

| SUBJECT  | Page |
|--|------|
| CONTINUATION OF DISCUSSION REGARDING GOALS AND OBJECTIVES            | 1    |
| GENERAL DISCUSSION ON FUNCTIONS OF PROPOSED POSITION                 | 2    |
| COMMUNITY APPEARANCE BOARD   | 2    |
| SLIDE PRESENTATION BY MR. BARRY                                      | 2    |
| REROUTING OF US 41 TRAFFIC   | 2    |
| ANNEXATION   | 2    |
| LAND ACQUISITION   | 2    |
| DISCUSSION REGARDING PURCHASE OF LAND ADJACENT TO CITY HORTICULTURAL | 3    |
| LANDFILL   | 3    |
| \$1.7 MILLION CLAIM FROM SEWER PLANT EXPANSION CONTRACTOR            | 3    |
| STATUS REPORT ON WASTEWATER TREATMENT PLANT PROJECT                  | 3    |
| BAY MONITORING   | 3    |
| ADDITIONAL GORDON RIVER CROSSING                                     | 3    |



Mayor Putzell called the meeting to order and presided as Chairman

ROLL CALL: Present: Edwin J. Putzell, Jr.  
Mayor

Kim Anderson-McDonald  
William E. Barnett  
Alden r. Crawford, Jr.  
John T. Graver  
William F. Bledsoe

COUNCIL  
MEMBERS

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Also present:  
Franklin C. Jones, City Manager  
David W. Rynders, City Attorney  
Mark W. Wiltsie, Assistant  
City Manager  
Roger J. Barry, Community  
Development Director  
Norris C. Ijams, Fire Chief  
Chris Holley, Community  
Services Director  
Jerry Gronvold, City Engineer

Hillary Hutchinson, Palmer Cablevision  
Carl Loveday, Palmer Cablevision  
Bill Upham, Naples Time  
Sharon Worley, Neapolitan Enterprises  
J. Sandy Scatena

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Order of Business - Continuation of discussion regarding goals for balance of 1985/86 fiscal year.

Mr. Barnett expressed some concern regarding format of notifying adjacent property-owners of variance request. Requested more informal explanation (in laymen's terms) of exactly what variance is for.

Roger Barry responded and noted importance of defining variance in formal terms but an effort would be made to further explain for clarity.

Mr. Crawford indicated more neighbors should be notified of requested variance in addition to ordinance requirement.

CONTINUATION OF DISCUSSION REGARDING GOALS AND OBJECTIVES

(4) Natural Resources Manager

- Ms. Anderson-McDonald expressed concern that a deadline be established for hiring Natural Resources Manager.

**GENERAL DISCUSSION ON FUNCTIONS OF PROPOSED POSITION:**

- Water safety and quality
- Dune restoration/beach vegetation
- General beach inspection for erosion
- Monitor dredge and fill activities, including spoils
- Fresh water run-off/Golden Gate canal system
- Floating debris and fish kills
- Liason with other agencies (i.e. D.N.R., D.E.R., Corp of Engineers, County, etc.)
- Navigational concerns
- Safety, use, and preservation of beaches

(5) Community Appearance Board

- General discussion on this concept including increasing \*\*PAB membership to seven.

(6) Slide Presentation by Mr. Barry Towards End of Meeting

(7) Rerouting U.S. 41 Traffic to Immokalee Road and S.R. 951.

- Mr. Crawford provided update on State road improvements.

(8) Annexation

- City Manager Jones provided general policy statement on annexation.
- City Attorney Rynders provided some general legal requirements regarding annexation.
- General discussion on annexation of developed and undeveloped areas. Att \$1
- General discussion ensued regarding direction to annex is most likely east.
- Mayor Putzell requested that representatives of the Fleischmann property meet with City Council in near future to discuss proposed annexation of land into the City, with concerns regarding timing of annexation. Mary Morgan, Supervisor of Elections, is to be invited to this meeting.

\*\*AS AMENDED - Regular Meeting, June 4, 1986 - Add  
"PAB" to Item 5 - page 2

(9a) Land Acquisition

- General discussion on acquiring land for developing of parks and general "green areas". Potential location near Lake Park Elementary School.
- Mayor Putzell requested Chris Holley, Community Services Director, provide a map of the City identifying existing park locations and possible sites for future.
- General discussion on bike path program.
- Mayor Putzell requested a Comprehensive Bike Path Program be formulated and reviewed with property owners associations for their input.
- Committee consisting of City Manager, Community Development Director, and Councilman Graver to explore possibilities of purchasing Zigfield Troy Property.

(9b) General discussion regarding purchase of land adjacent to existing City horticultural landfill.

(10a) \$1.7 Million Claim From Sewer Plant Expansion Contractor.

- City Manager Jones indicated hopes to have this matter resolved within several weeks.

10b) Status report on materials problem for wastewater treatment plant project (Attachment #2)

(10c) Bay Monitoring - The Conservancy, Inc., report is forthcoming.

(11) Additional Gordon River Crossings

- City Manager Jones related that the City is meeting with representatives of Collier County to develop a plan(s) for an additional crossing of Gordon River.

Roger Barry provided a slide presentation of photos of Naples, Town of Palm Beach, and various cities in California. Slides identified comparisons and ideas regarding street beautification (e.g. trees, signs, utility poles, etc.).

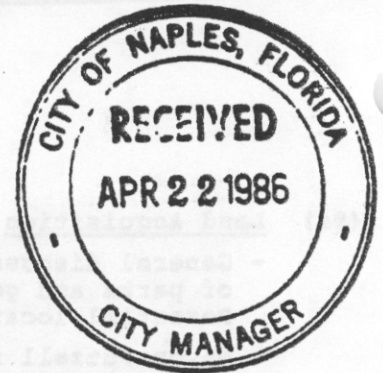
Meeting Adjourned by Mayor Putzell at 11:35 A.M.

