

**Consumptive Use Permit Modification and UFA Groundwater Modeling**

This Amendment 1 to Work Order Number \_\_\_ is entered into as of this \_\_\_ day of \_\_\_\_\_, 201\_, pursuant to that certain Continuing Contract Agreement for Professional Services, dated December 6, 2011, and that certain Extension and Amendment of Continuing Contract Agreement for Professional Services entered into as of this 4<sup>th</sup> day of November, 2014 (collectively referred to as the "Agreement"), by and between INDIAN RIVER COUNTY, a political subdivision of the State of Florida ("COUNTY") and CDM Smith, Inc. ("Consultant").

1. The COUNTY has selected the Consultant to perform the professional services set forth in existing Work Order Number CCNA-2014 **No. 3**, Effective Date 09/22/2015.

2. The COUNTY and the Consultant desire to amend this Work Order as set forth on Exhibit A (Scope of Work) attached to this Amendment and made part hereof by this reference. The professional services will be performed by the Consultant for the fee schedule set forth in Exhibit B (Fee Schedule), and within the timeframe more particularly set forth in Exhibit A (Time Schedule), all in accordance with the terms and provisions set forth in the Agreement.

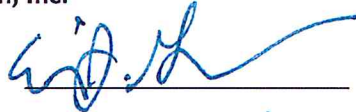
3. From and after the Effective Date of this Amendment, the above-referenced Work Order is amended as set forth in this Amendment. Pursuant to paragraph 1.4 of the Agreement, nothing contained in any Work Order shall conflict with the terms of the Agreement and the terms of the Agreement shall be deemed to be incorporated in each individual Work Order as if fully set forth herein.

IN WITNESS WHEREOF, the parties hereto have executed this Work Order as of the date first written above.

CONSULTANT:  
CDM Smith, Inc.

BOARD OF COUNTY COMMISSIONERS  
OF INDIAN RIVER COUNTY

By: \_\_\_\_\_



By: \_\_\_\_\_

, Chairman

Title: \_\_\_\_\_

Vice President

BCC Approved Date: \_\_\_\_\_

Attest: Jeffrey R. Smith, Clerk of Court and Comptroller

By: \_\_\_\_\_

Deputy Clerk

Approved: \_\_\_\_\_

Joseph A. Baird, County Administrator

Approved as to form and legal sufficiency: \_\_\_\_\_

Dylan T. Reingold, County Attorney

## EXHIBIT A

### AMENDMENT NO. 1

#### SCOPE OF WORK

#### INDIAN RIVER COUNTY UPPER FLORIDAN AQUIFER MODELING AND CONSUMPTIVE USE PERMIT MODIFICATION

This Authorization, when executed, shall be incorporated in and become part of the Contract for Consulting/Professional Services between the Indian River County (County), and CDM Smith Inc. (Consultant), dated December 6, 2011, and the Extension and Amendment of Continuing Contract Agreement for Professional Services, dated November 4, 2014, hereafter referred to as the Contract.

#### **BACKGROUND**

The County authorized Consultant in 2015 to prepare a groundwater model and limited supporting documentation for the preparation of a modification application to the County's existing Consumptive Use Permit (CUP). The existing CUP allows for 12.838 million gallons per day (mgd) with 6.4 mgd from the South County wellfield and 6.438 mgd from the North County wellfield (maximum withdrawal in year 2021). Initially, the County was seeking operational flexibility between the two wellfields by requesting that the individual wellfield allocations be combined such that the County would be able to withdraw the total demand from either wellfield, as needed. This flexibility was not intended to increase the overall allocation.

As the modeling efforts began, the County opted to request additional wellfield allocation, in addition to the operational flexibility, to meet anticipated demands through the duration of the permit (based on the increasing sale of Equivalent Residential Units (ERU) and recent uptick in development/new construction). The request for an increase in allocation involves the preparation of additional supporting documentation that was not originally included in the Scope of Services. Preliminary discussions with St. Johns River Water Management District (SJRWMD) permitting staff indicated that there would not be a requirement to update the water conservation plan, reuse feasibility study, population projections or unaccounted for water survey, since the County was not requesting an overall increase in allocation. These items were therefore omitted from the original Scope of Services.

With the requested increase, SJRWMD determined that the water conservation plan, population projections and unaccounted for water survey would require updating. There was not a requirement to update the reuse feasibility study. The County determined that the unaccounted for water survey would be conducted by County staff, and the water conservation plan would be updated (if needed) by County staff. The Consultant was tasked with revising the population projections and determining the appropriate corresponding wellfield allocation to be requested.

