	UNITS	NUMBER OF UNITS	HOURS PER UNIT	LABOR COST
RAW LABOR RATES	\$47.00	\$38.00	\$25.00	\$19.00	ACTIVITY				ACTIVITY
Task 9 - Construction Oversight									
Construction observation (6 months)		16	192		208	LS	1	208.0	\$5,408.00
Subtotal	0	16	192	0	208				\$5,408.00
Task 10 - Mitigation Monitoring		\$608	\$4,800						
Preliminary meeting with construction team		4	4		8	LS	1	8.0	\$252.00
Time Zero Field Visit (2 biologists, 3 -days)		8	48		56	LS	1	56.0	\$1,504.00
Time Zero Monitoring Report		4	16	6	26	LS	1	26.0	\$668.00
Subtotal	0	16	68	6	90				\$2,422.00
Task 11 - Roadway Drainage Revisions		\$608	\$1,700	\$114					
Drainage Map Revisions	4	4	12	8	28	sht	4	7.0	\$792.00
Quantities (computations and plans)	2	2	8	14	26	LS	1	26.0	\$636.00
40 Scale Plan Sheets	4	2	24	48	78	sht	9	8.7	\$1,776.00
40 Scale Profile Sheets	2	1	12	20	35	sht	9	3.9	\$812.00
Drainage Structure Sheets	2	2	12	20	36	sect	35	1.0	\$850.00
Drainage Hydraulic Calculations	3	4	16		23	LS	1	23.0	\$693.00
Report	2	2	8		12	LS	1	12.0	\$370.00
Utility Coordination & Utility Conflict Resolution	2	4	14	16	36	LS	1	36.0	\$900.00
Subtotal	21	21	106	126	274				\$6,829.00
Task 12 - Lake Excavation Plans	\$987	\$798	\$2,650	\$2,394					
Plan sheets		4	8	28	40	sht	5	8	\$884.00
Cross Sections		4	8	28	40	sect	8	5	\$884.00
Brown and Phillips Topo Survey (see attached breakdown)		\$304	\$400	\$1,064					
Subtotal	0	8	16	56	80				\$1,768.00
TOTAL MANHOURS	267	492	1440	904	3103				
TOTAL LABOR COST	\$12,549.00	\$18,696.00	\$36,000.00	\$17,176.00	-				\$84,421.00



February 13, 2007

Michael F. Schwartz, P.E.
Miller Legg
2005 Vista Parkway
Suite 100
West Palm Beach, FL 33411

RE: PRICE PROPOSAL – RIGHT OF WAY ACQUISITION AND RELOCATION
SERVICES
Congress Avenue – Melaleuca to Lantana

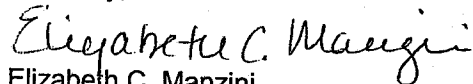
Dear Mr. Schwartz:

Thank you for inviting O. R. Colan Associates of Florida, LLC, to present to you its price proposal for the above-reference project.

Attached are the proposed Scope of Services, as well as the cost estimate. This proposal excludes the fees for the title company. O. R. Colan requests a 10% fee for management of its sub consultants.

If you have any questions, please feel free to call me at (561)478-7210.

Sincerely,


Elizabeth C. Manzini
Senior Manager

Attachments.

O. R. Colan Associates of Florida, LLC
SCOPE OF SERVICES

O. R. Colan Associates of Florida, LLC (ORC) will provide acquisition and relocation services as a sub consultant of Miller Legg, who is under contract to Palm Beach County, in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (49CRF, Part 24 - the Uniform Act) and Florida Statutes in connection with the modification of Congress Avenue, from Lantana Road to Melaleuca Lane. The project consists of six (6) fee simple acquisitions and eleven (11) temporary easements. Services to be provided by ORC and/or its subcontractors will include:

1. Preparation of a Needs Assessment Survey, in conformance with the Uniform Act.
2. Creation and maintenance of a file for each parcel, which will contain documentation of negotiations and compliance with the Uniform Act and Florida Statutes.
3. Title searches, updates and closing activities (including obtaining subordination and/or release documents).
4. Original appraisals and updates.
5. Preparation of offer packages & coordination with Palm Beach County.
6. Delivery of notices as required by the Uniform Act and Florida Statutes.
7. Negotiations with property owners for the purchase of properties in accordance with the Uniform Act and Florida Statutes.
8. Negotiations with business owners for settlement of business damage claims and coordination of review of business damage claims.
9. Submission of recommendations for settlement.
10. Relocation services, as needed, for families, individuals and businesses in accordance with the Uniform Act, including assistance with preparation and submission of claims for reimbursement.
11. Preparation and submission of lawsuit packages for condemnation cases.
12. Attendance at pre-Order of Taking Hearing meetings.
13. Submission of agreements for real estate and business damages and associated documents in preparation for closings.
14. Preparation of periodic status reports and attendance at "production" meetings.
15. Preparation of an inventory of each property acquired
16. Quality assurance reviews to ensure compliance with the Uniform Act and Florida Statutes. ORC shall be available for assistance when audits are performed or meetings are requested by any governmental agency involved with the funding of the acquisition of the parcels.
17. Assistance to Miller Legg and Palm Beach County in pursuit of Local Agency Participation Agreement/Joint Participation Agreement.
18. Preparation/mailing of driveway closure notices, if applicable.

Optional Services may be provided, including:

1. Environmental assessments.
2. Environmental remediation.
3. Asbestos survey, abatement and demolition services, if needed.
4. Property Management oversight
5. Pursuit of eviction actions, if necessary.
6. Construction (cure) cost estimating.
7. Right of Way cost estimating.
8. Preparation of condemnation & signature authority resolutions for Palm Beach County

Services to be provided by or through Miller Legg include:

1. Legal descriptions, parcel sketches/right of way map and construction plans.
2. Engineering services/studies (including, but not limited to traffic and parking studies).

Services to be provided by or through Palm Beach County include:

1. Attorney/legal services related to the acquisition and closing of all parcel interests.
2. CPA review services for business damage claims.