715 tenth street south  
naples florida 33940  
813-262-4164

William R Vines, president  
member, AICP

April 21, 1986

Mr. Frank Jones  
Naples City Manager  
City Hall  
735 Eighth Street South  
Naples, Florida 33940



Dear Frank:

As a follow up to previous discussions with you and Roger Barry regarding Fleischmann Estate lands in the vicinity of Caribbean Gardens, I offer a document prepared under date of April 7, 1986 entitled Long Term Development Objectives For 215.7 Acres of Fleischmann Estate Land In the Vicinity of Caribbean Gardens. The property in question lies adjacent the City of Naples corporate boundaries but is entirely within the unincorporated area of Collier County. The development objectives describe a land use mix which is much more characteristic of cities than of unincorporated areas. The estate trustees have indicated that they would give consideration to requesting annexation of all or a portion of the subject property if the City of Naples Council and Administrative Staff are supportive of the described long term development objectives and encourage a request for annexation.

I would appreciate it if you would distribute copies of this letter and its attachment to the Mayor and Council members in order that they can develop a position regarding the development objectives and the prospect of annexation. I realize that at this point in time there is nothing more involved than an exchange of information and views between Fleischmann Estate representatives and city officials. It is anticipated however, that the exchange of views will permit both parties to make well considered judgements of the appropriate course of action to follow.

If council members would like to meet with appropriate Fleischmann Estate representatives for discussion purposes, please advise.

Sincerely,

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

William R. Vines

WRV/si

Attachment

715 tenth street south  
naples florida 33940  
813-262-4164

April 7, 1986

## LONG TERM DEVELOPMENT OBJECTIVES FOR 215.7 ACRES OF

### FLEISCHMANN ESTATE LAND IN THE VICINITY OF

### CARIBBEAN GARDENS

Undeveloped Fleischmann Estate owned properties which are the subject of this document include 54.4 acres north of Golden Gate Parkway, east of Goodlette Road and 161.3 acres south of Golden Gate Parkway, east of Goodlette Road. Of the latter, 78.4 acres lie west of the Gordon River; 82.9 acres east of the river. The aggregate acreage is 215.7 acres. A sketch map of the property is attached.

The development objective for the north of Golden Gate Parkway land consists of commercial development at the Golden Gate Parkway/Goodlette Road intersection; multi-family residential development of the land east of the commercial development, south of the Wilderness Country Club golf course.

major and minor commercial facilities; civic and cultural facilities; commercial recreation facilities; governmental, business, and professional offices; hotels; conference facilities; restaurants; lounges; clubs; art galleries; theaters and the like. Permanent, seasonal and transient residential facilities are also to be included as an integral part of the mixed use complex, rather than independent uses on segregated parcels of the property.

Development of the property will occur in a series of stages over a quite lengthy time period. Thus, for an extended period of time, the property will function as a reservoir of land for appropriate urban center uses, with actual development occurring in pace with growth and development of the greater Naples area. The estate intends to maintain land control as well as control over the nature and quality of development. The estate will participate in the actual development of the property and will permit selected others to participate.

A basic development framework plan will be prepared for the purpose of giving order and direction to the property's development. After preparation, the plan will be submitted to the appropriate governmental jurisdictions for approval. The plan must have and retain substantial flexibility for the following reasons:

1. The anticipated long buildout period;
2. The impossibility of predetermining the precise use mix which

3. The necessity to accommodate specific design and locational requirements of major land uses, including those uses which have public or quasi-public sponsors;

4. The potential emergence of new development techniques, changed merchandising practices and/or economic conditions.

Upon adoption of the basic development framework plan, an architectural and landscape architectural theme will be established for the complex. An integrated system of vehicular entry and exit ways, internal drives, parking areas, service drives, utilities, pedestrian walkways, plazas and natural open spaces will be planned to serve the mixed use development complex as a whole.

A fundamental development objective is that, at buildout, the urban center complex have a substantially greater amount of building floor area and offstreet parking spaces per developed acre than is characteristic of the Naples area. A counterbalancing objective is that there be a substantially higher ratio of both pedestrian oriented and visual amenity space per developed acre than is characteristic of Naples area commercial developments.

The nature and timing of the development increments cannot be forecast with certainty but it is likely that the earlier development phases will utilize surface parking on an interim basis, with subsequent phases having a more



The property contains two large open space areas which will have a strong structuring effect on the urban center development plan: Caribbean Gardens and the Gordon River related wetlands.

#### CARIBBEAN GARDENS:

Caribbean Gardens is 30 acres in area, although only a portion of that area is occupied by the collection of tropical plants which was initiated by pioneer botanist Henry M. Nehrling in 1919. Dr. Nehrling had been searching for a frost free location in south Florida for his plant collection when Naples was suggested to him by Thomas Edison. After establishment, Dr. Nehrling called the collection his "Garden of Solitude", and in 1925 it contained some 3,000 different species of tropical plants. Dr. Nehrling died in 1929, following which the plant collection was plundered, neglected, and began to return to nature. The property was divided into smaller parcels and sold. In 1951, after more than 20 years of neglect and abuse, winter resident Julius Fleischmann learned of the former Nehrling gardens. Intrigued, Fleischmann hacked his way through the densely overgrown former gardens site where he found many large specimens of non-native tropical trees, palms, and other plants. Many of the Nehrling plantings had survived. Fleischmann began the assembly of the original gardens tract and a great deal of surrounding real estate. He commissioned the reclamation of the remaining Nehrling plantings, and in 1953 initiated development of the Caribbean Gardens tourist attraction. During the remainder of Fleischmann's life, hundreds of new plant species were installed in the Gardens, lakes were added, and an exotic waterfowl

species collection of ducks, swans and geese in the world. Following Fleischmann's death in 1968, the botanical garden and waterfowl tourist attraction was substantially modified. The Gardens area became a zoological park, specializing in big cats, elephants, primates, and other exotic fauna, and regularly scheduled circus acts were instituted. The extensive waterfowl collection was sold to zoos and waterfowl fanciers.

One of the fundamental objectives established for the property by the estate is to retain the botanically significant portion of Caribbean Gardens as an integral open space element of the urban center development. It is intended that the botanically significant portion of the Gardens be kept as a centerpiece for surrounding urban center structures, and that the Gardens be carefully restored in order that they can function as a living memorial to Julius Fleischmann to whom they meant so much. Not only will a meaningful collection of tropical plants be a permanent part of the urban center complex, but the place name CARIBBEAN GARDENS will identify the complex as a whole.

