

FIRST AMENDMENT TO AGREEMENT FOR 2024 EAR AND MPP

This First Amendment to that certain Agreement to provide Evaluation and Appraisal Report and Manatee Protection Plan Update Services is entered into effect as of September 26, 2023, by and between INDIAN RIVER COUNTY, a Political Subdivision of the State of Florida organized and existing under the Laws of the State of Florida, (hereinafter called OWNER) and Kimley-Horn and Associates, Inc. (hereinafter called CONSULTANT).

BACKGROUND RECITALS

WHEREAS, OWNER and CONSUTANT entered into an agreement for services relating to Evaluation and Appraisal Report (EAR) and Manatee Protection Plan Update (MPP), effective November 15, 2022; and,

WHEREAS, the parties wish to modify the Work to include services defined and priced in accordance with Exhibit 1 to this amendment.

NOW, THEREFORE, in consideration of the foregoing, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the OWNER and CONSULTANT agree as follows:

1. The background recitals are true and correct, and form a material part of this First Amendment.
2. The services detailed in Exhibit 1 to this First Amendment are hereby added to the Work under the agreement.
3. All other terms and provisions of the Agreement shall be unchanged and remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this First Amendment to be executed, effective the day and year first set forth above.

OWNER:

INDIAN RIVER COUNTY _____

By: _____
Joseph H. Earman, Chairman

By: _____
John. A. Titkanich, Jr., County Administrator

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

By: _____
William K. DeBraal, County Attorney

Ryan L. Butler, Clerk of Court and Comptroller

Attest: _____
Deputy Clerk

(SEAL)

Designated Representative:
Rebeca A. Guerra, AICP, LEED-AP, CPD
Chief Planner
1801 27th Street, Vero Beach, FL 32960
772-226-1258
rguerra@ircgov.com

CONSULTANT:

Kimley-Horn and Associates, Inc. _____

By: _____
(CONSULTANT)

(CORPORATE SEAL)

Attest _____

Designated Representative:
Mr. Kelley Klepper, AICP, Vice President
Kimley-Horn and Associates, Inc.
1777 Main Street, Suite 200
Sarasota, FL 34236
941-379-7673
Kelley.klepper@kimley-horn.com

(If CONSULTANT is a corporation or a partnership, attach evidence of authority to sign.)

EXHIBIT 1
Scope of Services for
INDIAN RIVER COUNTY
Comprehensive Plan Evaluation and Appraisal Report (EAR)
Additional Services (RFP Number: 2023003)
August 7, 2023, Revised August 21, 2023

BACKGROUND & PURPOSE:

To provide for items requested by the Owner in support of the EAR Review Process including the following Tasks as identified in the RFP Response:

- Data, Inventory and Analysis (DIA)
 - Including population projections up to 2045
- Community Outreach and Workshops
 - It is understood that due to the Community Outreach and Workshops proposed schedule, the previously identified presentation to the Planning & Zoning Board and the Board of County Commissioners will be modified. It is understood the Planning & Zoning Board presentation will be scheduled (by staff) for December and the Board of County Commissioners presentation will be scheduled (by staff) for January.

TASKS:

I. Data, Inventory and Analysis (DIA) including Population Projections 2045

Consultant will assess the information and data collected in the previous tasks as it relates to each of the Owner's comprehensive plan elements listed in the Scope of Services - Project Understanding. Specifically, the following actions will occur. As part of this Task and based on the recommended amendments from the initial assessment, our team would analyze and prepare the necessary Data Inventory and Analysis (DIAs) for each Chapter (Element) of the Comprehensive Plan as follows:

- A. Future Land Use (2)- Consultant will identify the Owner's existing land use and development totals utilizing information from the Owner (i.e., development review approvals, site and building permits, and similar) along with the latest information from the Property Appraiser's office and any relevant studies completed since the adoption of the last plan update. This will provide a snapshot of the current development and impacts as compared to the Owner's current carrying capacity per the adopted Comprehensive Development Plan/ Future Land Use designations including a vacant lands analysis. Consultant will also compare the Owner's population projections based on available information including the most recent LRTP and BEBR.
- B. Infrastructure (3A Sanitary Sewer, 3B Potable Water, 3C Solid Waste, 3D Natural Groundwater, 3E Stormwater) - Consistent with the RFP response, Consultant will not undertake or update the Owner's respective utility plans, stormwater master plans, water

supply facilities plan, etc. but will report the findings of the Owner's current plans and analyses including LOS as part of the Element DIA.

