City of Jacksonville, Florida

Lenny Curry, Mayor

Department of Public Works
Solid Waste Division
1031 Superior Street
Jacksonville, FL 32254
(904) 255-7500
www.coj.net

ONE CITY. ONE JACKSONVILLE.

TO: **Greg Pease, Chief, Procurement Division**

THRU: **John Pappas, P.E., Director, Department of Public Works**

FROM: **Jeffrey S. Foster, P.G., Solid Waste Environmental Engineer Manager**
Will Williams, Chief, Solid Waste Division

DATE: **January 25, 2018**

SUBJECT: **Amendment #9 Contract 8811-01, RFP P-09-08 for Hester Group, LLC Community Outreach Consulting and Acquisition Services for the City of Jacksonville Ash Sites and Other Impacted COJ Sites**

Due to continued remediation activities under Project New Ground it is necessary to continue to utilize the services of the Community Outreach and Acquisition Services contractor to secure access agreements, arrange temporary housing for displaced residents during construction activities, provide transportation and meals to displaced residents during construction activities, provide project updates to the affected citizens of Jacksonville and coordination efforts between contractors and residents during construction activities. The purpose of this Amendment #9 is to fund the required activities from the extended contract time in the previous amendment. Additionally the City has been utilizing their specialized skill set for obtaining site access agreements on other City owned ash treatment and disposal sites that are not part of the EPA sites, but are required to be cleaned up under consent orders by the state of Florida Department of Environmental Protection (FDEP). These sites include Southside Incinerator, Gold Merit/Pope Place, Hema Road Dump, Doeboy Dump and other COJ FDEP Memorandum of Understanding dump listed sites. The original RFP scope of work anticipated the time frame for the scope of work for the duration of the program until the end.

The scope of work costs will be a not to exceed amount based the estimated effort and expenses for the remainder of the fiscal year as shown on the attached proposal. Hester has been able to continue working on the project since not all of the funding was used for the FY16-17 funding. However, new funding in the amount of $267,017.20 is needed for these services to the end of the current fiscal year, September 30, 2018 so the new total maximum indebtedness to the City will increase to $5,712,252.56. Funding is available in PWCP32EAS-069505-ERR002 01. All other terms and conditions shall be in accordance with the City's standard contract language. Nothing herein shall be amended, modified or otherwise revised without prior PSEC and Mayor's approval.

Please advise when this item will be placed on the agenda so that we may be present.
Attachment

01/30/18 14:58:05
Procurement Division

cc: Nickii Brookins, DPW
Dan Pearson, Procurement

HESTER GROUP
Innovation. **Service. Solutions.**

Logistics Support & Management
Administrative & Technical Support Services
Program Management & Consulting
Marketing & Strategic Communications

8(a) Woman Owned Small Business

September 18, 2017

Mr. Jeffery S. Foster
Ash Remediation Program
City of Jacksonville
Jacksonville, FL 32202

Subject: Contract #8811; COMMUNITY OUTREACH CONSULTING AND ACQUISITION SERVICES FOR THE CITY OF JACKSONVILLE ASH SITES

Dear Mr. Foster:

Hester Group currently is under contract with the City of Jacksonville to provide community outreach consulting and acquisition services for City of Jacksonville ash sites. We are requesting an amendment to the existing contract to encumber funding requirement, under the current terms and conditions, for the next phase of the remediation.

Hester Group continues to be successful in communicating with/educating the public and acquiring access agreements to insure pipeline for contractors performing the remediation. Additionally, Hester Group works closely with contractors during pre- and post- construction activities. The extension of this contract insures continuity in the ongoing remediation process and a seamless transition with new contractors allowing for efficient and timely completion. As we approach the final phases of this project, the PNG team will be preparing files for closeout in keeping with record retention requirements and final reports.

Please call me at (904) 739-2338 if you have questions or need additional information. Hester Group appreciates the opportunity to continue to provide these services and to be a part of this very important project.

Respectfully yours,

Roslyn M. Phillips
Vice President

100 N. Laura Street, Suite 802, Jacksonville, FL 32202, 904.739.2338

Hester Group Contract
#8811- 01
Amendment 9
Ash Remediation Outreach

Attachment 1

RE: Public Outreach Consulting and Acquisition Services for City of Jacksonville Ash Sites

To Whom It May Concern:

Remediation is progressing in all ash site areas. The outreach activities for 2017/18 will focus on: educating residents about the ash sites and the clean-up process, acquiring access agreements, managing temporary housing activities and coordinating with contractors for upcoming phases.