#### THE WETLANDS:

The 161.3 acres of estate owned property which lies south of Golden Gate Parkway extends east/west from Goodlette Road to Bear's Paw Country Club golf course. The property is divided by the upper reaches of the Gordon River and about 50 acres of river associated wetlands, primarily mangrove. The river and its wetlands are to be preserved in their natural state although, like the tropical plant collection, some undesirable exotic plant elimination and other restoration actions will be necessary to return the

East of the wetland area to be preserved, some 33 acres of upland are suitable for urban utilization. Proximity to the northwest leg of the Naples Airport runways suggests that this land has poor suitability for permanent residential usage. It is intended that this land be utilized for uses similar to or related to the west of the river urban center uses.

Portions of the wetlands to be preserved are extraordinarily handsome and well suited to the installation of piling supported pedestrian boardwalks. Such boardwalks would not only permit public viewing of the wetland area, but could provide pedestrian and small scale shuttle vehicle access between the east and west of the river development, effectively extending the urban center complex east of the river, and making the wetland preserve an internal rather than an edge feature.

The basic development objectives described above and the organizational plans which are to be prepared for public approval have the express purpose of setting the stage for eventual development of one of the more dramatic and beautiful urban centers in the country.



WILDERNESS  
COUNTRY CLUB

NAPLES HIGH  
SCHOOL

Golden Gate Parkway

Coastland Blvd.

COASTLAND  
CENTER

BEAR'S  
PAW  
COUNTR  
CLUB

Shmunn Blvd.

CARIBBEAN  
GARDENS

FLEISCHMANN  
PARK

Goodlette Road

CONSERVANCY  
NATURE  
CENTER

Gordon River

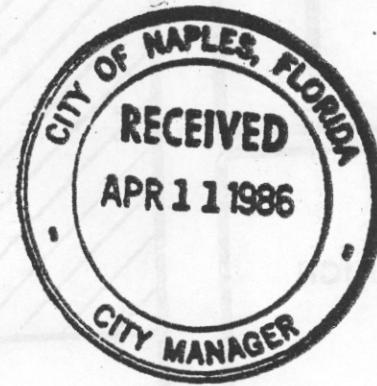
LAKE PARK  
ELEMENTARY  
SCHOOL

POST  
OFFICE

FLEISCHMANN ESTATE LAND OWNERSHIP SKETCH

April 10, 1986

Mr. Franklin C. Jones, City Manager  
City of Naples  
735 Eighth Street, South  
Naples, Florida 33940



Dear Frank:

In response to your request during our meeting of April 9, 1986, we have prepared the following summary of events as a status report relative to the "Welles Products Problem" and the "Claims for Additional Time and Costs by Twin Construction, Inc." which relate to the on going contract for the expansion of the Naples Wastewater Treatment Plant. Where appropriate, I have attached copies of the relative correspondence.

#### Welles Product Problem

As a part of their bid package, Twin had selected to use Welles Products as the suppliers of several major equipment items for the project, namely: aerators and rotating weirs for the aeration basins, clarifier mechanism for the primary and secondary clarifiers, and covers and gas handling equipment of the digesters.

During last summer and fall, shop drawings for this equipment, prepared by Welles, and submitted by Twin, was received and reviewed. With the exception of the digester covers, which are fabricated steel, most of the submittals had received some degree of approval and only confirmation of comments were required. Additional engineering was required for the digester covers and some of the related equipment.

By way of explanation, it should be noted that Welles Products do not manufacture any of the equipment to be used, but issue purchase orders to various component suppliers, arrange for the coordination of the equipment, along with some assembly, and also subcontract the fabrication for the required steel components. However, the warranties for the equipment come from Welles, and in this way, they become the single contact in the event of an equipment problem.

By letter dated January 27, 1986 (copy attached) from A. B. Curis the local representative of Welles, Twin was notified that Welles would be unable to supply the equipment and meet their contracted obligation to Twin. During telephone conversation between Mr. Arthur King, of Twin, and Frank Nocifora, of Welles, they informed Mr. King that their legal counsel would be sending out a letter about this, but this has never been received by Twin.

At a meeting between Mr. King and myself, in early February, to discuss this problem, it was agreed that Twin would pursue two possible solutions to this problems.

The first was to contact other suppliers of this equipment to determine tentative schedules to receipt of the equipment, any major deviation from the specifications that would be involved and, from the Contractor's concern, any additional costs which would result from this.

Based upon discussions with the supplier, their calls to me to discuss questions on the specifications, and other information, the best combination appeared to present a schedule, as follows:

- a. Shop drawing submittals in 6 to 10 weeks, depending on the engineering required, after the issue of a purchase order.
- b. Shop drawing review, depending on the complexity, of from one to three weeks.
- c. Manufacture, assembly, fabrication and delivery of the equipment would range from 18 to 30 weeks after shop drawing approved.

Thus, equipment delivery could range from 25 to 45 weeks after the purchase order. Assuming that a purchase order was issued on March 15, 1986, equipment delivery would range from September, 1986 through January, 1987, after which installation, start-up and testing would be required.

It should be noted that the equipment for the aeration basin and secondary clarifiers is the most critical, in that these facilities must be in operation before the existing units can be taken out of service for renovations, in order to keep the facility in service at all times.

As an inside, based on information supplied by Twin, the preliminary quotes received from the suppliers exceeded Welles quote by about \$300,000.00.

The second possible solution, was for Twin to arrange to contact each of the individual suppliers to Welles, to reactivate purchase order for specific equipment items, and to arrange a method of coordinating the various items, provide the necessary engineering for completion of the shop drawings and for installation and start-up services, and to provide a satisfactory system for warranty for the products.

Mr. King traveled to Welles offices in Roscoe, Illinois, to get what assistance he could from the Welles people in tracing the equipment already ordered, and contacted their steel fabricator, D & M Co., in an attempt to have this company act as the coordinator. Based upon conversations with D & M and phone calls to the various suppliers, at the March 19, Contract Progress Meeting, Mr. King presented a tentative schedule of equipment delivery, as being completed in August, 1986. However, subsequent to this some problems in arranging all of the necessary engineering came up, and a modified approach was required.

