

**WORK AUTHORIZATION # CM2685-WA09  
NASSAU COUNTY BOARD OF COUNTY COMMISSIONERS  
CONTINUING CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES  
SOLID WASTE LANDFILLS AND OTHER RELATED ANCILLARY FACILITIES  
FOR NASSAU COUNTY, FLORIDA  
RFQ/BID NO. NC19-001**

<b>Consultant:</b>	S2L, Incorporated
<b>Contract Number:</b>	CM2685
<b>Contact Name:</b>	Omar Smith, P.E., V.P.
<b>Contact Number:</b>	407-475-9163
<b>Email:</b>	osmith@s2li.com

<b>CURRENT WORK AUTHORIZATION</b>			
<b>Project Short Title: Preparation of Updates to Nassau County's Solid Waste Ordinance</b>			
		<b>CONTRACT OVERVIEW</b>	
		<b>Total of Previous Authorizations</b>	\$382,033.82
<b>Date Submitted</b>	12/17/19	<b>Adjustments/Change Orders</b>	\$0
<b>Amount</b>	\$24,985.46	<b>This Work Authorization</b>	\$24,985.46
<b>Scheduled Completion</b>	315 days from Execution	<b>Current Contract Total</b>	\$407,019.28

This Work Authorization is to the CONTRACT between Nassau County and the Consultant known as the *Continuing Contract for Professional Engineering Services-Solid Waste Landfills and Other Related Ancillary Facilities for Nassau County, Florida*, dated July 26, 2019. The services to be provided under this Work Authorization are as follows:

ARTICLE 1. Services Described as:

S2Li in conjunction with the law firm Gardner, Bist, Bowden, Dee, LaVia & Wright, P.A., Attorneys at Law ("GBBD") to assist the County in updating its Solid Waste Ordinance to meet the County's goals. Under the scope of services for this Work Authorization, S2Li in conjunction with its Consultant will perform the services further described in Attachment "A", attached hereto and incorporated herein.

ARTICLE 2. Time Schedule

Work under the Scope of Services provided will begin upon receipt of the executed Work Authorization. The draft Ordinance for County review will be submitted within 180 days from receipt of executed WA so corrections can be made prior to submittal to the Board. Prep and presentation to the Board is assumed to be up to 90 days, then another 45 days to finalize the Ordinance based on Board comments and acceptance. Total Work time is expected to be 315 days. Note: this schedule is concurrent with the Solid Waste Management Plan schedule being prepared under a separate WA to ensure consistency between both work efforts.

ARTICLE 3. Budget

The cost estimate to conduct the work as described in the Scope of Services is \$24,985.46. A detailed breakdown for each task, in conjunction with the estimated labor hours, contract labor rates, and expenses are attached as Exhibit "1". Costs incurred will be invoiced on a

time and material basis. The County will be notified when the overall project budget is nearing its limit.

ARTICLE 4. Other Provisions


The Services covered by this Work Authorization will be performed in accordance with the provisions set forth in the CONTRACT referenced above and any of its attachments or schedules. Additional terms or contract provisions whether submitted purposely or inadvertently, shall have no force or effect. This Work Authorization will become a part of the referenced CONTRACT when executed by both parties.

---

In presenting this Work Authorization, Consultant agrees that:

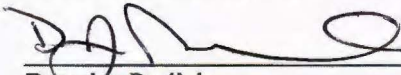
Unless detailed herein, all drawings, data, electronic files and other information required for this Work Authorization has been accepted by Consultant. Specifically, all electronic files have been reviewed and accepted for the purposes of this Work assignment. Any additional information, including detailed Scope of Services are attached.