Additionally, project closeout activity will focus on PNG personnel conducting quality review of the more than 3,000 files in keeping with the guidance on records retention provided by the general counsel's office to insure all files and documents comply. A final report including a database of file contents will be provided at completion of the project.

Two full-time outreach specialist positions were eliminated as of September, 2016 to reflect projected labor hours needed.

Records Retention for Project New Ground
Based upon the Section XXV, Paragraph 106, of the Consent Decree, and the general records retention schedule for state and local government agencies per Florida Administrative Code, the Office of General Counsel would recommend you retain all documents in its native format (i.e. signed original paper documents are retained as paper and electronically received documents/files are retained electronically) for a period of 10 years after the completion of the project.

Consent Decree has a Records Retention Requirement

The Remedial Design/Remedial Action Consent Decree for Jacksonville Ash and Brown's Dump Sites Administered under the Comprehensive Environmental Response, Compensation and Liability Act, entered on July 17, 2008 ("Consent Decree"), sets forth specific requirements for the City's retention of records related to the project. Specifically:
For a period of at least 10 years after the City .receives the Certification of Completion, the City must preserve and retain all non-identical copies of records and documents, including electronic records or documents, now in its possession or control or which come into its possession or control that relate in any manner to the following:

1. The City's liability under CERCLA with respect to the Sites;
2. Any other person's liability under CERCLA with respect to City owned or operated Sites;
3. The performance of the Work (specifically the last draft or final version of any documents or records); and
4. Copies of all data generated during the performance of the Work and not contained in the documents listed in #3.

Requirements# 3 and #4 also apply to the City's contractors and agents. (Page 42, Paragraph 106, Consent Decree).

Within 90 days after the City fully performs all phases of the Work, the City shall schedule and conduct a pre-certification inspection. Following this inspection, the City shall submit a written report by a registered P.E. stating the Work has been completed in full satisfaction of the requirements of the Consent Decree. When the EPA concludes the City has completed the Work, it will notify the City in writing. See Page 26, Paragraph 53 of the Consent Decree for a detailed explanation of how the completion process is conducted by the parties. It is important to note that the 10 year retention period begins once the City receives the Certification of Completion in writing from the EPA.
At the conclusion of the 10 year retention period, the City must notify the United States of its intent to destroy any retained records or documents at least 90 days prior to such destruction to allow the United States to request the retained records or documents.

Hester Group proposes to maintain the current terms and conditions of the base contract. Below is the fee summary for the continuation of the above stated activities calculated on the currently approved rates and based on level of effort not to exceed total quoted.

Staff Roles & Rates

- Project Manager – Public Outreach Oversight -400 hrs.
- Business Analyst – Quality Control/Database Management/Reconciliation/Document Control -700 hrs.
- Outreach Specialist - Door-to-Door Outreach, Ownership Research, Temporary Housing Coordination , File Review and Maintenance -2,840 hrs.

Annual Fee & Expense Budget for Contract ending September 30, 2018)

Fee Type	Amount
Public Outreach Services:	$262,517.20
Temporary Housing Meals and Transportation Expenses: (10 Families - $450/Family)	$4,500.00
Total	$267,017.20

In summary, the requested amendment to the Hester Group contract is an extension of public outreach services, temporary housing and compliance documentation for OU1, OU2, Fifth and Cleveland, Forest Street, Lonnie Miller and Browns Dump of ash site remediation.

PROCUREMENT DIVISION

Jacksonville
Where Florida Begins.

January 19, 2017

The Honorable Lenny Curry, Mayor
City of Jacksonville
4th Floor, St. James Building
Jacksonville, FL 32202

Dear Mayor Curry:

Ref: P-09-08 Community Outreach Consulting and Acquisition Services for the City of Jacksonville Ash Sites (Amendment No. 9) (OGC AMD #8)
Department of Public Works/Solid Waste Division

The Professional Services Evaluation Committee met today in Board Room 851, on the eighth floor of the Ed Ball Building, for the purpose of amending the above-referenced contract.