At a meeting on April 2, between Mr. King and myself, he outlined this change, explaining that he had reach tentative agreement with the ex-chief engineer for Welles to provide the necessary service for engineering, shop drawings, fabrication details, and start-up services. Also, that he has contacted Tampa Tank, a steel fabricator, and that they could meet a short schedule for fabrication.

I have attached copies of my letter of April 4, to Mr. King, and his letter of April 8 to us, which crossed. My letter confirmed the six major points to be answered that were raised in the April 2, meeting, and Mr. King's letter includes his explanation. We are reviewing these matters, but a preliminary purusal would indicated that if any questions which are raised, either through our review, or the City's review, can be satisfactory resolved, that this second approach is favorable in light of the much earlier delivery of all of the equipment.

You will note that in Twin's letter they mention a time delay of 180 days, but are expending efforts to minimize this. At this time, Twin has not presented a modified schedule for our review or comment, but we have requested that this be presented as soon as possible.

Finally, in relation to this matter, Twin has submitted a letter on February 11, 1986, (copy attached) in which they offically notify us of the delay in accordance with the contract requirements. We have not responded to this pending receipt of the revised schedules to assess the impact on the project scheduling.

However, as I had discussed with you, after reviewing this matter with our legal counsel, based on our experience with similar matters, the City would probably need to grant an extension of time to the Contract, but no additional costs associated with this problem would be involved. It would be the Contractor's responsibility to recover any costs from the manufacturer. (Welles).

## Claim For Additional Time and Cost by Twin

By letter dated October 23, 1985, the Contractor, Twin Construction, Inc. submitted copies of computer CPM's of the original schedule and a revised schedule. Based upon these, the Contractor requested an extension of 180 days for "delays caused by unforeseen conditions beyond our control". In addition, Twin asked for an additional \$1,646,700.00, as "added costs already sustained and to be sustained due to these delays". A one-sheet attachment outlined these costs. We have not investigated these in detail.

Based upon a preliminary review of the schedules presented, we sent a letter to Twin (November 4, 1985) requesting a meeting to discuss questions which were raised and to discuss clarification of the matter. A meeting was held on November 15, at which time revised schedules were submitted, and Twin presented information as to the basis for their claims. (Copy of December 9, 1985 letter attached.)

The basis for Twin's claim was the fact that Florida Power and Light did not complete the removal of an underground primary power cable until mid-August, thus delaying the work.

A revised CPM dated December 10, 1985 was submitted for review, which incorporated a reduction of 27 days in the schedule. This was followed by a letter dated December 17, in which the claim was reduced by \$185,047.00, or \$6,853.00 per day. We did not investigate how these numbers were arrived at.

Further, in their letter of December 17, Twin suggested a change in the construction method for the primary clarifiers which they stated would reduce the time extension by an additional 60 days, at a cost reduction of \$361,653.00 or \$6,028.00 per day. Again, we are not completely sure of the basis for this number, nor have we accepted this changed procedure, although the technical facts were discussed in detail between Twin, our structural consultant and ourselves.

Subsequent to this, we performed an in-depth review of the final revision of the schedule received, including a brief assessment by our "Claims" sub-consultants, who also proposed some alternative solutions which could be "suggested" to the contractor.

By letter dated February 3, 1986, we presented the results of our reviews to the Contractor, in which we denied their claim, and pointed out that there was a clear delay of 37 days by Twin and that other procedure by them could have overcome the other time losses.

In addition, in a "spirit of cooperation" with the Contractor we brought to their attention that there were ways to overcome the time which they had lost, and our willingness to meet with them to present suggested methods to them. In light of the Welles problem, these may or may not still be practical at this time, and would depend on our review of the revised schedules.

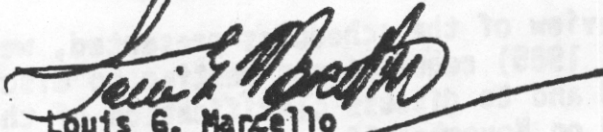


Twin submitted a letter dated February 17, objecting to our findings, which implied that they feel the matter is not closed. Although their have been some limited discussion with the Contractor about this, the matter has not been pursued in great detail, as we have been involved with the Welles problem.

Should you have any questions, relative to this report, or require additional clarification, please contact us.

Very truly yours,

CAMP DRESSER & MCKEE INC.



Louis G. Marcello  
Associate

LGM/bfa  
Enclosures

File: 6680-04

**A.B. Curis & Associates Inc.**

Telephone: AC 813-666-8000

Faxes: 832-640

Post Office Box BV  
3908 Highway 80 South  
Lakeland, Florida 33808

Received in Naples  
2/7/86

Reedy To:

A.B. Curis & Associates, Inc.  
5601 Powerline Road  
Suite 408  
Ft. Lauderdale, FL 33308

DOM

FYI

January 27, 1986

Twin Construction, Inc.  
1048 N.W. 33rd Street  
Pompano Beach, FL 33064

Attn: Mr. Arthur L. King

Re: City of Naples, FL WHTP  
Welles Products Corp.

Dear Art,

It is with great compassion that we must pass along information provided to us by Welles Products, Inc. that they can no longer perform the necessary functions to complete the engineering or supply the equipment purchased by your firm for this project. We have tried everything in our power to schedule release dates from engineering to fabrication with the full understanding that they could perform. As it turns out, that was not truly the case.

Art, we have been approached by various individuals indicating their interest to work with you toward completion of this project, however we have indicated to them that these avenues could only be pursued by you through the consulting engineer's approval.

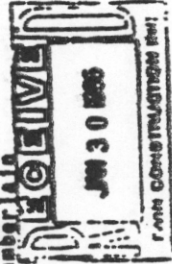
We want to again express our sorrow on these latest developments and offer our assistance if at all possible.

Sincerely,

A.B. Curis & Assoc., Inc.

*Neal E. Chamberlain*

Neal E. Chamberlain



cc: A.B. Curis-Lakeland  
MPC  
NEC/ccc



**TWIN CONSTRUCTION INC.**

• GENERAL CONTRACTORS •

17 LAUDERDALE, FL

February 11, 1986

Camp Dresser & McKee Inc.  
2001 NW 62nd Street  
Fort Lauderdale, Florida 33310

Attention: Mr. Lou Marcello

Reference: Maples Wastewater Treatment Plant  
Welles Products Corp.