Services to be provided by or through the Florida Department of Transportation include:

1. Review appraisal services in conformance with the Uniform Act and State of Florida Department of Transportation procedures.
2. Relocation claims appeal hearings

BREAKDOWN OF COSTS
O.R. COLAN ASSOCIATES
CONGRESS AVENUE

There are a total of 16 parcels among 13 fee owners.

The total estimated number of hours to complete the acquisition/taking is estimated at 560 hours, which includes:

Preparation of Needs Assessment Survey – 60 hours
Reading title searches & obtaining answers to questions – 2 hours/owner X 13 owners = 26 hours
Reading appraisals/reviews & discussing with appraiser – 2 hours/parcel X 16 parcels = 26 hours
Preparation of offers (including delivery to County for signature) – 3 hours/parcel X 16 parcels = 48 hours
Delivery of offers – 3 hours/parcel (including travel time) X 13 owners = 39 hours
Post offer paperwork – 1 hour/parcel X 16 parcels = 16 hours
Negotiations/documentation/recommendations – 3 hours/parcel X 13 parcels = 48
Preparation of suit packages/pleadings – 4 hours/parcel X 16 parcels = 64 hours
Pre-OT meetings/preparation – 2 hours/parcel X 13 owners = 26 hours
Preparation for & attendance at closings – 4 hours/parcel X 16 parcels = 64 hours
Preparation for & attendance at monthly production meetings – 4 hours/person/month X 2 people X 6 months = 48 hours
Subtotal: 465 hours (or, 29.06 hours/parcel)

The balance of the estimated time (95 hours) is for oversight of sub consultants (the appraiser and business damage consultant, if necessary), business damage claim coordination and business damage negotiations (there are a number of businesses on the parent tract for Parcel 102; the Shell Station on Parcel 103 and the hospital on Parcel 104/105). These additional hours are also for assistance with the Local Public Agency funding from the Florida Department of Transportation, and other activities that are not necessarily covered under the typical right of way consultant's scope.

PRICE PROPOSAL
O. R. COLAN ASSOCIATES OF FLORIDA
CONGRESS AVENUE

Based on the attached scope of services, which includes six (6) fee simple parcels and eleven (11) temporary easements:

Position	Hourly Rate	Overhead Rate (160.89%)	FCCM (.245%)	Profit (15%)	Total Hourly Rate	No. of Hours	Total
Project Manager	\$46.35	74.57	0.11356	18.14	\$139.17	320	\$44,534.30 44,534.40
Acquisition Agent	\$32.45	52.21	0.0795	12.70	\$ 97.44	220	\$21,436.80
Relocation Agent	\$32.45	52.21	0.0795	12.70	\$ 97.44	40	\$ 3,897.60
						SUBTOTAL:	\$69,868.80

Expenses: Not to exceed \$3,800

TOTAL PROPOSED COST: \$73,668.80

This is a maximum limiting amount.

THE SPIVEY GROUP, INC.

REAL ESTATE APPRAISERS • CONSULTANTS • REALTORS

WWW.SPIVEYGROUP.COM

January 24, 2007

GLEN L. SPIVEY, MAI
PRESIDENT
ST. CERT. GEN. REA #0001388

TED HASTINGS III, MAI, SRA
VICE PRESIDENT
ST. CERT. GEN. REA #0000041

Ms. Elizabeth Manzini
Senior Manager
O. R. Colan Associates of Florida, LLC
219 Lindy Lane
West Palm Beach, Florida 33407

RE: Fee Proposal for Appraisal Services
Project No.: 2003-507
Project Name: Congress Avenue
Limits: South of Lantana Road to South of Melaleuca Lane
No. of Parcels: 6 Fee Takings and 11 Temporary Construction Easements.

Dear Ms. Manzini:

Thank you for requesting our firm to provide an appraisal fee quote for the above referenced project. I have personally inspected each parcel and reviewed the right-of-way maps and construction plans. It is important to note that the plans provided for this project do not provide dimensions for the fee takings or easement takings. Also, the plans did not show areas of the easement takings. On or before starting this assignment, we will need sketches or plans which provide dimensions and area calculations for all takings. We have included the services of Mr. Bill Richardi, general contractor and President of W.D. Richardi, Inc. Mr. Richardi and I have worked on projects together for over 15 years. It is my understanding that engineering and parcel sketches will be provided for Parcel 103/303. This will be further discussed in the parcel description below. The following is a brief description of each parcel, as well as a discussion of our scope of services related to the appraisal problem. At the end of this letter is my fee proposal.

Parcel 101 is a 14.72 acre vacant commercial site located along the west side of Congress, just south of Lantana Road. This site is zoned CG, Commercial by Palm Beach County with a future land use of Commercial also by Palm Beach County. Parcel 101 is a .22 acre strip taking along Congress Avenue. There are no improvements within the area of take. The scope of our appraisal will include a Summary format of land and affected improvements. We will utilize the Market Approach to value the land before and after the take. No subconsultants are necessary.

Parcel 102/302 is 2.552 acre commercial site improved with a retail strip center known as Airport Square. This building and the majority of the site front the south side of Lantana Road; however, the site includes an access drive to Congress Avenue. The acquisitions include a fee taking containing .007 acres known as Parcel 102 and a temporary construction easement known as Parcel 302. These takings fall within the access drive along Congress Avenue and will consume asphalt pavement, grass, a power pole with guy wire, a fiber optic cable and an inground communication box. There is also a monopole billboard structure which is located just east of the area of taking. Although the structure is unaffected, the sign easement area may fall within the area of take which would require us to value this portion of the acquisition by use of the ground rent capitalization method. We will utilize the Market Approach to value the underlying land under a Summary format of land and affected improvements. No subconsultants are necessary. If the take falls within the sign easement area, we will utilize the ground rent capitalization method to estimate the bonus value of the sign easement area.