AGREED TO BY:

BY:   
Print Name: Samuel B. Levin  
Title: President  
Date: December 19, 2019

Account No.: 01357534-531000

**RECOMMENDED AND APPROVED BY NASSAU COUNTY:**

Public Works:   
Douglas Podiak  
Contract Management:   
Grayson Hagins  
Office of Management & Budget:   
Megan Diehl  
County Manager:   
Michael S. Mullin

Ex-Officio Clerk:

N/A  
John Crawford

County Attorney:

  
Michael S. Mullin

APPROVED by the County Manager, Designee for NASSAU COUNTY BOARD OF COUNTY COMMISSIONERS, the 8<sup>th</sup> day of January, ~~2019~~ 2020.

**Attachment "A"**  
**Scope of Services**

**Preparation  
of  
Updates to Nassau County's Solid Waste Ordinance**

**S2L, Inc.'s Contract and Work Authorization Number: CM2685-WA09**  
**S2Li Project Number: 19-869**

The Nassau County ("County") solid waste ordinance (Chapter 30<sup>1/2</sup>) (Ordinance") establishes rules, regulations, and standards to ensure the health, welfare, and safety of the citizens of the County and the general public and to protect the natural environment from Solid Waste contamination. The County's solid waste ordinance dates back to the mid-1970s with periodic updates through the 1990s. Since the last updates, the County's solid waste system has transitioned from the County operating its own municipal solid waste landfill to closing the landfill, and providing for disposal capacity out of the County. Additionally, the State of Florida enacted a Solid Waste Management Act ("Act") to provide comprehensive programs intended to promote recycling and reduce the volume of materials going to landfills. The Act has given the County the responsibility and power to provide for the operation of solid waste disposal facilities to meet the needs of all incorporated and unincorporated areas of the County. Finally, other provisions of the Ordinance are out-of-date, inaccurate, inadequate, or otherwise in need of revision to accomplish the County's goals.

S2L, Incorporated ("S2Li"), in conjunction with the law firm of Gardner, Bist, Bowden, Bush, Dee, LaVia & Wright, P.A., Attorneys at Law ("GBBD") collectively known as "Consultant" is to assist the County in updating its Ordinance to meet the County's goals.

**SCOPE OF SERVICES**

Services to be provided by the Consultant for this Scope of Services include the following:

- Consultant will assist the County with the preparation of an updated Ordinance. Initially, Consultant will meet with County staff at a "kick-off" meeting to discuss their concerns about the County's current Ordinance. The discussion will address those portions of the current ordinance that are out-of-date, inaccurate, inadequate, or otherwise in need of revision to accomplish the County's goals.
- Based on the County's input and Consultant's experience, Consultant will prepare a draft Ordinance for the County's consideration. All the proposed revisions to the current ordinance will be tracked. After the County provides their comments, a second draft will be prepared and transmitted to the County.
- When County staff concludes the draft Ordinance is ready for presentation to the County Manager, Consultant (if requested) will join County staff and the County Manager to discuss the proposed Ordinance. Consultant will attend this meeting in person or participate via conference call, as the County deems appropriate.



- At its option, the County also may wish to conduct a public meeting (workshop) with interested stakeholders (e.g., waste hauling companies) to discuss the proposed Ordinance. This meeting will provide the County with an opportunity to receive public questions and comments before the Ordinance is presented to the Board of County Commissioners (Board) for adoption. Consultant will attend this meeting if requested by the County. Consultant also will revise the proposed Ordinance, as directed by the County, considering the comments presented at the public meeting.
- When the County Manager is satisfied with the proposed Ordinance, Consultant (if requested) will attend the meeting of the Board when the Ordinance is presented to the Board for adoption. Consultant to provide a PowerPoint presentation or other similar materials for use at the meeting with the Board if requested by the County.

### **ASSUMPTIONS**

Consultant scope of services and estimated fee are subject to the following conditions:

- Consultant will attend no more than a total of three meetings (i.e., one meeting with the County staff; one meeting with the County Manager or, in the alternative, a public workshop with stakeholders, and one meeting with the Board).
- The new Ordinance will be adopted without any significant or prolonged disputes involving stakeholders or other third parties.
- No services required for administrative or civil proceedings, or appeals, challenging the County's adoption of the new Ordinance.
- Consultant and the County will be able to reach consensus on the content of the proposed Ordinance in a timely and efficient manner, without prolonged debate and the need for multiple iterations of the draft Ordinance.