Dear Mr. Marcello,

This confirms our meeting at the job site on 2/7/86 at which time I handed you a copy of a letter from A.B. Curis dated 1/27/86, (received by Twin on 1/30/86) advising us (for the first time) that Welles Products was in trouble.

I also made a telephone call, in your presence, to Mr. Frank Weir, the CEO of Welles Products, who advised me that we would be receiving an official letter from Welles legal counsel (by 2/13/86) explaining their problems.

We also reviewed information that I had gathered from sales representatives and Walker Process Systems. Both of these firms quoted prices for the Clarifier's and Digester systems only, which was to/or in excess of our purchase order to Welles whose price also included the Surfair Aeration system. The delivery times varied from 18 to 30 weeks after shop drawing approval.

We met again in your Fort Lauderdale office on Tuesday 2/11/86 to continue our discussion on this subject, and I updated you with a quotation, on the Aeration system, from Ambruek-Simons-Martley (delivery approx. 16 weeks). The combination of a Walker & Asher system would cost in excess of \$350,000 more than Welles purchase

Inasmuch as we still legally have an order in place with Welles, I requested informally that you review the facts with the City of Naples and get an opinion or suggestion from them.

Continued on Page 3

February 11, 1986

page 2

Re: Naples Wastewater Treatment Plant  
Welles Products Corp.

Obviously, any form of solution to this problem will require an extension of time of at least 24 weeks. We will continue to diligently explore every possibility for shortening the delay.

We will appreciate your considering this letter as due notice of an "Excusable Delay" in accordance with Article 12-8C 12.1 of the General Conditions.

Very truly yours,

*Arthur L. King*  
Arthur L. King  
Executive Vice President

cc: F. Jones, City Manager  
J. Chaffee, Utility Director  
Hartford Fire Insurance Co.

10



RECEIVED

16 MAR 8 11:37  
TWIN CONSTRUCTION INC.

ASSISTANT  
GENERAL MANAGER  
P.O. BOX 1000  
FT. LAUDERDALE, FL.

• GENERAL CONTRACTORS •

February 28, 1986

Welles Products Corporation  
11765 Main Street  
Roscoe, Illinois 61073

Attention: Mr. Frank Nocifera

REF: Naples W.V.T.P., Fla.  
Welles Order 8M-903248  
Twin P.O. 9-190-12350

Dear Mr. Nocifera:

We are disappointed that you have not responded to our letter 1-28-86 requesting information.

We urgently appeal to you, for the assistance of the Welles Co. to complete this project. We need to have access to a copy of your files, cost estimates sheets, vendor contracts, vendor purchase orders, engineering drawings, etc.

The A.B. Curie Company has offered their complete staff to assist in completing the Engineering Drawings, so we can do direct purchasing and fabrication of all items. Twin will have to provide warranty to the owner.

*L. M. Chamberlain*  
MARCH 19, 1966

MAPLES WASTE WATER TREATMENT PLANT

OPTIMISTIC WELLES EQUIPMENT DELIVERY DATES

- A. SUPAIR DAFFLES ( NEW TANK ) APRIL 18, 1966
- B. DICHESTER COVERS ( 45' ) APRIL 18, 1966
- C. SECONDARY CLARIFIERS ( 65' ) MAY 16, 1966
- D. ROTATING WEIRS ( 1-NEW TANK ) MAY 16, 1966
- E. SURFAIR AERATOR DRIVERS AND IMPELLERS ( 2 EACH, 30HP ) MAY 23, 1966
- F. DICHESTER EQUIPMENT ( ALL ) JUNE 10, 1966
- G. SECONDARY CLARIFIERS ( 50' ) JUNE 17, 1966
- H. SURFAIR, DAFFLES, WEIRS AND SUPPORT PLATFORMS ( 60HP ) JUNE 24, 1966
- I. PRIMARY CLARIFIERS ( 76'-4" ) JULY 1, 1966
- J. DICHESTER COVER ( 48' ) AUGUST 11, 1966

\* "NOTE"

MAXIMUM SLIPPAGE SHOULD NOT EXCEED THREE ( 3 ) PERCENT

Wells Products Corporation  
February 18, 1966  
Page 2

Time is of the essence and we have no choice other than to proceed in this manner. Twin will make all payments direct to vendors, etc. and if profits above costs are realized, we will pay this to Welles Corporation at completion of job.

Please, may we have your prompt cooperation and we request that you contact Mr. Arthur L. King by telephone 305-972-3686 upon receipt of this letter. We are willing to travel to any location for a meeting with you, within 24 hours of your call.

Sincerely,

*Arthur L. King*  
Arthur L. King  
Executive Vice President

cc: Lou Marcollo - CBM  
Jim Robertson - A.B. Curle  
Neil Chamberlain - A.B. Curle

*Received At Monthly Progress Meeting.*

**CDM**

CONSTRUCTION MANAGEMENT, ARCHITECTURE,  
ENGINEERING, & ENVIRONMENTAL SCIENCE

CAMP DRESSER & MCKEE INC.

100 East 100th  
2000 Northshore Drive Street  
P.O. Leominster, Florida 33600  
305 773-0025

Twin Construction, Inc.  
April 4, 1986  
Page 2

CAMP DRESSER

April 4, 1986

Mr. Arthur L. King  
Twin Construction, Inc.  
1845 Northwest 33rd Street  
Pompano Beach, Florida 33064

RE: City of Naples  
Wastewater Treatment Plant Expansion  
Malles Products, Inc.

Dear Mr. King:

This letter is to address the matter of the problem which has been brought about by the failure of Malles Products, Inc. to provide the necessary equipment for the project as required, and the relative correspondence and meetings between Twin and CDM to discuss possible methods of resolving this matter.

During the Monthly Progress Meeting on March 20, 1986, you reported on a possible solution, using B & M as a coordinating firm, in lieu of Malles, providing the equipment which had previously been approved from various suppliers. A tentative schedule of equipment delivered was submitted, with the understanding that this was to be confirmed and finalized shortly thereafter.

At a subsequent meeting, on April 2, 1986, you stated that there had been a change in the arrangements for coordinating the equipment delivered, and that the schedule was not finalized, but would be shortly.