- C. Transportation (4) - Specific to the Transportation/Mobility Element, analysis will be conducted for input into the Transportation Element Update by evaluating existing, 5-year horizon, and the long-term planning horizon for the Owner's Comprehensive Plan. The end results of analyzing future transportation needs will be the development of a coordinated Mobility Plan which addresses all modes of travel. However, based on Consultant's preparation of the 2045 LRTP (and several prior LRTPs), we have data that will be used in this Element and others, to help facilitate the use of not only the most recent data/analysis available but also our enhanced understanding of the Owner.
 - 1. Existing Conditions – Consultant will use available traffic counts to identify existing LOS for roadways within the Owner. Consultant will incorporate transit, bicycle, and pedestrian facilities, and identify existing LOS for each of these modes as documented in the LRTP. Maps and tables of transportation infrastructure and operating conditions will be developed, including the identification of existing needs for all modes.
 - 2. 2028 Conditions (i.e., five-year horizon) – Consultant will use historic trends to project 2028 traffic volumes and will identify the 2028 LOS for roadways within the Owner. Maps and tables of transportation infrastructure and operating conditions will be developed, including the identification of 2025 system needs for all modes.
 - 3. 2045 Conditions (i.e., long-term horizon) – Consultant will use the available transportation model, along with the consideration of historic trends, to project 2040 traffic volumes and will identify the 2040 LOS for roadways with the Owner. Maps and tables of transportation infrastructure and operating conditions will be developed, including the identification of 2040 system needs for all modes.
 - 4. If needed, Consultant will update the model to include key roads and accessibility to Traffic Analysis Zones (TAZs) within the Owner to more accurately represent the network within and adjacent to the Owner. These minor model edits do not include a sub-area recalibration.
- D. Economic Development (5) – not included; (non-required Element)
- E. Capital Improvements (6) - (It is understood the Owner will provide the Owner's adopted 5-year CIP for use by Consultant in the preparation of this Element). Consistent with F.S. Chapter 163.3177(3) (b), The capital improvements element must be reviewed by the local government on an annual basis. Modifications to update the 5-year capital improvement schedule may be accomplished by ordinance and may not be deemed to be amendments to the local Comprehensive Plan.

- F. Housing (7) - Includes principles, guidelines and strategies addressing various types of housing as required by Florida Statutes. Consultant will utilize readily available data including the property appraiser, Shimborg, and BEBR in the identification of housing types, age of construction, and general condition, as well as readily available information and data regarding affordability. Historical structures are understood to include a review of the Owner's existing database and review of the State Historic Preservation Office and the Master Site File.
- G. Conservation (8)/Coastal Management (9) – Consultant will update the DIA including identifying those components the Owner should undertake and or consider specific to sea level rise/peril of flood, wetland protections, water quality, protected habitats and vegetative community protections. It is understood that a formal sea level rise assessment and resiliency master plan is not provided as part of this Task; however, is assumed that the Owner's current study(s) will be provided for reference as part of the Element appraisal depending on the timing/completion of the study.
- H. Recreation (10) – Utilizing information and analysis previously prepared by the Owner, Consultant will analyze the Owner's existing and proposed parks and recreation facilities including other areas which the Owner includes in providing for (accounting) its adopted Parks and Recreation LOS as compared to population (recreational demand).
- I. Intergovernmental (11) - (It is understood the Owner will assist Consultant in the research, analysis and development of the Intergovernmental Coordination and Monitoring components of the Comprehensive Plan.) It is understood that specific monitoring requirements will be included in the respective Element.

II. Public Outreach and Project Coordination

A. Public Outreach

1. Consultant will facilitate and attend a series of public / community workshops to present information relative to the Comprehensive Plan and solicit comments and input from residents. Consultant will summarize the public comments and provide that information to the Owner to be used for future planning efforts in order to gain consensus on comprehensive planning issues to likewise be addressed in the future. It is assumed that Indian River staff will be pursuing separate but parallel outreach efforts on other proposed considerations (such as the Urban Services Boundary) and those topics will not be presented as part of this Comprehensive Plan review. This task also includes required meeting preparation, coordination, and revisions to the summary report. Staff will be responsible for selecting, scheduling, setup, and promoting the appropriate workshop locations.

- a. Conduct up to three (3) days of workshops to include one afternoon public outreach meeting and one evening public outreach meeting (same three days).
2. Consultant will develop a workshop flyer suitable for posting online or physically. Staff will be responsible for printing and distribution of flyers as securing location(s) and providing required public notices.
3. It is assumed this Task will be scheduled during September and October to allow Consultant to summarize the comments received. Consistent with the language provided in the “Background and Purpose” above, it is understood that due to the Community Outreach and Workshops proposed schedule, the previously identified presentation to the Planning & Zoning Board and the Board of County Commissioners will be modified. It is understood the Planning & Zoning Board presentation will be scheduled (by staff) for December and the Board of County Commissioners presentation will be scheduled (by staff) for January.

COMPENSATION

The Consultant will invoice the Owner on a monthly basis according to the scope and master contract. A monthly progress report will be prepared depicting the project progress status in support of the invoice. Payment may correspond to completion of task(s) and approval of associated deliverable.

The compensation to CONSULTANT is based on the following budget:

TASK	DESCRIPTION	FEE
I		\$55,000
II	Public Outreach and Project Coordination	\$30,000
	TOTAL FEE	\$85,000