RESPOND TO: 1700 NORTH ORANGE AVENUE
SUITE 100
ORLANDO, FL 32804
(407) 423-1430 OFFICE
(407) 422-2237 FAX

169 TEQUESTA DRIVE
SUITE 32E
TEQUESTA, FL 33469
(561) 748-1151 OFFICE
(561) 748-1152 FAX

Elizabeth Manzini
January 24, 2007
Page Two

Parcel 103/303 is a .778 acre site located at the southeast corner of Lantana Road and Congress Avenue and is improved with a Shell food and gas facility. The gas facility includes a food store building and a large canopy with four double sided fuel dispensers. The acquisitions include a fee taking containing .05 acres known as Parcel 103 and a temporary construction easement known as Parcel 303. The takings include signage, concrete pavement, grass, irrigation, electrical and fuel vents. A general contractor will be needed to provide cost estimates to support this appraisal. *It is my understanding that Miller Legg will provide a parcel sketch and engineering to support our appraisal. Specifically, the sketch does not have to be a survey, but should illustrate all of the building and site improvements and should be a scaled drawing. The engineering needed for this assignment will include a cure sketch to restore the signage and utility to the remainder property. It will also be necessary for the engineer to verify that the remainder property is suitable for fuel truck delivery. The cure design for this parcel must adhere to all permitting requirements of Palm Beach County.* We will utilize the Market Approach to value the land and the Cost Approach to value the improvements under a Summary format.

Parcel 104/105/304 is 13.14 acre site and is known as the JFK Medical Center located at the northwest corner of Congress Avenue and John F. Kennedy Drive. The acquisitions include two fee takings known as Parcel 104 and 105 and contain .18 acre and .012 acres, respectively. The temporary construction easement is known as Parcel 304. These takings fall within a landscape strip located between the parking lot and the existing right-of-way of Congress Avenue. Improvements in the take include irrigation, sod, pavement and landscaping. A minor cost to cure will be necessary to restore the site improvements impacted by the acquisitions. We will utilize the Market Approach to value the underlying land under a Summary format of land and affected improvements. No subconsultants are necessary.

Parcel 106 is 91.24 acre site located at the northeast corner of Lantana Road and Congress Avenue. This site is improved as the Palm Beach County Park Airport. The acquisition is .71 acres and parallels the east side of Congress Avenue. Items in the take include sod and a portion of a 6' chain-link fence with three strands of barbed wire. A cost to cure will be needed to restore the fencing and security to the remainder property. We will utilize the Market Approach to value the underlying land under a Summary format of land and affected improvements. No subconsultants are necessary.

Parcel 306 is a medical condominium facility located along the west side of Congress Avenue south of Prince Drive. This facility is known as Congress Medical Center. The take is a temporary construction easement that will impact signage, irrigation, landscaping and a lift station. A minor cost to cure will be necessary to restore the site improvements during and after the temporary construction easement. We propose utilizing the Market Approach under a Summary format of land and affected improvements.

Parcel 307 is a .90 acre commercial site improved with a medical building known as Park Medical Plaza. This property is located along the west side of Congress Avenue, just south of Prince Drive. The take is a temporary construction easement that will impact signage, landscaping, a light pole, a backflow preventer, irrigation and sod. A minor cost to cure will be necessary to restore the site improvements during and after the temporary construction easement. We propose utilizing the Market Approach under a Summary format of land and affected improvements.

Elizabeth Manzini
January 24, 2007
Page Three

Parcel 308 is a medical condominium facility known as Park Medical Plaza. This property is located along the west side of Congress Avenue, just south of Prince Drive. The take is a temporary construction easement that will impact signage, landscaping, a light pole, irrigation, a pressure valve and sod. A minor cost to cure will be necessary to restore the site improvements during and after the temporary construction easement. We propose utilizing the Market Approach under a Summary format of land and affected improvements.

Parcel 309 is a 2.857 acre commercial site improved with a multi-story glass office building located at the northwest corner of Congress Avenue and Prince Drive. The take is a temporary construction easement located along the west side of Congress Avenue and will impact landscaping, irrigation, sod and a small retaining wall. A minor cost to cure will be necessary to restore the site improvements during and after the temporary construction easement. We propose utilizing the Market Approach under a Summary format of land and affected improvements.

Parcel 310 is a .74 acre site located at the northwest corner of Congress Avenue and Ferrell Drive. This site is improved and is known as The Congress Motel. The take is a temporary construction easement located along the west side of Congress Avenue and will impact signage, a landscape planter and sod. A minor cost to cure will be necessary to restore the site improvements during and after the temporary construction easement. We propose utilizing the Market Approach under a Summary format of land and affected improvements.

Parcel 311 is a .67 acre site located at the southwest corner of Congress Avenue and Roberts Lane. This site is improved with a professional office facility. The take is a temporary construction easement located along the west side of Congress Avenue and will impact sod, landscaping and irrigation. A minor cost to cure will be necessary to restore the site improvements during and after the temporary construction easement. We propose utilizing the Market Approach under a Summary format of land and affected improvements.

Parcel 312 is a 212.6 acre site and is known as The Atlantis Country Club and Golf Course located along the west side of Congress Avenue, north of Lantana Road. The take is a temporary construction easement located along the west side of Congress Avenue and will impact a 6' chain-link fence with screening and a substantial landscape buffer. The taking will also impact a concrete wall and associated landscaping located at the guarded entrance to the Atlantis residential development. A cost to cure will be necessary to restore the site improvements during and after the temporary construction easement. A general contractor has been included to assist with this cure. We propose utilizing the Market Approach under a Summary format of land and affected improvements.

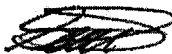
Elizabeth Manzini
January 24, 2007
Page Four

Parcel 313 is a 2.379 acre site located at the northwest corner Congress Avenue and Clubhouse Avenue. This site is improved with a medical facility known as Atlantis Medical Center. The take is a temporary construction easement located along the west side of Congress Avenue and will impact landscaping, grass and irrigation. A cost to cure will be necessary to restore the site improvements during and after the temporary construction easement. A general contractor has been included to assist with this cure. We propose utilizing the Market Approach under a Summary format of land and affected improvements.