The following motion/recommendation was **adopted:**

That Contract No. 8811-01, between the City of Jacksonville and The Hester Group for Public Outreach Consulting Services for the Jacksonville Ash Sites, is amended to: (i) incorporate the attached Contract Fee Summary and Hester Group Acceptance Letter identified as Exhibit "K"; (ii) increase the maximum indebtedness by $267,017.20 to a new not-to-exceed total maximum indebtedness of $5,445,235.36 All other terms and conditions, as previously amended, shall remain the same. Nothing contained herein shall be amended, modified, or otherwise revised, without prior approval from the PSEC and the Mayor.

If the foregoing meets your approval, please affix your signature and return to my office.

Respectfully submitted,

Gregory Pease, Chief
Procurement Division
N.K. Chairman, Professional Services
Evaluation Committee

APPROVED:

Lenny Curry, Mayor

This 25th day of January, 2017

Sam E. Mousa
Chief Administrative Officer
For Mayor Lenny Curry
Under Authority of:
Executive Order No. 2015-05

GP: ab

cc Council Auditor,
Julia Davis, OGC
Melba Gray, GAD
Subcommittee Members

PROCUREMENT DIVISION

Jacksonville
Where Florida Begins.

October 13, 2016

The Honorable Lenny Curry, Mayor
City of Jacksonville
4th Floor, St. James Building
Jacksonville, FL 32202

Dear Mayor Curry:

Ref: P-09-08 Community Outreach Consulting and Acquisition Services for the City of Jacksonville Ash Sites (Amendment No. 8) (OGC AMD #7)
Department of Public Works/Solid Waste Division

The Professional Services Evaluation Committee met today in Board Room 851, on the eighth floor of the Ed Ball Building, for the purpose of amending the above-referenced contract.

The following motion/recommendation was **adopted:**

That Contract No. 8811-01 between the City of Jacksonville and The Hester Group, LLC, for Community Outreach Consulting and Acquisition Services, is amended to ratify the period of service from October 1, 2016 and extend the contract from October 1, 2016 to September 30, 2017. The maximum indebtedness shall remain a not-to-exceed amount of $5,178,218.10 All other terms and conditions, as previously amended, shall remain the same. Nothing contained herein, shall be amended, modified, or otherwise revised, without prior approval, from the PSEC and the Mayor.

If the foregoing meets your approval, please affix your signature and return to my office.

Respectfully submitted,

Gregory Pease, Chief
Procurement Division
Chairman, Professional Services
Evaluation Committee

SBS

APPROVED:

Lenny Curry, Mayor

This 17th day of October 2016

Sam E. Mousa
Chief Administrative Officer
For Mayor Lenny Curry
Under Authority of
Executive Order No. 2015-05

CP ab

cc: Council Auditor
Julia Davis, OGC
Melba Gray, GAD
Subcommittee Members

PROCUREMENT DIVISION

Jacksonville
Where Florida Begins.

April 9, 2015

The Honorable Alvin Brown, Mayor
City of Jacksonville
4th Floor, St. James Building
Jacksonville, FL 32202

Dear Mayor Brown:

Ref: P-09-08 Community Outreach Consulting and Acquisition Services for the City of Jacksonville Ash Sites (Amendment No. 7) (OGC AMD #6)
Department of Public Works/Solid Waste Division

The Professional Services Evaluation Committee met today in Board Room 851, on the eighth floor of the Ed Ball Building, for the purpose of amending the above-referenced contract.

The following motion and/or recommendation was **adopted:**

That Contract No. 8811-01, between the City of Jacksonville and The Hester Group for Public Outreach Consulting Services for the Jacksonville Ash Sites, is amended to: (i) incorporate the attached Contract Fee Summary and Hester Group Acceptance Letter identified as Exhibit "J"; (ii) increase the maximum indebtedness by $1,014,707.90 to a new not-to-exceed total maximum indebtedness of $5,178,218.10. All other terms and conditions, as previously amended, shall remain the same. Nothing contained herein shall be amended, modified, or otherwise revised, without prior approval from the PSEC and the Mayor.

If the foregoing meets your approval, please affix your signature and return to my office.

Respectfully submitted,

Gregory Pease, Chief
Procurement Division
Chairman, Professional Services
Evaluation Committee

APPROVED:

Alvin Brown, Mayor

This 10TH day of April, 2015

Cleveland Ferguson III
Deputy Chief Administrative Officer
For Mayor Alvin Brown
Under Authority of:
Executive Order No. 2015-01

GP:ab

cc Council Auditor
James McCain, OGC
Philip Boston, GAD
Subcommittee Members

PROCUREMENT DIVISION

Jacksonville
Where Florida Begins.