During this meeting, it was requested that Twin submit a letter, detailing exactly how Twin proposed to address the entire problem, and explaining the following:

1. How the remaining pre-manufacture engineering is to be handled, including a schedule of submittal dates for the shop drawings which are still required.
2. An explanation of how all previously approved equipment will be provided/purchased from the approved suppliers.
3. Details of any substitutions or variations from previously approved equipment which Twin proposes at this time.

4. Complete and detailed information as to how Twin proposes to provide the required manufacturers services during installation, start-up and testing, of all related equipment.
5. Detailed information as to how the required warranties or bonds for the equipment will be provided.
6. Information as to what impact to the schedules have been caused by the Malles problems.

It is necessary that the above information be furnished in sufficient detail for review and approval by ourselves and the Owner prior to your proceeding with the manufacturing and/or delivery of any of equipment which was to be furnished by Malles.

Very truly yours,

CAMP DRESSER & MCKEE INC.

  
Lewis G. Marcellino  
Associate

LMN/bfa

File: 6680-04

cc: J. Chaffee, Malles Director  
R. Orach  
H. G. Trainer  
C. F.



RECEIVED

86 TWIN CONSTRUCTION INC.

GENERAL CONTRACTORS •  
LESLIE  
& MCKEE, INC.  
FT. LAUDERDALE, FL

April 8, 1986

Camp Dresser & McKee, Inc.  
2001 NW 62nd Street  
Fort Lauderdale, FL 33310

Attention: Lou Marcellio

Reference: Naples Wastewater Treatment Plant  
Wallen Products Corp.

Gentlemen:

This confirms our advice to you on April 2, 1986 that we have retained the firm of Johnson Engineering & Design, Inc. of Vero Beach, Vero Beach, to complete all the unfinished Wallen Engineering drawings, complete and submit calculations for floating covers and concrete bridges. Mr. Kris S. Johnson, P.E. was in charge of Wallen Engineering Department and was with Wallen until January of 1986. He has many years of industrial design experience, including 12 years with Rex Industries/Havren and we find him exceptionally qualified for this project.

We have already started work on the structural calculations for the floating covers and sea holder, and this will be submitted to you by April 15, 1986. All of Wallen submittals will be reviewed and any information required by CDM will be provided by May 15, 1986.

We are proceeding with recontacting all Purchase Orders by Wallen Products for some manufactured products. All products submitted and approved will be provided and we anticipate "no substitutions" at this time except the clarifier drives (which are a performance item) and were a Wallen licensed product. We will be submitting DMS Industrial Drive Units, which we feel will more than meet all design criteria, including warranty.

Installation supervision and startup services, testing, etc. will be provided by Johnson Engineering & Design, Inc. and by the representatives of manufactured products. All test reports will be provided in accordance with specifications.

... continued

1845 NW 33rd Street • Pompano Beach, Florida 33064 • 305/972-3688

Camp Dresser & McKee, Inc.  
April 8, 1986  
Page Two

All required warranties will be provided from all manufacturers (as specified), as Wallen Products was not a manufacturer of anything, this procedure unchanged. The fabricated steel items will be warranted directly by the manufacturer and will be warranted by Johnson Engineering.

We further advise that the delays caused by the Wallen Products Corp. were beyond our control, will require an extension of time of 100 calendar days. We are expending every effort to minimize this delay as every day on an added cost to us.

We would further remind you that this delay is due to the gap in manufacturing caused by Wallen Products. However, there is no change in the quality of the project.

We would appreciate your prompt processing of an extension of time Change Order.

Very truly yours,

TWIN CONSTRUCTION INC.

*Arthur L. King*  
Arthur L. King  
Executive Vice President

ALR:ide

cc: Norman Trainer, CDM/  
Jim Chaffee, City of Naples





CAMP DRESSER & MAKEE INC.  
 P.O. Box 2885  
 28th Floor West Office Street  
 Ft. Lauderdale, Florida 33309  
 305 775-0721

Twin Construction Company  
 December 9, 1985  
 Page 2

CAMP DRESSER

December 9, 1985

Twin Construction Company  
 1845 Northwest 33rd Street  
 Pompano Beach, Florida 33064

Attention: Mr. Arthur L. King

RE: Naples Wastewater Treatment Plant  
 Up-dated Progress Schedule

Bear Mr. King:

This letter is to provide a written record of events and progress to date, relative to our review of your submittal of Progress Schedules, and the meetings and discussions held in reference to the Schedules.

By letter dated October 23, 1985, you submitted two progress schedules, entitled "Original Contract Schedule" and "Revised Progress Schedule" dated October 21, 1985, which were received in Naples on October 24, 1985.

Our letter of November 4, 1985 requested a meeting to discuss our questions relative to the schedules. This meeting was held in your Naples field office, on November 18, 1985. During this meeting a revised progress schedule was introduced along with smaller CM's of the individual structures. Copies of these schedules were requested by us, and delivered on the evening of November 18, 1985.

At a subsequent meeting in Naples, after the monthly Contractors meeting, on November 22, 1985, a modified CM, showing a reduction of 28 days in the overall schedule was presented for discussion. Copies of this modified schedule was delivered to us, in Naples, on November 28, 1985. This schedule is now being used in our reviews.

- The meeting on November 15, 1985, was attended by the following:
- G. Grenvold - City of Naples
  - Arthur King - Twin Construction Co.
  - Gary Rogers - Twin Construction Co.
  - David King - Twin Construction Co.
  - Russ Clethier - Twin Construction Co.
  - K. L. Adams - CDM
  - Low Marcella - CDM

The reason for this meeting was to discuss the schedules previously presented and to ascertain more information as to the reasons for the delays encountered. As mentioned above, revised schedules were introduced at the meeting to clarify the schedules.

In summary, Twin explained the delays as being caused by two major factors, the delay caused by the need for F & L to relocate the main power room and remove the existing underground primary feeders, and the delay in construction of the generator building, because of the need to reestablish footings and to install stone columns.

Mr. Rogers stated that the original intent was to "fast track" the generator building, and to have this facility in service by October. Twin now plans to complete this facility by March, 1986.

In addition, in reference to the schedule for the remaining work to be completed, Mr. Rogers stated that the Preliminary Treatment Building and the Sludge Treatment Building are the most difficult structures, and will require the most time to complete.

