

RESOLUTION NO. 97-124

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA DECLARING COUNTY LONGSTANDING INVOLVEMENT IN THE PREPARATION OF THE GUANA MASTER PLAN AND ALLOWING STAFF TO OBTAIN PROFESSIONAL SERVICES WITHOUT PUBLIC NOTICE OR USE OF THE SELECTION PROCESS AS ALLOWED BY FLORIDA STATUTE 287.055(11).**

**WHEREAS,** St. Johns County has provided over \$37,000 in cash and in-kind services toward the development of the Guana Basin Master Plan, and

**WHEREAS,** St. Johns County paid for the Comprehensive Stormwater Management Program which contributed to the Guana Basin Project development, and

**WHEREAS,** Chapter 287, Florida Statute allows government agencies to obtain professional services without public notice or utilization of the selection process in cases where the agency is able to reuse existing plans from a prior project of the agency, and

**WHEREAS,** Stone, Joca, & Mahoney was selected using the provisions of Florida Statute by the Ponte Vedra MSD, and

**WHEREAS,** St. Johns County Board of Commissioners passed Resolution 97-44, which adopted the Stone, Joca, & Mahoney plan, and

**WHEREAS,** the continued use of Stone, Joca, & Mahoney would be in the public interest by reducing project costs, and maintain project momentum

**NOW THEREFORE BE IT RESOLVED** by the Board of County Commissioners of St. Johns County, Florida that the Board of County Commissioners declare that the Guana Project has been, and is, a St Johns County project shared with the Ponte Vedra MSD and that the County may enter into negotiations with the firm of Stone, Joca, and Mahoney without utilization of the statutory selection process in accordance with Florida Statute 287.055 (11).

**PASSED AND ADOPTED THIS 26 DAY OF August 1997.**

**BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA**

BY: 

Chairman

ATTEST: CHERYL STRICKLAND, CLERK

BY: 

Deputy Clerk

## CONSULTANT SERVICES GUANA BASIN RESTORATION

### PURPOSE

The purpose of this position paper is to provide sufficient justification to the Board of County Commissioners that the Guana Basin Restoration project has had sufficient County involvement to exempt it from the consultant advertising and selection provisions of Chapter 287.055, Florida Statute.

### BACKGROUND INFORMATION

St. Johns County has a longstanding, and shared involvement with the Ponte Vedra MSD and the Guana Basin project.

In late 1995 and early 1996, the Ponte Vedra MSD hired the consulting services of Stone, Joca, & Mahoney to develop the Guana Basin Master Plan. The MSD followed the bidding procedures outlined in Chapter 287 of the Florida Statutes. The Requests for Proposal (RFP) identified three phases to the project--development of the Master Plan, design and permitting, and construction consulting. The MSD negotiated prices only for the first phase--the Master Plan which was completed in February of 1997.

As the County adopted and assumed responsibility for solving the drainage problems in the Guana Basin, a great deal of discussion occurred among the county staff regarding procedures for obtaining consulting services. Major areas of concern have been

- ◆ to obtain consulting services within the provisions of Florida Statute
- ◆ to obtain consulting services quickly in order to meet the urgency of project needs
- ◆ to minimize redundancy of calculations, modelling, and conceptual design, thus reducing the engineering costs to the taxpayer

Stone, Joca, & Mahoney met most of these criteria. They had been selected in a manner consistent with Florida Law for another public body (the MSD). That firm has already done a large amount of work necessary to maintain project momentum. Staff believed that assuming the MSD contract with Stone, Joca would reduce the costs of the project substantially. **The problem is that the law says that "each agency must advertise for each project."**

During discussions between Pat McCormack, Joe Burch and Mike Kelter, it was decided that this might be legally and appropriately done by applying the provisions allowing "reuse of existing plans" found in FS 287.055 6.(11). To use this provision, it was deemed appropriate to document County involvement in the project before and during the development of the Master Plan. It was also considered appropriate to bring the matter to the Board with a resolution stating and making findings that the County was a participating agency in the project prior to 11 March 1997, which

### COUNTY INVOLVEMENT IN THE PROJECT

Guana Basin Outfall project has been identified as a key County Stormwater issue at least since the 1994 Comprehensive Stormwater Management Program developed by BHR Engineering. On 24 April 1996, the County Department of Public Works initiated Project #95-105, Guana Outfall, with the goal of providing general drainage improvements in the Basin. The County incurred many costs for services that helped to produce the Master Plan for the MSD. These services and expenditures include

<b>SURVEYING</b> Survey Division develops cross-sections establishes rain guages, conducts field surveying of drainage structures	<b>1995-96</b>	<b>\$16,000.00</b>
<b>FINANCIAL SUPPORT</b> BCC passes resolution providing Funds to assist development of Master Plan	<b>8 OCT 96</b>	<b>\$15,000.00</b>
<b>ENVIRONMENTAL TESTING</b> SJCUD provides field & Lab services to develop Baseline water quality for the Master Plan.	<b>1996</b>	<b>\$ 5,000.00</b>

SJC Resolution 97-44 "adopted" the Master Plan and provided funding for the first phases of Weed Removal in the Basin. It is more correct to say that St. Johns County took over the lead for the project. The MSD continues to be deeply involved with the Project, especially the political efforts. The MSD is credited with successfully lobbying for Legislative support for the Project--the County greatly aided that effort by passing Resolution 97-56, which gave County endorsement to that lobbying effort.

### CONCLUSIONS

Throughout this project, there has been little distinction between Guana as a County Project and Guana as an MSD Project. The unity of effort between the agencies has been remarkable. Because of the extensive County involvement dating back to 1995 that Guana can be considered a County Project, even when the MSD was the project leader. Since the County was so deeply involved in the early phases of the project, it should logically follow that the County is entitled to reuse the plans developed by Stone, Joca, & Mahoney and should, therefore, be able to obtain the services of that firm without encumbering the project momentum with the RFP process. The project is--and has been--a joint effort between the County and the MSD.