Thank you for considering our company for this assignment.

Sincerely,

THE SPIVEY GROUP, INC.



Glen L. Spivey, MAI, President
State Certified General Appraiser No. 0001388



Exhibit 'D'

AMERICAN GOVERNMENT SERVICES CORPORATION

Thursday, February 08, 2007

Elizabeth Manzini
O.R. Colan Associates
439 NE 7th Ave
Ft. Lauderdale, FL 33301

RE: Palm Beach County
Congress Ave.

Dear Ms. Manzini:

Please accept this letter as confirmation that we can provide title commitments, title updates and closing services for the above referenced project. In accordance with your request, I am pleased to submit the following price proposal:

- Commitment – residential \$ 375.00 per parcel
- Commitment – commercial \$ 575.00 per parcel
- Title Update \$ 75.00 per parcel
- Closing / curative services \$ 245.00 per parcel
- Title Insurance Promulgated Rate
-

Project estimate is for 12 commercial parcels not to exceed \$6,900.00. For Parcels 101, 102 & 302, 103 & 303, 106, 312, 313, 104, 304 & 305, 306, 307, 308, 309, 310, 311. Reports to be submitted within 45 to 50 working days or less upon notice to proceed.

I appreciate the opportunity to work with you on this exciting project. If you have any questions or need additional information, please don't hesitate to contact me at (813) 933-3355, ext. 236

Sincerely,
Tammy Mehl
Senior Vice President

3812 West Linebaugh Avenue
Tampa, Florida 33624
Phone: (813) 933-3355 ext 236
Fax: (813) 594-0471
tmehl@agsc.biz

B BROWN & PHILLIPS, Inc.
PROFESSIONAL SURVEYING SERVICES

January 15, 2007

Ms. Krystin Gaydosh
Miller Legg & Associates, Inc.
2005 Vista Parkway
Suite 100
WPB, FL 33411

RE: Congress Avenue (05-016) – Revisc Legal & Sketches for FDOT Requirements

Dear Ms. Gaydosh:

Thank you for the opportunity to provide you with the following services for the subject site. This proposal is based on documentation and information provided by your office. The scope of services is as follows:

SCOPE OF SERVICES

I. REVISIONS

We will revise the legal and sketches that were previously prepared by this office (in August of 2006) to meet FDOT requirements. We will revise the seventeen (17) legal and sketches for \$150.00 per sketch.

II. CLOSURE

The proposed cost for this project is a lump sum fee of \$2,550.00. Any additional work will be done on an hourly basis as approved by you. Please do not hesitate to call me with any questions you might have regarding this proposal. We look forward to working with you on this project.

Sincerely,

Brown & Phillips, Inc.


John E. Phillips III, P.L.S.
Principal

Attachment

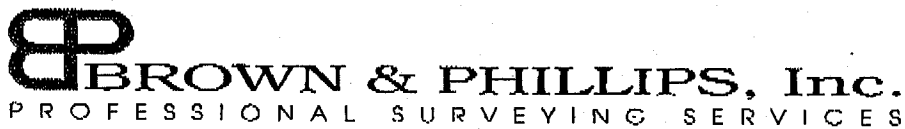
JEP/kk

Accepted This _____ Day Of _____, 2007.

Miller Legg

By: _____

Print Name: _____



January 23, 2007

Michael Schwartz
Miller Legg
2005 Vista Parkway
Suite 100
West Palm Beach, FL 33411

Re: Congress and Lantana Road -Boundary & Topographic Survey for the Gas Station Site on the Southeast Corner

Dear Mr. Schwartz:

Thank you for the opportunity to provide you with the following services for the subject site. This proposal is based on documentation and information provided by your office. The scope of services is as follows:

SCOPE OF SERVICES

I. BOUNDARY TRAVERSE

A traverse will be done to establish horizontal control and to tie in the survey to State Plane Coordinates.

II. BOUNDARY TIES AND MONUMENTATION

We will search for and tie in existing boundary corners. These will be added to the drawing and will aid in controlling the survey. We will set a monument at all corners of the boundary, where missing, as required by law.

III. TIE IN IMPROVEMENTS

A complete topographic survey will be done at the site tying in all above ground features. This will include but not be limited to all buildings, pavement, walks, utilities, and landscaping.

IV. BENCH RUN

We will perform a level run to the site based on found Palm Beach County benchmarks. At least two benchmarks will be set on the subject property.


Schwartz
January 23, 2007
Page 2

V. CLOSURE

A drawing will be produced which will show all the features located. We propose to provide Miller Legg with (6) hard copies and an AutoCAD file in the version requested. Any additional work will be done on an hourly basis as approved by you. The proposed cost for this project is \$1,806.00 per Attachment 'A'. Please do not hesitate to call me with any questions you might have regarding this proposal. We look forward to working with you on this project.

Sincerely,

Brown & Phillips, Inc.


John E. Phillips III, P.L.S.
Principal

Attachment

JEP/kk

Accepted This _____ Day Of _____, 2007.

