



February 25, 2025

Mr. Trenton Gaskins  
Professional Services Director  
Vieste, LLC.  
27299 Riverview Center Boulevard  
Suite 200  
Bonita Springs, FL 34134

**Subject:** Estero Entertainment District – Amendment to Original Contract (**Adjusted**)  
Village of Estero Contract No. EC 2022-33 – STA No. 01 / RWA Project No. 220047.00.01

Dear Mr. Gaskins:

Please accept this letter as our proposal to provide supplemental professional services in the areas of civil engineering, surveying and mapping, landscape architecture, irrigation system design, site lighting, geotechnical engineering and ecology services for the subject project. The work order to perform this assignment will be subject to the provisions of the Village of Estero Contract No. EC 2022-33 awarded to RWA Inc. (Consultant) by Village of Estero (Village). This proposal provides for the project changes that have occurred since STA No. 01 was approved on June 21, 2023.

The purpose of the original contract was to provide a comprehensive set of professional services to design, permit and support during construction a mixed-use entertainment district / recreational park (Project) as described in Exhibit A of the original contract and based upon the originally provided conceptual site plan attached.

Due to regular and on-going changes with the Village's overall development intent and the resulting site plan changes that have occurred from inception to the first significant site plan adjustment (SP Adj No. 1) that occurred in April of 2024 and the second site plan adjustment (SP Adj No. 2) that occurred in November of 2024 the Consultant requests an amendment to the original contract in the amount of **\$333,965.00**

At the time of SP Adj No. 1 several permits had already been applied for and issued and the Consultant was in the final stages of preparing a permit application for a Development Order to the Village of Estero and a utility permit with Lee County Utilities. At this same time design and construction plans had been completed for on-site civil engineering infrastructure, off-site turn lane improvements, off-site utilities, landscape architecture and site lighting. In addition, the following changes / adjustments to the original development intent were incurred and/or the project encountered several unforeseen circumstances that were outside the original contract.

#### **Summary of Project Changes Pre SP Adj No. 1**

The project changes and adjustment to the original scope of services are summarized as follows:

- The Consultant team worked through more than a dozen site plan iterations to evolve the originally provided conceptual site plan into the officially approved site plan we proceeded with for design purposes. The multiple iterations provided the following benefits: a significant increase in the amount of on-site surface water management facilities (this allowed the project to be permitted by the SFWMD and achieve an earthwork balance), elimination of on-site recreational uses to maximize the amount of commercial development square footage and increased the overall number of end user developer pads from 2 to 3.
- Attendance at weekly Project and OAC meetings and required follow-up on requested action items from the meeting minutes for miscellaneous services and general consultation.
- An accelerated project schedule and working out of the sequence of events to start moving earthwork as quickly as possible so the building pad for High 5 could be started in April of 2024 (original target date). This involved preparing and supporting an additional permit process to the Village of Estero for a Limited Development Order and an expedited review and approval of the ERP from the SFWMD.
- To resolve being so short on surface water management facilities (on-site lakes) we combined the existing pond dedicated specifically for the road right of way into a larger pond that served the road right of way and the overall project site. This required extra geotechnical field testing, design and created extra permit review scrutiny by the SFWMD during the Environmental Resource Permit application. To maximize the amount of developable commercial square footage an exfiltration trench design was incorporated into the surface water management system design that eliminated the need for the majority of what would have been above ground dry pre-treatment detention areas.
- Due to site visits and questions raised by environmental reviewers during the ERP process it was required to perform acoustic studies for the Bonneted Bat. This required a substantial amount of extra field work and coordination with the environmental agencies.
- By March of 2024 the project had reached substantial completion of design for civil engineering, landscape architecture and site lighting. The completion of design was based upon the approved site plan at the time and used for both the LDO and ERP permit applications. Both approved permits had a total of three developable sites. Two of the three sites were along the frontage of Via Coconut Point. High 5 claimed the parcel along the proposed lake and Chicken n' Pickle was located north of the High 5 parcel and just south of the northern property line.
- In the original site plan to be used for development purposes noted above, there were numerous adjustments to the proposed site plan to identify the best location for the back of the house operations for the High 5 building. Alternate site plans for the existing back of the house were prepared for along Via Coconut Point and the entry road that divided the High 5 and Chicken n' Pickle sites.
- Originally, final engineered plans were to be prepared for all parking areas except for the third development parcel that was located along Williams Road. As development funds allocated to the Phase 1 improvements became tight, the design team was asked to go through several iterations of value engineering exercises. The primary focus on reducing costs became the elimination of the parking area next to the lake. Plan changes were made to the civil engineering, landscape and site lighting plan to remove these paved areas from the final plans that would go into the Village for permitting. The other item that took time was to look for ways to eliminate the concrete pipe (main outfalls for site drainage into the lake) and use open ditches instead to convey stormwater drainage. Ultimately this value engineering analysis did not prove to be a cost reduction benefit, so it was discarded.



- The other value engineering item of substance was the elimination of the originally proposed on-site pump station and the rehab of an off-site pump station to reduce required sanitary sewer improvement costs. This required additional off-site survey services. Secondly a water line was to have been constructed along the northern boundary just outside our property line by the development that was to occur on the west side of Via Coconut Point. During the design process it was determined this additional water line to be constructed by others was not going to be ready for us in time to use for needed site fire protection requirements. This prompted a redesign of the internal site water system to meet potable water and fire protection demand. The combination of both items required an extensive number of additional meetings and coordination with Lee County Utilities.
- In March of 2023, as we were finalizing the DO application meeting required parking calculations became a difficult item due to the proposed uses that we loaded into the proposed building programs and the elimination of the second parking lot adjacent to the lake. Substantial time was spent with Village staff to come up with alternative ways to quantify proposed uses to ultimately meet land development codes requirements for on-site parking.
- Provide bidding assistance and construction phase services to support the construction of improvements permitted under the Limited Development Order (LDC) and the Wright Construction Bid Pack No. 1 Construction Contract.

