

INDIAN RIVER COUNTY
Dick Bird Park Pickleball Complex
Work Order No. 27

AMENDMENT NO. 2 TO THE PROFESSIONAL ENGINEERING/LAND SURVEYING SERVICES AGREEMENT BETWEEN KIMLEY-HORN AND ASSOCIATES, INC. AND INDIAN RIVER COUNTY, FLORIDA.

This is an amendment to the existing Engineering/Land Surveying Services Agreement (AGREEMENT) dated May 6, 2022 between Kimley-Horn and Associates, Inc. (ENGINEER) and Indian River County (COUNTY). This amendment addresses changes in “Exhibit A – Scope of Work”, “Exhibit B – Fee Schedule” of the AGREEMENT.

Amendment Description

Based on the request of the COUNTY the ENGINEER prepared plans for Pickleball Courts. The original scope did not provide any design for the existing tennis courts. This is referenced below as Pickleball Only Design.

The COUNTY has requested that the ENGINEER modify the previously prepared Pickleball Only Design plans to incorporate modifications to the existing tennis courts. This is referenced below as the Pickleball/Tennis Court Design. This amendment consists of work requested by the COUNTY of the ENGINEER out of the original scope for both the Pickleball Only Design and the Pickleball/Tennis Court Design.

“Exhibit A – Scope of Work” is being modified to incorporate the following:

Pickleball/Tennis Court Design

Task 1- Subsurface Utility Exploration (SUE)

ENGINEER will solicit the assistance of a sub-consultant to prepare SUE in a limited area of approximately 0.75 acres. The area will be limited to the location of the proposed Pickleball Courts and limited area around the existing tennis courts. The SUE will be prepared in accordance with the State of Florida Standards of Practice Chapter 5J-17, Florida Administrative Code, as set forth by the Board of Professional Surveyors and Mappers, pursuant to Section 472.027, Florida Statutes. The proposed scope will consist of the following:

- Subsurface Utility Scan and Markout
- Survey Location and Mapping of Subsurface Scan

The locates will be provided to the ENGINEER by the sub-consultant in CAD format. As part of

this task, ENGINEER will review the information provided by the sub-consultant and bring the CAD linework from the sub-consultant into the ENGINEER's existing conditions base file.

Task 2 – Preparation of Modified Site Plan and Civil Plans

The ENGINEER understands that the COUNTY desires to modify the proposed site plan to incorporate the removal and replacement of the existing tennis courts directly south of the proposed pickleball courts. This task consists of the effort to address the COUNTY comments dated 4/12/22 for the modified plan (with the exception of providing a lighting/photometrics plan and technical specifications). Effort to address the comments outside of the modified plan will be provided under the previous workorder.

This task consists of the effort for the ENGINEER to prepare a modified Site Plan to submit for review and approval to the COUNTY. The ENGINEER will update the Site Plan up to one (1) time based on COUNTY comments.

Once the COUNTY has approved the modified Site Plan, the ENGINEER will modify the following sheets:

- Erosion Control and Demolition Plan
- Paving and Grading Plan
- Utility Plan
- Detail Sheets
- Cross Sections
 - One additional cross section (per IRC Engineering comment letter 4/12/22)
 - Updates to three existing cross sections to reflect the Pickleball/Tennis Court Design

This task does not include effort to make modifications to the Site Plan after the COUNTY has agreed to the plan prepared as part of this task, these modifications can be provided as an additional service.

All technical specifications will be provided on the plans, and no separate technical specifications document will be provided. This task also consists of the effort to update the plans up to one (1) time based on comments generated from Task 5.

This task consists of the preparation of an Opinion of Probable Cost (OPC) at the 90% plan submittal. This task does not include any revisions to the OPC.

Task 3 – Permitting Assistance

This task consists of items requested by SJRWMD during the review of the Pickleball Only Design Plan application for a modification to the existing Environmental Resource Permit.

Originally, the task assumed that a simple letter modification would be required. However, SJRWMD requested additional information noted below:

- Full Drainage Report
- ICPR4 Modeling
- Analyzation of LIDAR information
- Recovery Analysis for proposed swale
- Design swale to provide treatment volume
- Drainage Basin Maps
- One cross section

This task consists of the effort for the ENGINEER to produce the items above requested by SJRWMD and submit. This task also consists of the response to up to two (2) informal rounds of comments from SJRWMD.

This task consists of the effort required to prepare applications and supporting documentation for specific permit reviews anticipated for the proposed modifications. It is our understanding that the modifications to the tennis courts will require SJRWMD and Indian River County (IRC) Community Development Department approvals. ENGINEER will prepare applications and supporting documentation for the following permit applications:

- Indian River County Administrative Approval Revision
- SJRWMD Letter Modification

Due to the nature of the work, ENGINEER will respond to up to one (1) round of comments from the permitting jurisdictions above as part of this task.

Task 4 – 90% Submittal/Review

ENGINEER will submit to the COUNTY 90% completed plans for COUNTY review. As part of this task, ENGINEER will address up to one (1) round of comments from the COUNTY. Once comments are addressed, the ENGINEER will provide the COUNTY with a 100% set of plans. ENGINEER will produce FOR CONSTRUCTION plans stamped that the COUNTY could issue to the Contractor.

EXHIBIT B – FEE SCHEDULE

The COUNTY agrees to pay and the ENGINEER agrees to accept for services rendered pursuant to this Agreement fees inclusive of expenses in accordance with the following:

- A. Professional Services Fee

The basic compensation mutually agreed upon by the ENGINEER and the COUNTY is as follows:

Lump Sum

<u>Task</u>	<u>Labor Fee</u>
Task 1 – Subsurface Utility Exploration	\$ 3,000
Task 2 – Preparation of Modified Site Plan and Civil Plans	\$ 9,000
Task 3 – Permitting Assistance	\$ 6,200
Task 4 – 90% Submittal/Review	\$ 2,000
TOTAL	\$20,200

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EXHIBIT C – TIME SCHEDULE

Upon authorization to proceed by the COUNTY, the services identified above are anticipated to be completed based on a mutually agreeable timeline between the COUNTY and the ENGINEER.

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The AGREEMENT is hereby amended as specifically set forth herein. All other sections of the AGREEMENT shall remain in full force and effect and are incorporated herein.

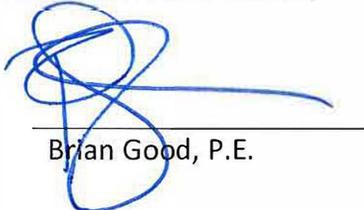
This Amendment No. 2 to the AGREEMENT regardless of where executed, shall be governed by and construed by the laws of the State of Florida.

In witness whereof the parties have executed this Amendment this ____ day of _____, 2022.

CONSULTANT:
KIMLEY-HORN AND ASSOCIATES,
INC.

BOARD OF COUNTY COMMISSIONERS
OF INDIAN RIVER COUNTY

By:



Brian Good, P.E.

By:

Peter O'Bryan, Chairman

Title:

Principal

BCC Approved Date: _____

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

By:

Deputy Clerk

Approved:

Jason E. Brown, County Administrator

Approved as to form and legal sufficiency:

Dylan T. Reingold, County Attorney