Miller Legg

By: _____

Print Name: _____

**Congress and Lantana Road –Boundary & Topographic Survey for the Gas Station Site
on the Southeast Corner**

Brown & Phillips, Inc. Project No:

Description:

Size:

Date of Proposal: January 23, 2007

TASK	2 MAN FIELD	CADD TECH	SURVEY TECH	PLS	COMMENTS
Boundary Research and Title Review			2	1	Set up control
Boundary Traverse	2.5		1		Set traverse points at convenient locations
Tie In Improvements	3		0.5		All above ground features
Boundary Monumentation	1.5		0.5		Set property corners
Bench Run	1		0.5		Establish onsite benchmarks
Drawing		7	2	1	Prepare boundary survey
Total Hours	✓ 8	✓ 7	✓ 6.5	✓ 2	
Rate/Hour	\$90.00	\$66.00	\$64.00	\$104.00	
Sub-total	✓ \$720.00	✓ \$462.00	✓ \$416.00	✓ \$208.00	
Total Price	✓ \$1,806.00				

 **BROWN & PHILLIPS, Inc.**
PROFESSIONAL SURVEYING SERVICES

January 22, 2007

Ms. Krystin Gaydosh
Miller Legg & Associates, Inc.
2005 Vista Parkway
Suite 100
WPB, FL 33411

RE: Congress Avenue – Additional Surveying Around Existing Lake and Lake Expansion within the Wetlands

Dear Ms. Gaydosh:

Thank you for the opportunity to provide you with the following services for the subject site. This proposal is based on documentation and information provided by your office. The scope of services is as follows:

SCOPE OF SERVICES

I. ADDITIONAL CROSS SECTIONS


We will obtain 14 additional cross sections, as shown on Attachment B. A portion of the sections will be across the existing pond. This area is very heavily vegetated and wet, which will require line cutting and boat work.

II. CLOSURE

A drawing will be produced which will show all the features located. We propose to provide Miller Legg with (6) hard copies and an AutoCAD file in the version requested. Any additional work will be done on an hourly basis as approved by you. The proposed cost for this project is \$7,255.00 per Attachment 'A'. Please do not hesitate to call me with any questions you might have regarding this proposal. We look forward to working with you on this project.

Sincerely,

Brown & Phillips, Inc.


John E. Phillips III, P.L.S.
Principal

Attachments

JEP/kk

Accepted This _____ Day Of _____, 2007.

Miller Legg

By: _____

Print Name: _____

**Congress Avenue – Additional Surveying Around Existing Lake and Lake Expansion
within the Wetlands**

Brown & Phillips, Inc. Project No:

Description:

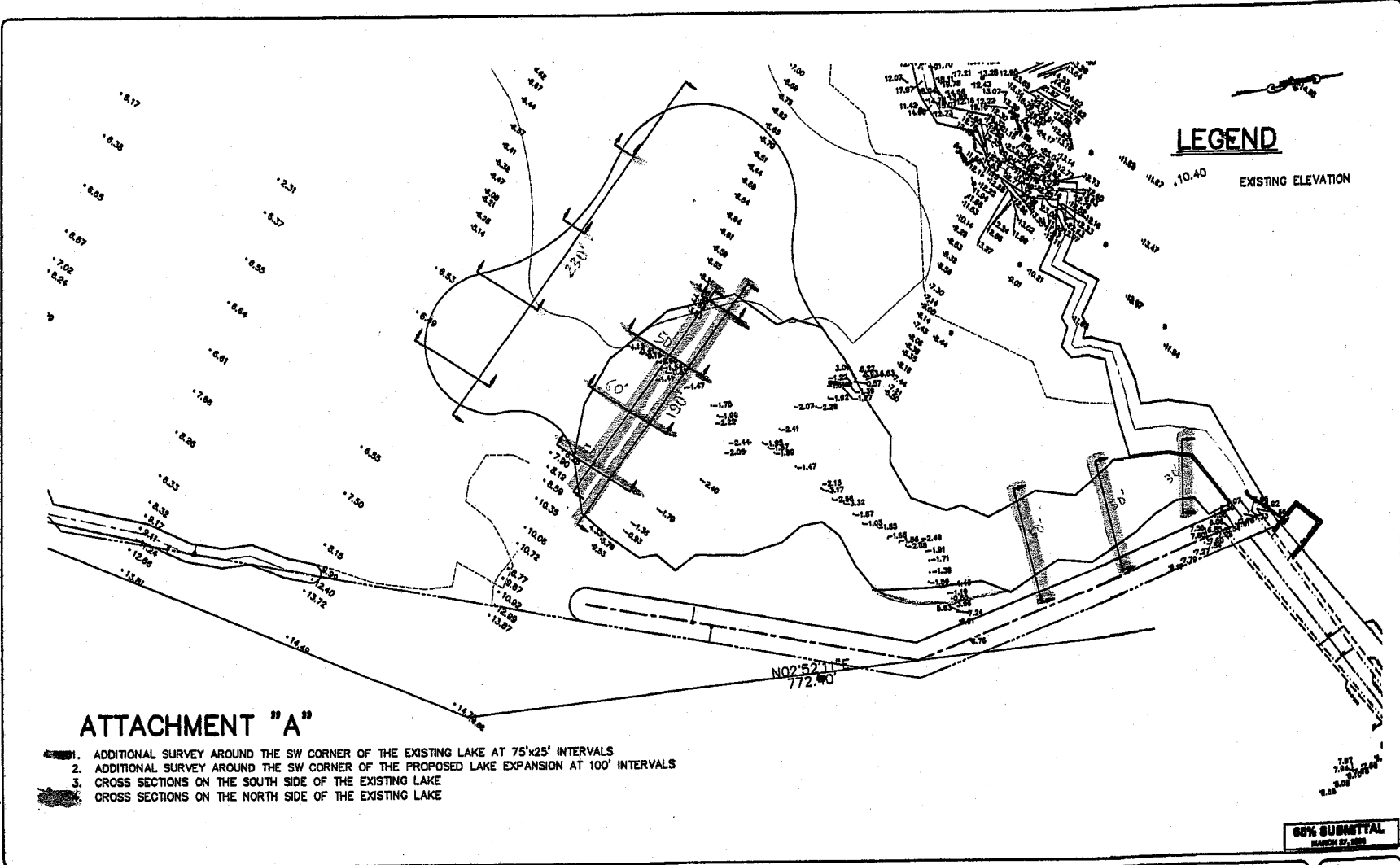
Size:

Date of Proposal: January 22, 2007

TASK	2 MAN FIELD	CADD TECH	SURVEY TECH	PLS	COMMENTS
Horizontal Control	3		3	1	Set up additional control in woods
Bench	2		1		Run bench to control points
Soundings	10		4	3	Soundings across lake, thick with debris
Cross Sections	12		3		Sections through thick woods and wet soggy ground
Line Cutting	14				Cut line through woods for sections and benches
Drawing		15	3	1.5	Produce drawing with info located
Total Hours	✓ 41	✓ 15	✓ 14	✓ 5.5	
Rate/Hour	\$117.00	\$66.00	\$64.00	\$104.00	
Sub-total	✓ \$4,797.00	✓ \$990.00	✓ \$896.00	✓ \$572.00	
Total Price	✓ \$7,255.00				

LEGEND

EXISTING ELEVATION



ATTACHMENT "A"

1. ADDITIONAL SURVEY AROUND THE SW CORNER OF THE EXISTING LAKE AT 75'x25' INTERVALS
2. ADDITIONAL SURVEY AROUND THE SW CORNER OF THE PROPOSED LAKE EXPANSION AT 100' INTERVALS
3. CROSS SECTIONS ON THE SOUTH SIDE OF THE EXISTING LAKE
4. CROSS SECTIONS ON THE NORTH SIDE OF THE EXISTING LAKE

85% SUBMITTAL
MARCH 27, 2008

V:\PROJECTS\2004\04-00073 Congress Lantana\roberta\Design\Engineering\ORIS\SUBMITTAL\MISC\04-00073 supplement\YEM.dwg Title 01/16/2007 8:23a By kugyboh

PREPARED BY:
MILLER LEGG
 Palm Beach Office: 2000 West Parkway - Suite 100
 West Palm Beach, Florida - 33411-2776
 561-838-1200 - Fax: 561-838-4700
 www.millerlegg.com
 Certificate of Authorization: 05-0016, License 120007

NO.	REVISION	BY	DATE


PALM BEACH COUNTY
 ENGINEERING AND PUBLIC WORKS
ROADWAY PRODUCTION
 P.O. BOX 21228, WEST PALM BEACH, FLORIDA

SCALE: 1"=100'
 APPROVED: MFS
 DRAWN: KMG
 CHECKED: DJT
 DATE: 3/27/2008

CONGRESS AVENUE IMPROVEMENTS
WETLAND TOPO SURVEY
 DESIGN FILE NAME: 04-00073WP-1000
 DRAWING NO.: 04-00073

SHEET: **5**
 OF: 119
 PROJECT NO.: 2003-807

EXHIBIT "B"

CERTIFICATION STATEMENTS

PROJECT: Congress Avenue – S. of Lantana Road to S. of Melaleuca Lane

PROJECT: 2003507

CONSULTANT: Miller-Legg & Associates, Inc.

TRUTH-IN-NEGOTIATION STATEMENT

By entering into this Agreement, the **CONSULTANT** certifies that the wage rates and costs used to determine the lump sum fees contained in herein are accurate, complete and current as of the date of this Agreement.

The said lump sum fees shall be adjusted to exclude any significant sums should the **COUNTY** determine that the lump sum fees were increased due to inaccurate, incomplete or non-current wage rates or due to inaccurate representations of fees paid to outside consultants.

The **COUNTY** shall exercise its right under this "Certificate" within one year following final payment.

PROHIBITION AGAINST CONTINGENT FEES STATEMENT

By entering into this Agreement the **CONSULTANT** warrants that they have not employed or retained any company or person other than a bonafide employee working solely for the **CONSULTANT** to solicit or secure this Agreement and that they have not paid or agreed to pay any person, company, corporation, individual or firm other than a bonafide employee working solely for the **CONSULTANT**, any fee, commission, percentage, gift or other consideration contingent upon or resulting from the award of making of this agreement.

PUBLIC ENTITY CRIMES STATEMENT

As provided in F.S. 287.132-133, by entering this Agreement or performing any work in furtherance hereof, the **CONSULTANT** certifies that it, its affiliates, suppliers, sub-contractors and consultants who will perform hereunder, have not been placed on the convicted vendor list maintained by the State of Florida Department of Management Services within the 36 months immediately preceding the date hereof. This notice is required by F.S. 287.133 (3) (a).

NON-DISCRIMINATION STATEMENT

The **CONSULTANT** warrants and represents that all of its employees are treated equally during employment without regard to race, color, religion, disability, sex, age, national origin, ancestry, marital status, or sexual orientation.



Assistant Vice President, Engineering

CONFLICT OF INTEREST DISCLOSURE FORM

ENGINEER represents that it presently has no interest, either direct or indirect, which would or could conflict in any manner with the performance of services for the County, except as follows:

(Attach additional sheets as needed.)

ENGINEER further represents that no person having any interest shall be employed for said performance. By signing below, ENGINEER certifies that the information contained herein is true and correct and constitutes all current potential conflicts of interest which may influence or appear to influence ENGINEER'S judgment or quality of services being provided to the County.

ENGINEER shall promptly notify the COUNTY in writing by certified mail of all potential conflicts of interest that may arise in the future through any prospective business association, interest or other circumstance which may influence or appear to influence ENGINEER'S judgment or quality of services being provided to the County. Such written notification shall identify the prospective business association, interest or circumstance, the nature of work that ENGINEER may undertake and request an opinion of the COUNTY as to whether the association, interest or circumstance would, in the opinion of the COUNTY, constitute an unacceptable conflict of interest if entered into by the ENGINEER.

If, in the sole opinion of the COUNTY, the prospective business association, interest or circumstance of ENGINEER would constitute an unacceptable conflict of interest to the COUNTY, the COUNTY shall so state in the notification and the ENGINEER shall not enter into said association, interest or circumstance.

THIS DISCLOSURE is submitted by Dennis J. Thomas, P.E., as
(Name of Individual)

Principal, Engineering, of Miller-Legg & Associates, Inc.
(Title/Position) (Firm Name of ENGINEER)

who hereby certifies that the information stated above is true and correct. Further, it is hereby acknowledged that any misrepresentation by the Consultant on this Disclosure is considered an unethical business practice and is grounds for sanctions against future County business with the Consultant.


