




APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
JUL 14 2015 NP/CAS

June 22, 2015

To: Mayor Teresa Jacobs
and the Board of County Commissioners

From:  Johnny M. Richardson, Manager, Procurement Division

Contact: Anthony Cotter, Assistant County Attorney, County Attorney's Office
407-836-7320

Subject: Approval of Amendment No. 8, Contract Y9-1003B, Legal Services Utilities
Water Supply & Environmental Law

ACTION REQUESTED:

Approval of Amendment No. 8, Contract Y9-1003B, Legal Services Utilities Water Supply & Environmental Law, with Lewis, Longman and Walker, P.A. for an additional thirty-six month period in an estimated amount of \$900,000 for a revised estimated contract amount of \$1,626,750. Further request authorization for the Procurement Division to renew the contract for two additional years.

PROCUREMENT:

This contract provides legal services related to alternative water supply planning and permitting; ordinance drafts and revision; comprehensive policy plan amendment adoption; municipal agreement development; and other Utilities Department issues involving water supply, water resources, and environmental law. Due to current mediation it is necessary to extend the contract an additional three years.

FUNDING:

Funding is available in account number 4420-038-1301-3119.

APPROVALS:

The Utilities Engineering Division and the County Attorney's office concur with this recommendation.

REMARKS:

The County is engaged in mediation with the City of Cocoa, Orlando Utilities Commission, East Central Florida Services/Farmland Reserve, Inc. (Deseret Ranch), and Tohopekaliga Water Authority concerning the development of the Taylor Creek Reservoir for public and agricultural water supply, and the following cases before the Florida Division of Administrative Hearings: *Orange County v. St. Johns River Water Management District and East Central Florida Services*, Case No. 11-3968, and *Tohopekaliga Water Authority v. St. Johns River Water Management District and East Central Florida Services*, Case No. 11-3979. Extended representation by Lewis, Longman and Walker, P.A. is necessary to complete all of the steps necessary to resolve this issue. The continuation of these services with Lewis, Longman and Walker, P.A. is in the County's best interest. The fee structure in the initial contract applies to this amendment.

Previous amendments to this contract are as follows:

- a. Amendment 1 provided for contract renewal for the term of July 1, 2010 through June 30, 2011. There were no changes to the contract pricing.
- b. Amendment 2 provided for contract renewal for the term of July 1, 2011 through June 30, 2012. There were no changes to the contract pricing.
- c. Amendment 3 provided for contract renewal for the term of July 1, 2012 through June 30, 2013. There were no changes to the contract pricing.
- d. Amendment 4 modified the contract provision to add arbitrator/mediator and other such third party fees to the list of approved reimbursable expenses. There were no changes to the contract pricing.
- e. Amendment 5 provided for contract renewal for the term of July 1, 2013 through June 30, 2014. There were no changes to the contract pricing.
- f. Amendment 6 provided for contract renewal for the term of July 1, 2014 through June 30, 2015, There were no changes to the contract pricing.
- g. Amendment 7 extended the contract from July 1, 2015 through July 31, 2015. There were no changes to the contract pricing.