### **SCHEDULE**

Work under the Scope of Services provided above will begin upon receipt of the signed Work Authorization. The draft Ordinance for County review will be submitted within 180 days from receipt of the Work Authorization so that corrections and finalization can be made prior to submittal to the Board. The period to prepare the Board presentation and placing it on the Board's agenda is assumed to be up to 90 days, then another 45 days to finalize the Ordinance based on Board comments and acceptance. Total Work time is expected to be 315 days. Note: this schedule is concurrent with the Solid Waste Management Plan schedule being prepared under a separate Work Authorization to ensure consistency between both work efforts.

### **COST ESTIMATE**

The cost estimate to conduct the Work as described in the above-listed Scope of Services is \$24,985.46. A detailed breakdown for each task, in conjunction with the estimated labor hours, contract labor rates, and expenses, are included in the attached Exhibit 1. Costs incurred will be invoiced on a time and material basis. The County will be notified when the overall project budget is nearing its limit.

**Preparation of Updates to Nassau County's Solid Waste Ordinance**  
**Nassau County, Florida**

S2Li Fee Estimate

LABOR		LABOR CATEGORY AND RATE						TOTAL HOURS	SUBTOTAL LABOR	
		Project Dir./ Principal \$250.00	Regional Manager/ QC Officer \$232.25	Principal Engineer \$190.26	Senior Engineer \$137.09	Project Engineer \$97.92	Associate Engr./ CADD \$74.21			Office Manager \$76.24
TASK	DESCRIPTION									
	Preparation of Updates to Nassau County's Solid Waste Ordinance	2	18	0	0	0	0	4	24	\$4,985.46
	<b>SUBTOTALS:</b>	<b>2</b>	<b>18</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>24</b>	<b>\$ 4,985.46</b>

EXPENSES		Field Vehicle (\$100/day)	Lab Testing (est.)	Equipment Rental (est.)	Parts (est.)	Misc. (est.)	Subconsultant GBBB (see attached) \$275.00			SUBTOTAL EXPENSES
TASK	DESCRIPTION									
	Preparation of Updates to Nassau County's Solid Waste Ordinance	\$ -	\$ -	\$ -		\$ -	\$ 20,000.00			\$ 20,000.00
	<b>SUBTOTALS:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 20,000.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 20,000.00</b>

COST SUMMARY				
TASK	DESCRIPTION	S2Li LABOR	GBBB	TASK TOTAL
	Preparation of Updates to Nassau County's Solid Waste Ordinance	\$ 4,985.46	\$ 20,000.00	\$ 24,985.46
<b>TOTALS</b>		<b>\$ 4,985.46</b>	<b>\$ 20,000.00</b>	<b>\$ 24,985.46</b>

\* 01357534-531000 25,000 Budgeted

Gardner, Bist, Bowden, Bush,  
Dee, LaVia & Wright, P.A.  
Attorneys at Law

Michael P. Bist  
Garvin B. Bowden\*  
Benjamin B. Bush\*\*  
David S. Dee  
Erin W. Duncan  
Charles R. Gardner  
John T. LaVia, III  
Robert Scheffel "Scheff" Wright

1300 Thomaswood Drive  
Tallahassee, Florida 32308

www.gbwllegal.com

Telephone 850.385.0070  
Facsimile 850.385.5416

\*Board Certified Real Estate Lawyer  
\*\*Also Licensed to Practice in Georgia

December 13, 2019

Omar E. Smith, P.E.  
S2L, Incorporated  
8029 Ridge Valley  
Woodstock, Georgia 30189

Re: Nassau County

Dear Mr. Smith,

Based on our recent telephone conversations, it is my understanding that S2L, Incorporated ("S2Li") would like to hire this law firm ("Firm") to assist S2Li with its work for Nassau County, Florida ("County"). More specifically, the Firm would work as a subcontractor to S2Li. In this capacity, the Firm would prepare an update to Chapter 30½ (Trash and Solid Waste) of the Code of Nassau County.