(Signature)

3/15/07
(Date)

EXHIBIT "C"

03/13/2007

PARTICIPATION FOR MWBE/SBE CONSULTANTS
Supplement Number 6

Project Name: Congress Ave. - Lantana Rd. to Melaleuca Ln.

Project No.: 2003507

Prime Consultant: Miller-Legg & Associates, Inc.

Prime Contact Person: Mike Schwartz, P.E., Assoc.

Telephone No.: (561) 689-1138

Resolution Date: 02/03/2004

Res #: R2004-0192

Supplement date: 05/01/2007

Department: Engineering & Public Works

Name / Address / Telephone of Minority Sub-Consultant	Type / Description of Work Performed by Sub-Consultant
Brown & Phillips, Inc. 901 NORTHPOINT PKY STE 305 WEST PALM BEACH, FL 33407 (561) 615-3968	Surveyor

	Contract Dollar Amount for Sub-Consultant				
	Black	Hispanic	Other	Women	White Male
MWBE	0.00	0.00	0.00	0.00	
SBE	11,611.00	0.00	0.00	0.00	0.00
Total MWBE	0.00	0.00	0.00	0.00	
%					
Total SBE	11,611.00	0.00	0.00	0.00	0.00
%	2.60				

Total Supplement Amount:

444,927.87

EXHIBIT "D"

**LETTER OF INTENT TO PERFORM AS AN
SBE, M/WBE AND/OR SUB-CONSULTANT**

TO: Miller-Legg & Associates, Inc.
(NAME OF PRIME CONSULTANT)

2005 Vista Parkway, Suite 100, West Palm Beach, Florida 33411-2719
(ADDRESS)

Note: If Prime is an SBE or M/WBE, address Letter of Intent to "Palm Beach County."

CONTACT PERSON & TITLE:

FROM: Brown & Phillips
SUB-CONSULTANT (Prime if SBE or M/WBE)

901 Northpoint Parkway, Suite 305, West Palm Beach, Florida 33407
(ADDRESS)

561-615-3988 561-615-3986
(TELEPHONE No.) (FAX No.)

CONTACT PERSON: John E. Phillips III, P.L.S.,

TITLE: Principal EMAIL: john@brown-phillips.com

The undersigned intend to perform work in connection with the above project as (check one):
 an individual X a corporation a partnership a joint venture

B. PALM BEACH COUNTY CERTIFIED SBE OR M/WBE * : X YES NO *If YES, Check all that apply:*

* MBE: BL H WBE O(Other)

* SBE: X BL H WBE O(Other) White Male

* ATTACH APPLICABLE COPY OF NOTICE OF PALM BEACH COUNTY SBE OR M/WBE CERTIFICATION

The undersigned is prepared to perform the following described work in connection with the project (specify in detail, particular work items or parts thereof to be performed by the sub-consultant) or Prime if SBE or M/WBE:

1. Activity Provided: Surveyor Activity

2. ** SUB-CONSULTANT'S "TOTAL PARTICIPATION" FOR THIS PROJECT : 2.60 %

NOTE: Line 2 shall be the ACTUAL % of Total Project, NOT 100%.

The undersigned will enter into a formal agreement for the described work with the above-named prime consultant upon an executed agreement with Palm Beach County.

** Prime's information if an SBE or M/WBE.

PROJECT TITLE/LIMITS: Congress Avenue - S. of Lantana Road to S. of Melaleuca Lane PROJECT NUMBER: 2003507

Brown & Phillips, Inc.
NAME OF SUB-CONSULTANT FIRM (PRIME if SBE or M/WBE)

John E. Phillips III, President
(PRINT - NAME & TITLE OF AUTHORIZED REPRESENTATIVE)

BY: [Signature] 3/15/07
(SIGNATURE OF AUTHORIZED REPRESENTATIVE) (DATE)

Client#: 5769

MILLEG3

ACORD™ CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YYYY) 03/14/07
PRODUCER Suncoast Insurance Associates P.O. Box 22668 Tampa, FL 33622-2668 813 289-5200	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
INSURED Miller Legg & Associates, Inc. 1800 N. Douglas Road, #200 Pembroke Pines, FL 33024	INSURERS AFFORDING COVERAGE INSURER A: St. Paul Fire & Marine Insurance Co INSURER B: XL Specialty Insurance Company INSURER C: INSURER D: INSURER E:	NAIC # 24767 37885

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
		GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC				EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMPIOP AGG \$
		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
		EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
A		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below	BW02178332	05/01/06	05/01/07	<input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
B		OTHER Professional Liability	DPR9603665	02/21/07	02/21/08	\$2,000,000 per claim \$4,000,000 annl aggr.

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Professional Liability is written on a claims made and reported basis.
 Subject/Project: Project # 2003507, Congress Ave., from Lantana Road to Melaleuca Lane.
 Retro coverage applies - Retro date is N/A (Full Prior Acts applies)

CERTIFICATE HOLDER Palm Beach County-Engineering & Public Works Roadway Production ATTN: Joe Totino 160 Australian Ave., Suite 503 West Palm Beach, FL 33416-1229	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>30</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE
--	--