The review of the modified CM's, received on November 25, 1985, is still on-going. Certain questions have arisen, and further information/clarification is requested to assist us in our review.

The critical path is shown as proceeding from "Mobilization" to "Florida Power and Light-Power Line Arriving" to "Interim Piping Operations and Electrical Harvesting Procedures", to "Demolition, Plan B." As you are aware, the F & L work was accomplished in two parts, erecting of the plant feed and the underground primary, and the relocation of the main southeast corner of the plant. Further, the Interim Piping Operations etc., is shown with an early start of October 25, 1985, but the notes in the description refer to piping at the pit chamber starting on October 7, 1985. We feel it would be quite helpful in our review if the activities shown could be presented in more detail, showing the actual timing of events, in a manner similar to the breakdown which had been prepared for the individual structures.

In addition, the first activity for the New Electrical Generator Building shows an actual start date of March 20 and a duration of 100 calendar days. We request a similar breakdown of the activity, which would show the chain of events, i.e. redesign, negotiate change orders, shop drawings and any other information to substantiate the causes of the delays in this activity.

Further, the New Site Lift Station is shown following the completion of the New Central Building. Although the total duration of this phase of the work is only 31 days, we feel it is not truly representative to show this as it is now shown on the schedule. Furthermore, as Mr. Rogers reports we have agreed in principle that this structure can be relocated to show this so that construction can begin before demolition of the existing work. As this is not a critical item, we have not yet finalized the details of the relocation.

In addition, Section 1.05 of Specification 0110 defines Substantial Completion as including the renovation of the existing basins and clarifier. The modified schedule delivered to us does not reflect this, as the work on the existing corrosion structures and clarifiers is shown to take place after substantial completion.

ENC. NO. 23P  
 CDD NO. 6850-04



Twin Construction Company  
December 9, 1985  
Page 3

CAMP DRESSER

The modified schedule, as presented, shows the new aeration tank to be completed by February 21, 1986 and the new clarifier to be completed by March 7, 1986. It would seem that the modifications to the existing facilities could begin as soon as the new facilities are completed, and thus all of the activities shown between "Substantial Completion" and "Final Testing and Acceptance" can be scheduled to commence after the completion of the new aeration tank and clarifiers. We request you to revise your schedule to reflect this and submit this to us for review, or add written explanation of why this cannot be accomplished/scheduled as suggested.

Considering the importance of this matter to both Twin and the City of Naples, we will continue our review of the schedule pending the receipt of the requested information.

Very truly yours,

CAMP DRESSER & MCKEE INC.

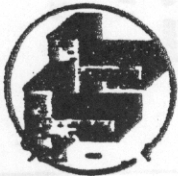
*Louis S. Marcellis*

Louis S. Marcellis  
Project Manager

LEW/Sfa

File: 6680-04

cc: M. Viltzle, Naples  
E. Gronvold, P. E., Naples  
R. Orach  
C. CO. F



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DEC 18 10:03

# TWIN CONSTRUCTION INC.

GENERAL CONTRACTORS • PESSER ENGINEERING INC. FT. LAUDERDALE, FL CONDORADO CONSTR.

December 17, 1985

*Entirety*

| NO | AGION        | DATE |
|----|--------------|------|
| 1  | CONSTRUCTION | 1/85 |
| 2  | APPROVAL     |      |
| 3  | WALL         |      |
| 4  | FIELD        |      |
| 5  | P.V.I.       |      |
| 6  | FINISH       |      |

Camp Dresser & McKee Inc.  
PO Box 9426  
2091 Northwest 62nd Street  
Ft. Lauderdale, FL 33310

Attention: Mr. Lou Marcello

Reference: Updated Progress Schedule - Naples Wastewater Treatment Plant DOC. NO. 447

DATE: 12/17/85

Gentlemen:

As a followup to our letter of December 16, 1985 regarding the latest review of CPM dated December 10, 1985 indicating a 153 calendar day extension in lieu of the original 180 calendar day, we failed to include a revised cost for this' time revision. The revised amount is now \$1,481,633 in lieu of original \$1,646,700, or a savings of \$165,067.

You requested further review and suggestions as to how we might further improve the time frame and decrease costs. Inasmuch as the primary clarifiers are the critical item, we have limited our review to these structures.

The controlling factor for the primary clarifiers is the structural time requirement of 200 days. We could improve this time by 60 calendar days if approval was given to eliminate base slab construction and non-segmented wall pour. Walls for the entire tank would be completed in two (2) sections; the first pour would be complete exterior wall to Elev. 19.41 with the interior trough to Elev. 13.61; the second pour would be the entire interior trough wall from Elev. 13.41 to Elev. 16.00. In order to accomplish this, we would have to have five more sections of the specially designed trough forms fabricated (which takes about four weeks). However, the time and money savings are sufficient to warrant the added costs.

If an immediate decision could be made on this suggestion, the time extension would reduce itself to 93 calendar days and the costs to \$1,100,000.00 or an additional savings of \$381,633 against the 153 day schedule.

...continued

Camp Dresser & McKee Inc.

December 17, 1985

Page Two

We will appreciate your immediate advice and comments on this matter as soon as possible.

Very truly yours,

ARTHUR L. KING

Executive Vice President

ALK:ds

Mr. G. Greenwald, F.R., Naples  
Mr. M. Wiltsie, F.R., Naples  
Mr. F. Jones, City Manager, Naples

**CDM**

CONSTRUCTION MANAGEMENT  
DESIGN & SUBSEQUENT CONSTRUCTION

CAMP DRESSER & MAKEE INC.

PO Box 6000  
2001 Northwest 45th Street  
P. O. Box 6000, Ft. Lauderdale, Florida 33309  
305 776-1726

*File # 4-1112*

February 5, 1986

Twin Construction, Inc.  
1045 Northwest 33rd Street  
Pompano Beach, Florida 33064

Attention: Mr. Arthur L. King

- RE: City of Naples  
Wastewater Treatment Plant Expansion  
Twin's Request for Extension of Time  
and Corresponding Costs
- (1) Twin's letter of October 23, 1985
  - (2) CDM's letter of November 4, 1985
  - (3) CDM's letter of December 9, 1985
  - (4) Twin's letter of December 16, 1985
  - (5) Twin's letter of December 17, 1985

Dear Mr. King:

This letter is to address the process of our review of the updated Progress Schedules which have been submitted by Twin Construction Inc. in reference to and in support of your request for an Extension of Time for delays for reasons stated to be unforeseen conditions beyond your control.