The Firm would be delighted to assist S2Li and the County with this project. Accordingly, we have prepared the following scope of work and budget for your consideration.

Scope of Work

David S. Dee will assist the County with the preparation of an updated solid waste ordinance ("Ordinance"). Initially, Mr. Dee will meet with the County staff at a "kick off" meeting to discuss their concerns about the County's current solid waste ordinance (Chapter 30½). The discussion will address those portions of the current ordinance that are out-of-date, inaccurate, inadequate, or otherwise in need of revision to accomplish the County's goals.

Based on the County's input and Mr. Dee's experience, Mr. Dee will prepare a draft Ordinance for the County's consideration. All of the proposed revisions to the current ordinance will be highlighted in Track Changes. After the County and S2Li provide their comments, a second draft will be prepared and transmitted to the County.

When the County staff concludes the draft Ordinance is ready for presentation to the County Manager, Mr. Dee (if requested) will join the County staff and the County Manager to discuss the proposed Ordinance. Mr. Dee will attend this meeting in person or participate via conference call, as the County deems appropriate.

At its option, the County also may wish to conduct a public meeting (workshop) with interested stakeholders (e.g., waste hauling companies) to discuss the proposed Ordinance. This meeting will provide the County with an opportunity to receive public questions and comments before the Ordinance is presented to the Board of County Commissioners for adoption. Mr. Dee will attend this meeting, if requested to do so by the County. He also will revise the proposed Ordinance, as directed by the County, in light of the comments presented at the public meeting.

When the County Manager is satisfied with the proposed Ordinance, Mr. Dee (if requested) will attend the meeting of the Board of County Commissioners when the Ordinance is presented to the Board for adoption.

If the County requests Mr. Dee to provide a Power Point presentation or other similar materials for use at any of his meetings with the County, Mr. Dee will provide S2Li with the text for the presentation. S2Li will be responsible for preparing the Power Point slides and other presentation materials, if any.

To the extent that the budget allows, Mr. Dee will be available to advise the County about other environmental law matters affecting the County's solid waste management and recycling programs.

#### Billing Rates and Budget

Mr. Dee's hourly billing rate is \$275 when he works on projects for new clients that are local governments. Accordingly, he will charge this rate when working for S2Li on the County's project. Although it is not anticipated that other attorneys in the Firm will work on this project for S2Li and the County, the Firm's partners will limit their hourly billing rate to \$275 and the Firm's associates will limit their hourly billing rate to \$200 if their services are utilized.

You have informed me that S2Li's budget for the Firm's work is \$20,000. This budget shall not be exceeded unless the Firm receives prior written approval from S2Li.

The Firm is willing to complete its scope of work for S2Li in compliance with the proposed budget, subject to the following conditions. First, the budget is based on the assumption that Mr. Dee will attend no more than a total of 3 meetings (i.e., one meeting with the County staff; one meeting with the County Manager or, in the alternative, a public workshop with stakeholders; and one meeting with the Board of County Commissioners). Second, the scope of work and budget are based on the assumption that the new Ordinance will be adopted without any significant or prolonged disputes involving stakeholders or other third parties. The scope of work and budget do not include any services for administrative or civil proceedings, or appeals, challenging the County's adoption of the new Ordinance. Third, the scope of work and budget are based on the assumption that S2Li and the County will be able to reach consensus on the content of the proposed Ordinance in a timely and efficient manner, without prolonged debate and the need for multiple iterations of the draft Ordinance.



Conflicts of Interest

The Firm is not aware of any conflicts of interest that would arise if the Firm conducts the proposed work for S2Li and the County.

Conclusion

The Firm looks forward to working with S2Li and the County on this project. Please let me know if you need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "David S. Dee". The signature is written in a cursive style with a large initial "D" and a distinct "S" and "Dee".

---

David S. Dee  
For the Firm