December 18, 2014

The Honorable Alvin Brown, Mayor
City of Jacksonville
4th Floor, St. James Building
Jacksonville, FL 32202

Dear Mayor Brown:

Ref: P-09-08 Public Outreach Consulting Services for Jacksonville Ash Sites (Amendment No. 6)
Department of Public Works/Solid Waste Division

The Professional Services Evaluation Committee met today in Board Room 851, on the eighth floor of the Ed Ball Building, for the purpose of amending the above-referenced contract.

The following motion and/or recommendation was **adopted:**

That Contract No. 8811-01 between the City of Jacksonville and The Hester Group, LLC, for Community Outreach Consulting and Acquisition Services, is amended to extend the period of service from December 31, 2014 to September 30, 2016. The maximum indebtedness shall remain a not-to-exceed amount of $4,163,510.26. All other terms and conditions, as previously amended, shall remain the same. Nothing contained herein, shall be amended, modified, or otherwise revised, without prior approval, from the PSEC and the Mayor.

If the foregoing meets your approval, please affix your signature and return to my office.

Respectfully submitted,

Gregory Pease, Chief
Procurement Division
Chairman, Professional Services
Evaluation Committee

APPROVED:

Alvin Brown, Mayor

This 23rd day of December, 2014

Karen Bowling
Chief Administrative Officer
For: Mayor Alvin Brown
Under Authority of:
Executive Order No. 2013-04

GP: ab

cc: Council Auditor,
Sandra Stockwell, OGC
Barbara Turner, GAD
Subcommittee Members

PROCUREMENT DIVISION

Jacksonville
Where Florida Begins.

August 1, 2013

The Honorable Alvin Brown, Mayor
City of Jacksonville
4th Floor, St. James Building
Jacksonville, FL 32202

Dear Mayor Brown:

Ref: P-09-08 Public Outreach Consulting Services for Jacksonville Ash Sites (Amendment No. 5)
Neighborhoods Department

The Professional Services Evaluation Committee met today in Board Room 851, on the eighth floor of the Ed Ball Building, for the purpose of amending the above-referenced contract.

The following motion and/or recommendation was **adopted:**

That Contract No. 8811-01, between the City of Jacksonville and The Hester Group for Public Outreach Consulting Services for the Jacksonville Ash Sites, is amended to: (i) incorporate the attached Contract Fee Summary and Hester Group Acceptance Letter identified as Exhibit "I"; (ii) increase the maximum indebtedness by $709,964.90 to a new not-to-exceed total maximum indebtedness of $4,163,510.26; and (iii) extend the period of service to December 31, 2014. All other terms and conditions, as previously amended, shall remain the same. Nothing contained herein shall be amended, modified, or otherwise revised, without prior approval from the PSEC and the Mayor.

If the foregoing meets your approval, please affix your signature and return to my office.

Respectfully submitted,

Gregory Pease, Chief
Procurement Division
Chairman, Professional Services
Evaluation Committee

APPROVED:

Alvin Brown, Mayor

This 13th day of August, 2013

Karen Bowling
Chief Administrative Officer
For: Mayor Alvin Brown
Under Authority of:
Executive Order No. 2013-04

GP:ab

cc: Council Auditor,
John Sawyer, OGC
Lakeisha Williams, GAD
Subcommittee Members

PROCUREMENT DIVISION

Jacksonville
Where Florida Begins.

August 16, 2012

The Honorable Alvin Brown, Mayor
City of Jacksonville
4th Floor, St. James Building
Jacksonville, FL 32202

Dear Mayor Brown:

Ref: P-09-08 Public Outreach Consulting Services for Jacksonville Ash Sites (Amendment No. 1)
Neighborhoods Department

The Professional Services Evaluation Committee met today in Board Room 851, on the eighth floor of the Ed Ball Building, for the purpose of amending the above-referenced contract.

The following motion and/or recommendation was **adopted:**

That Contract No. 8811-01, between the City and the Hester Group, is amended by: (i) ratifying the contract from July 31, 2012, to August 16, 2012; and (ii) extending the period of service to July 31, 2013. All other terms and conditions are per the City's standard contract language and the RFP. Nothing contained herein shall be amended, modified, or otherwise revised, without prior approval from the PSEC and the Mayor.

If the foregoing meets your approval, please affix your signature and return to my office.