As documented in the above-referenced correspondence, there has been an on-going series of letters and meetings to discuss the request and to try to determine the basis and causes of the delays. As a result of these meetings, several Progress Schedules, in the form of critical-path schematics, have been presented by Twin, each of which has been reviewed in detail. The schedule of revisions received has been as follows:

- (1) Initial submittal of Progress Schedule, dated October 21, 1985, received in Naples on October 24, 1985.
- (2) Revised Progress Schedule presented at a meeting in Naples on November 15, 1985. Copies delivered for review on November 16, 1985.
- (3) During a meeting in Naples on November 22, 1985, a further modification of the Progress Schedule was presented which showed a reduction of 27 calendar days. Copies of this schedule were received for review on November 25, 1985.

C.O.C. NO. 273  
JOB NO. 660-06

Twin Construction, Inc.  
February 3, 1986  
Page 2

CAMP DRESSER

- (4) Based upon our letter of December 9, 1985 and a subsequent meeting in Naples on December 12, 1985, the last revisions to the Critical Path Method, dated December 10, 1985, were presented.

We have reviewed the various modifications to the schedule which has been presented. In particular we have studied the area identified as "Delays" in the relocation of the Florida Power and Light primary power line at the project site.

In addition, we have carefully reviewed the pertinent project documentation, including the daily reports of our Resident Inspectors and the contract documents and drawings.

The following comments are presented in relation to this matter:

- (1) The underground Florida Power and Light primary line crossed the Interim Piping at one location which is along the north-south portion of the piping, just south and west of the existing digesters. The location of this line was known at the beginning of the project.
- (2) The notes on Drawing C-14, call for the Contractor to excavate and locate the existing existing force main to the plant site which are to be connected to the Interim Piping. All of these are well away from the Florida Power & Light primary line. There was nothing to prevent Twin from performing the necessary excavation and location of these force mains at an earlier time so that any required field modification could be accommodated.
- (3) In actuality, and as shown on the schedules presented, the Florida Power & Light relocation of the primary line was completed on August 16, 1985. Twin did not begin the necessary excavation and location of the existing force mains until September 23, 1985, a delay by Twin of 37 calendar days.
- (4) The east-west leg of the Interim Piping could have been installed at an earlier time, regardless of the Florida Power & Light primary line.

Based upon our reviews, meetings and correspondence, we do not find sufficient information to support your request for an extension of time of 153 days.

Twin Construction, Inc.  
February 3, 1986  
Page 3

CAMP DRESSER & MCKEE INC.



In relation to your request for added costs stated as already sustained and to be sustained due to delays, we do not find a basis for these, and hence have not reviewed the cost data presented.

In conjunction with our review of the schedules, we have looked at steps which possibly could be taken by Twin to enable the schedules as presented to be reduced in time.

For example, in your letter of December 17, 1985, you suggested a change in the construction procedures for the primary clarifiers which could reduce the schedule by 60 days. As you will recall, this matter was discussed, by telephone, with our structural consultant, and he has agreed in principle to the technical aspects of non-segmented wall piers.

In addition, as a part of our review process we have investigated another possibility which, might further improve the schedule. It would require some modifications to the yard piping. We have three (3) alternative schedules using the same activity durations as presented in your schedules which show that the project can possibly be completed on or very near to schedule. We consider these to be suggestions, and not an attempt to direct your work.

Based upon the schedules you have submitted, the project is behind schedule at this time. The City is concerned that this project will not be completed in a timely manner. However, with the implementation of the above noted suggestions, such of the time lost may be recovered.

We are willing to meet with you to discuss these possibilities and to examine other suggestions which you may have.

Very truly yours,

CAMP DRESSER & MCKEE INC.

*Edward A. Hause, P. E.*

Edward A. Hause, P. E.  
Construction Manager

LW/bfa

File: 6680-04

- cc: Franklin C. Jones - City Manager
- James Chaffee - Utilities Director
- David Rynders - City Attorney
- Brian Phegley - Twin Construction, Inc.
- C. H. Bolton
- E. L. Adams
- Hartford Fire Insurance Company
- C. CO. F

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25 FEB 18 P 1:22  
TWIN CONSTRUCTION INC.

GENERAL CONTRACTORS

February 17, 1986

|             |         |
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| F.T.L.      |         |
| FBI - TAMPA |         |

Camp Dresser & McKee Inc.  
2001 NW 62nd Street  
Ft. Lauderdale, FL 33310

Attention: Mr. Lou Marcellio

Reference: Naples Wastewater Treatment Plant - Delay's and Extension of Time

Dear Mr. Marcellio:

DOC. NO.

JOB NO. 6

This confirms your hand delivery to the writer on 2/7/86 of our letter dated 2/5/86 and your denial of our request for extended time and added associated costs.

We strongly object to your ruling, as it is in direct conflict with substantial occurrences (including change orders) for differing site conditions. You have failed to acknowledge that despite notices of F71 conflict as far back as 8/1/85 and the continuing requests for action, it is a fact that final power drawings and relocations were not completed until the last week in October 1985. In addition other subsequent problems such as continued late use by the City of existing lines to the old plant only extended the ripple effect of delays.

We feel that we are entitled to both "Time and money" under Article 12.1 of the General Conditions and its definition of Compensable Delays.

Our brief discussion recently on your alternate ways to improve the schedule of seemed to hinge on early completion and way of the new activation tank with the secondary clarifiers, which cannot happen because of equipment deliveries or created manpower requirements. We therefore request an immediate meeting to review and re-evaluate this entire subject.

Very truly yours,

TWIN CONSTRUCTION, INC.

*Arthur King*

Arthur King

Executive Vice President

cc: F. Jones - City Mgr.  
J. Chaffee - Utilities Director - Hartford Fire Insurance Co.

1845 N.W. 33rd Street • Pompano Beach, Florida 33064 • 305/972-3000