#### **Summary of Project Changes Post SP Adj No. 1**

The project changes and adjustment to the original scope of services are summarized as follows:

- Attendance at weekly Project and OAC meetings and required follow-up on requested action items from the meeting minutes for miscellaneous services and general consultation.
- In April of 2024 the decision was made to combine the High 5 parcel /uses and the Chicken n' Pickle parcel /uses into a signal development parcel on the northern portion of the site. At this time the original Chicken n' Pickle parcel was expanded, and the parcel limits were adjusted significantly to the south. This allowed the internal access road to remain and continued to provide a direct connection between Via Coconut Point and Williams Road. This site plan change created substantial impacts to the layout and design of the parking areas and all proposed underground infrastructure.
- During the summer months of 2024 and after the updated site plan was officially approved it became an intense redesign effort to get the project back on track and ready to make an application for the Development Order with the Village of Esteron. It became highly important to expedite the approval of the DO that would clear the way to make an application for a building permit. At this time the goal was to have the site work and underground construction substantially complete, and the building foundation started by the end of 2024.
- During the DO permit review a substantial adjustment to the internal roadway geometry running through the middle of the site and connecting the east half of the parking areas to the west half of the parking areas was made. Specifically, the geometry at the primary intersection was evaluated to consider a roundabout design along with alternate ways to provide access to the second development parcel along Via Coconut Point with a decision made to adjust the location of the intersection by moving it further to the south. This changed parking, site grading and underground infrastructure layout.

## Summary of Project Changes Required Post SP Adj No. 2

The project changes and adjustment to the original scope of services are summarized as follows:

- Attendance at weekly Project and OAC meetings and required follow-up on requested action items from the meeting minutes for miscellaneous services and general consultation.
- Updates to the overall master concept plan for the Estero Entertainment District to fully integrate / compliment the proposed master concept plan for the adjacent Sports Park Campus into an overall development scheme for the region. The specific changes to the master concept plan included the following key elements: adjustment of the lake configuration and location within the parcel to maximize the size and frontage along Via Coconut Point for Development Parcel No. 2, relocate and amend the High 5 Parcel size and shape to optimize proposed improvements of the Sport Park along shared property boundaries, amend location, size and shape of Development Parcel No. 3 along William Road, amend locations and shape of all internal pathway and parking areas, plan for a shared use pathway that will link the Sport Park with the Railroad Corridor, add a parking area north of the High 5 Parcel, revise proposed points of ingress / egress to the Entertainment District.
- Prepare design and construction plan revisions to support the master concept plan changes. The changes will include on-site and off-site improvements for civil engineering, landscape architecture and hardscape, irrigation supply and system and site lighting for areas project site that are not within the proposed development parcels.
- Revise or amend any permit applications originally provided for and required by the original contract.
- Provide bidding assistance and construction phase services to support the construction of improvements noted above and are part of the Wright Construction Bid Pack No. 2 and No. 3 Construction Contracts.

## Proposed Adjustment to the Structure of Professional Service Fees

To account for the changes made to project as outlined the previous sections of this proposed contract amended the Consultant would like to suggest the following as provided for in the attached Exhibit "A":

- Amend the original task budgets in accordance with the "Compensation Adjustment" column to the values shown in the "Amended Compensation" column. This would be for the grouping of project tasks that fall under the row identified as "220047.00.01 Estero Entertainment District (Original Contract)". These tasks call for a **reduction** in the original contract task values in the amount of \$128,835.
- Add to the original contract the grouping of project tasks that fall under the row identified as "220047.00.01 Estero Entertainment District (Additional Services Post SP Adj No. 1)". These project tasks call for an increase in the contract value of \$185,250. These additional tasks will be performed in accordance with the original contract and with the same intent as the original scope of services.
- Add to the original contract the grouping of project tasks that fall under the rows identified as "220047.00.02 Estero Entertainment District – Design Phase Update (Additional Services Post SP Adj No. 2)" and "220047.00.03 Estero Entertainment District – Construction Phase Update (Additional Services Post SP Adj No. 2)". These project tasks call for an increase in the contract value of \$277,550. These additional tasks will also be performed in accordance with the original contract and with the same intent as the original scope of services.



- The resulting overall contract increase is \$333,965 and the new contract value would be amended to \$819,000.

**Project Contract Highlights to Date:**

- At the time the significant changes (SP Adj No. 1) to the project occurred in April of 2024 the project was on track to finish under budget at a total cost of around \$400,000. At the time the project changed direction the total value billed and paid to date was \$286,155.80.
- The cost impacts to the project for the changes made to the site plan (SP Adj No. 1) that combined the High 5 building and uses with pickleball courts was \$185,250.
- To complete the project that is inclusive of the most recent site plan changes (SP Adj No. 2) that will fully integrate the adjacent Sports Park Campus into an overall development scheme that coordinates well with the Estero Entertainment District project the cost impact to the project will be \$277,550.

**Project Assumptions:**

- The additional services to be provided by the Consultant are expected to have a duration of 455 calendar days from the approval of an amended contract.
- All tasks will be performed on a one-time basis and are inclusive of any supplemental notes provided within the original scope of services provided by the Consultant.

Thank you for this opportunity to provide Professional Services to the Village of Estero and for considering RWA, Inc. for the continuation of this project. Should you have any questions or require additional information, please feel free to contact me at (239) 597-0575.

Sincerely,



Christopher O. Wright, P.E.  
President

Enclosures: Original Conceptual Site Plan Provided by Client  
Exhibit "A" – RWA Amendment to Original Contract