Respectfully submitted,

Gregory Pease, Chief
Procurement Division
Chairman, Professional Services
Evaluation Committee

APPROVED:

Alvin Brown, Mayor

This 31 day of August, 2012

Cleveland Ferguson, III
Deputy Chief Administrative Officer
For: Mayor Alvin Brown
Under Authority of:
Executive Order No. 2012-17

GP/ab

cc: Council Auditor
Paige Johnston, OGC
Lakeisha Williams, GAD
Subcommittee Members

9/24/12

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CITY OF JACKSONVILLE

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CHERRY A. SHAW
MARGARET M. SIDMAN
JEFFREY D. SMITH
JASON R. TEAL
ADINA TEODORESCU
MICHAEL B. WEDNER
GABY YOUNG

July 30, 2012

Ms. Roslyn Phillips
The Hester Group, Inc.
6320 St. Augustine Road, Suite 10
Jacksonville, FL 32217

Via Email: rphillips@hester-group.com
And U.S. Mail

RE: Contract #8811-01; AMENDMENT #3: COMMUNITY OUTREACH CONSULTING AND ACQUISITION SERVICES FOR THE CITY OF JACKSONVILLE ASH SITES.

Dear Ms. Phillips:

Attached for your files is the original of the Agreement with the City of Jacksonville and The Hester Group, inc.

Please note this document has been assigned the above Contract number and all invoices and memoranda should reference that number.

Sincerely,

James R. McCain, Jr.
Corporate Secretary

JRMjr/ildf
Enclosure
cc: Accounting (pdf)
Procurement (P-09-08)
K. Nelson (pdf)
C. Pearson (pdf)

OFFICE OF GENERAL COUNSEL
CITY OF JACKSONVILLE

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CHERRY A. SHAW
MARGARET M. SIDMAN
JEFFREY D. SMITH
EDWARD C. TANNEN
JASON R. TEAL
ADINA TEODORESCU
DEBORAH D. WALTERS
MICHAEL B. WEDNER
GABY YOUNG

December 21, 2010

The Hester Group, Inc.
6320 St. Augustine Road, Suite 10
Jacksonville, FL 32217

RE: Contract #8811-01; AMENDMENT #2: COMMUNITY OUTREACH CONSULTING AND ACQUISITION SERVICES FOR THE CITY OF JACKSONVILLE ASH SITES.

Dear Sir/Madam:

Attached for your files is the original of the Agreement with the City of Jacksonville and The Hester Group, inc.

Please note this document has been assigned the above Contract number and all invoices and memoranda should reference that number.

Sincerely,

Neill W. McArthur, Jr.
Chief of Contract Law and
Corporate Secretary

NWMjr/ildf
Enclosure
cc: Accounting
Procurement (P-09-08)
K. Nelson (pdf)
M. Moore (pdf)
E. Gujjarlapudi (pdf)
C. Pearson (pdf)

Office Telephone	Writer's Direct Line	Facsimile	Writer's E-Mail Address	Office Web Site
(904) 630-1700	(904) 630-1715	(904) 630-1731	NeillM@coj.net	GeneralCounsel.coj.com

AMENDMENT TO AGREEMENT BETWEEN
THE CITY OF JACKSONVILLE
AND
THE HESTER GROUP, LLC
FOR
COMMUNITY OUTREACH CONSULTING AND
ACQUISITION SERVICES FOR CITY OF JACKSONVILLE ASH SITES

This Amendment is dated as of August 1, 2010 ("Effective Date"), between the City of Jacksonville, Florida, a municipal corporation in Duval County, Florida ("City") and The Hester Group, LLC ("Consultant"), a Florida limited liability company whose address is 6320 St. Augustine Road, Suite 10, Jacksonville, Florida 32217.

WITNESSETH

WHEREAS, on or about September 23, 2008, the City and Consultant entered into an agreement for community outreach and acquisition services ("Agreement"); and

WHEREAS, on or about November 9, 2009, the Agreement was amended in order to extend the contract time, increase the maximum indebtedness under the contract and incorporate Exhibits C and D into the Agreement; and

WHEREAS, the parties would again like to amend the contract in order to (1) incorporate Exhibits E and F into the Agreement, (2) extend the term of the contract an additional year, and (3) increase the maximum indebtedness by a total of **ONE MILLION ONE HUNDRED NINETY TWO THOUSAND NINE HUNDRED SEVENTY NIN AND 50/100 DOLLARS ($1,192,979.50)** in order to cover the costs of services during the additional year.