The following is the amended Scope of Services associated with preparation of the population projections, corresponding demand and associated meetings with County staff and SJRWMD.





## **SCOPE OF SERVICES**

Consultant will perform the following amended task services:

### **TASK 1.0 COORDINATION WITH SJRWMD**

#### **Subtask 1.1 Pre-Application Conference**

No change to this subtask.

#### **Subtask 1.2 Preparation of Modeling Approach Memorandum**

No change to this subtask.

#### **Subtask 1.3 Preparation of Permit Application**

In addition to preparing SJRWMD Form No. 40C-2.900(1)(e), Consumptive Use Permit for Public Supply – Form E and supporting documentation as outlined in the original Scope of Services, the Consultant prepared the updated population projections and corresponding wellfield allocation for use in determining the modeling scenarios to be used. Best available information provided by the County was in the form of ERUs in use, reserved, or newly sold (including projections). This is not a conventional method of demonstrating population and demand for CUP purposes; however, SJRWMD staff recognized that the County is in a unique position due to the large volume of reserve capacity (ERUs that have been purchased for units that have not yet been constructed) and agreed to accept the methodology. Several iterations of the demand tables were prepared and numerous meetings were held with SJRWMD and County staff to finalize the demand numbers to be used in the modification request. This amended subtask includes 9 iterations of the tables and 11 meetings/conference calls to finalize the demand projections.

In addition, Consultant assisted with coordination and updates to the previous avoidance plan action items to address the items that were not completed in accordance with the approved schedule. This was not included in the original Scope of Services (only the update to the avoidance plan resulting from the current modeling effort was included).

#### **Subtask 1.4 Response to Requests for Additional Information**

No change to this subtask.

#### **Subtask 1.5 Review of Draft Permit**

No change to this subtask.

### **Task 2.0 MEETING WITH SJRWMD**

No change to this subtask.

### **TASK 3.0 PROJECT MANAGEMENT AND QUALITY CONTROL**

Activities performed under this task consist of those general functions required to maintain the project on schedule, within budget, and that the quality of the work products defined within this scope is consistent with Consultant's standards and the County's expectations. Specific activities included are identified below:

#### **Subtask 3.1 Project Quality Management**

No change to this subtask.

#### **Subtask 3.2 Project Status Reports**

No change to this subtask.



### **OTHER SERVICES NOT INCLUDED IN THIS SCOPE OF SERVICES**

This authorization does not include:

- Updates to the water conservation plan or unaccounted for water survey.
- Permit application fee; or
- Modeling changes for RAls.

### **COUNTY RESPONSIBILITIES**

The County will provide all reasonable data requested by the Consultant for the purpose of completing the aforementioned tasks. The County will also provide a timely review of all work products and all permit fees.

### **SCHEDULE**

- The overall schedule was significantly extended as a result of issues that arose surrounding the avoidance plan and nearest neighbor impacts. The application for modification will be submitted on or before November 1, 2017, provided that the unaccounted for water survey and water conservation plan are available from County staff for submittal. Response to any Requests for Additional Information will be submitted in accordance with SJRWMD guidelines.

### **COMPENSATION AND PAYMENT**

Compensation for the Scope of Services described herein shall be made on the basis of a lump sum fee. The lump sum fee for Tasks 1.0 through 3.0, inclusive, is amended by \$6,200, for a revised lump sum fee of \$141,400 as shown in Exhibit B. Consultant will invoice County on a monthly basis based on percent complete.



EXHIBIT B

AMENDMENT NO. 1

FEE SCHEDULE

INDIAN RIVER COUNTY  
UPPER FLORIDAN AQUIFER MODELING AND  
CONSUMPTIVE USE PERMIT MODIFICATION

For invoicing purposes, a summary of fees by task is provided below. The Consultant will invoice the County monthly on a Lump Sum basis for costs incurred during the billing cycle.

Description	Original Fee	Amendment No. 1	Total
Task 1.0 – Coordination with SJRWMD	\$ 14,470	\$ 6,200	\$ 20,670
Task 2.0 – Meeting with SJRWMD	\$109,795	\$ 0	\$109,795
Task 3.0 – Project Management and Quality Control	\$ 9,935	\$ 0	\$ 9,935
Subtotal	\$134,200	\$ 6,200	\$140,400
Other Direct Costs	\$ 1,000	\$ 0	\$ 1,000
<b>TOTAL (Lump Sum)</b>	<b>\$135,200</b>	<b>\$ 6,200</b>	<b>\$141,400</b>