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

ACORD CERTIFICATE OF LIABILITY INSURANCE

OP ID CO
MILLE-6

DATE (MM/DD/YYYY)
09/08/06

PRODUCER ACEC/MARSH 701 Market St., Ste. 1100 St. Louis MO 63101 Phone: 800-338-1391 Fax: 888-621-3173		THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
INSURED Miller, Legg & Associates, Inc. 1800 N. DOUGLAS, STE. 200 PEMBROKE PINES FL 33024-3200		INSURERS AFFORDING COVERAGE	NAIC #
		INSURER A: Hartford Insurance Company	22357
		INSURER B:	
		INSURER C:	
		INSURER D:	
		INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> No RR exclusion <input checked="" type="checkbox"/> XCU GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	84SBWBU0728	11/01/06	11/01/07	EACH OCCURRENCE	\$ 1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 1,000,000
						MED EXP (Any one person)	\$ 10,000
						PERSONAL & ADV INJURY	\$ 1,000,000
						GENERAL AGGREGATE	\$ 2,000,000
						PRODUCTS - COMP/OP AGG	\$ 2,000,000
A		AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	84UEGLL3809	11/01/06	11/01/07	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
						BODILY INJURY (Per person)	\$
						BODILY INJURY (Per accident)	\$
						PROPERTY DAMAGE (Per accident)	\$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT	\$
						OTHER THAN AUTO ONLY: EA ACC	\$
						AGG	\$
A		EXCESS/UMBRELLA LIABILITY <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE RETENTION \$	84XHGX8448	11/01/06	11/01/07	EACH OCCURRENCE	\$ \$3,000,000
						AGGREGATE	\$ \$3,000,000
							\$
							\$
							\$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS	OT-HER
						E.L. EACH ACCIDENT	\$
						E.L. DISEASE - EA EMPLOYEE	\$
						E.L. DISEASE - POLICY LIMIT	\$
A		COMPUTER/MEDIA	84MSGXT8373	11/01/06	11/01/07	ALL RISK	140,000
A		VALUABLE PAPERS	84SBWBU0728	11/01/06	11/01/07	LIMIT	100,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

RE: CONGRESS AVE - LANTANA RD TO MELALEUCA LN, PBC PROJECT #2003507. PALM BEACH COUNTY BOARD OF COMMISSIONERS, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, ITS OFFICERS, EMPLOYEES & AGENTS ARE INCLUDED AS ADDITIONAL INSURED FOR ALL COVERAGES SHOWN ABOVE EXCEPT W/C. ORIGINAL POLICY EFFECTIVE DATE: 12/06/98

CERTIFICATE HOLDER

PALMBCO

PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS
 P.O. BOX 21229
 WEST PALM BEACH FL 33416

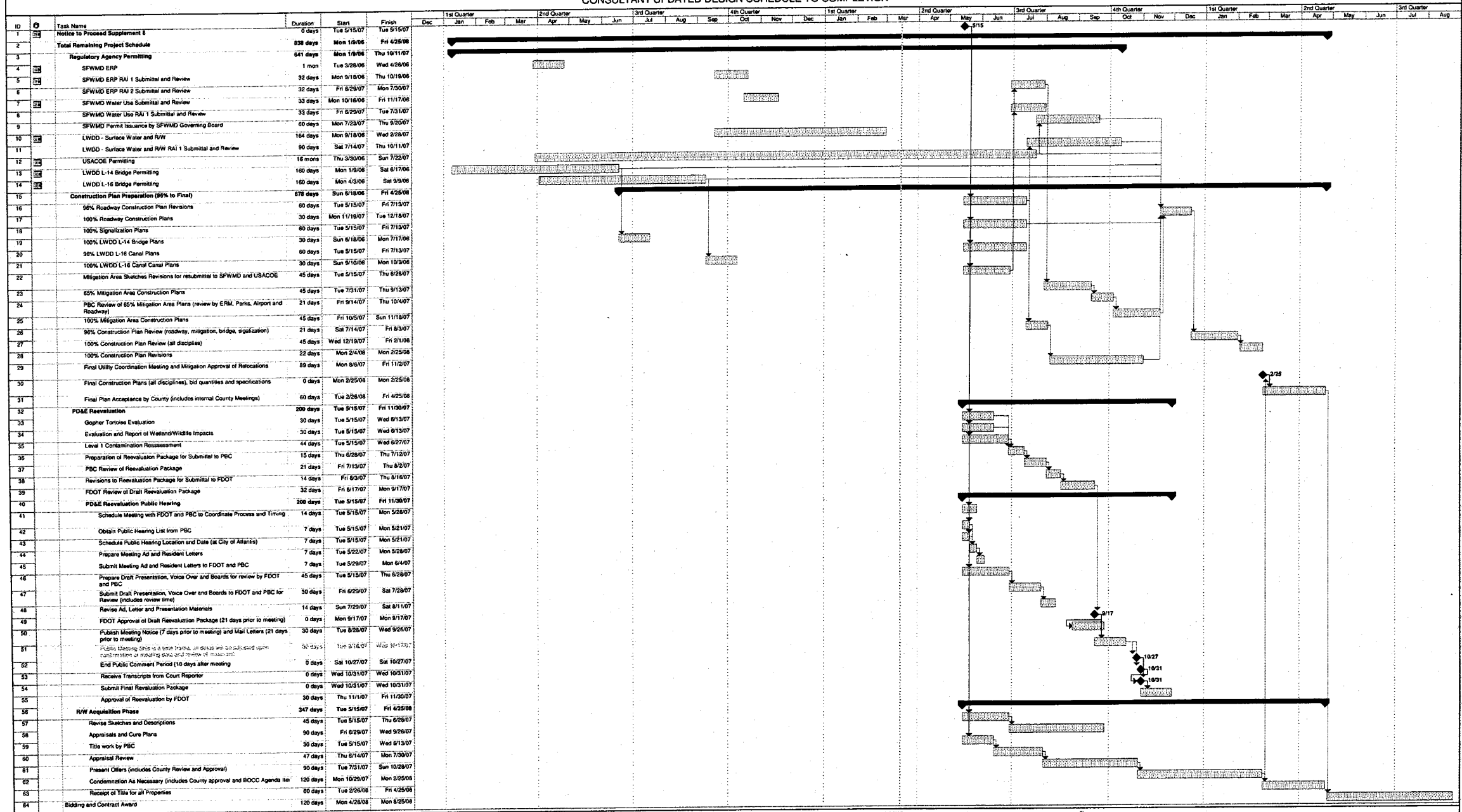
CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Alfred A. Peterson

CONGRESS AVENUE
SOUTH OF LANTANA ROAD TO SOUTH OF MELALEUCA LANE
PALM BEACH COUNTY PROJECT NO.: 2003-507
MARCH 6, 2007
CONSULTANT UPDATED DESIGN SCHEDULE TO COMPLETION



ATTACHMENT #3