



**AMENDMENT NUMBER 2 TO AGREEMENT
DATED DECEMBER 10, 2019
BETWEEN KIMLEY-HORN AND ASSOCIATES, INC.
AND SUMTER COUNTY**

The following Scope of Services is an Amendment to the December 10, 2019 Consulting Engineering Agreement between Kimley-Horn and Associates, Inc. (the "ENGINEER" or "KIMLEY-HORN") and the Board of County Commissioners (BOCC) of Sumter County, Florida (the "BOARD") related to the Design and Permitting for CR 229 Improvements from SR 44 to C-462 (the "PROJECT"). All terms and conditions of that Agreement remain in full force and effect except as modified herein.

Kimley-Horn has entered into the Agreement with the BOARD for the furnishing of professional services, and the parties now desire to amend the Agreement.

Therefore, it is mutually agreed that the Agreement is amended to include Additional Services to be performed by KIMLEY-HORN and provisions for additional compensation by the BOARD to KIMLEY-HORN, all as set forth in Exhibit A hereto. The parties ratify the terms and conditions of the Agreement not inconsistent with this Amendment, all of which are incorporated by reference.

ACCEPTED:

BOARD OF COUNTY COMMISSIONERS
OF SUMTER COUNTY, FLORIDA

KIMLEY-HORN AND ASSOCIATES, INC.

BY: _____

BY: 
Amber L. Gartner, P.E.

TITLE: _____

TITLE: Assistant Secretary

DATE: _____

DATE: March 4, 2022

Consultant shall perform the following Additional Services:

Project Understanding

KIMLEY-HORN was retained by the BOARD (through RFQ 044-0-2019RS) to develop construction plans and permit applications for the improvement of CR 229 from SR 44 to County Road 462. The Agreement excluded construction phase services for the Project. The Project has been bid for construction, with an anticipated notice to proceed in March 2022. The BOARD desires for KIMLEY-HORN to provide Engineer of Record (EOR) construction phase services for the Project.

The overall objective of this Amendment is for KIMLEY-HORN to provide those EOR construction phase services as defined herein to the BOARD during the construction of this project.

This Amendment assumes that the BOARD will hire a separate subconsultant to perform daily Construction, Engineering, and Inspection (CEI) services and therefore those services are not included in this Amendment.

KIMLEY-HORN will enlist the services of JCH Consulting Group Inc. (JCH) for any required survey tasks and Intertek-PSI for geotechnical tasks.

For this Scope of Services, KIMLEY-HORN assumes an active construction duration of 120 calendar days to substantial completion and an additional 30 days to final completion.

Scope of Services

Task 9 – Engineer of Record Construction Phase Services

KIMLEY-HORN will perform Engineer of Record Construction Phase Services during construction for the Project, including the following items:

- A. *Project Administration* – KIMLEY-HORN will attend coordination meetings with the BOARD. This task assumes up to 15 hours of project coordination meetings during the construction phase of the Project.
- B. *Pre-Construction Conference* - KIMLEY-HORN and Intertek-PSI will attend a Pre-Construction Conference prior to commencement of construction.
- C. *Survey Services* – JCH, as a subconsultant to KIMLEY-HORN, will perform any requested topographic survey services, including (but not limited to) field staking of proposed utility pole locations or other requested field location services during construction.

This task will be performed on an hourly not to exceed basis.

- D. *Utility Coordination Services* – KIMLEY-HORN will perform review of utility permits and any utility provider's updated relocation plans as required.

This task will be performed on an hourly not to exceed basis.

- E. *Contractor RFIs and Site Visits* – KIMLEY-HORN will issue necessary interpretations and clarifications of the Plans and Specifications to the BOARD.

KIMLEY-HORN will make site visits to assist in responding to Contractor RFIs and to observe the progress of the work. Such observations will not be exhaustive or extend to every aspect of Contractor's work. Observations will be limited to spot checking, selective measurement, and similar methods of general observation. Based on information obtained during site visits, KIMLEY-HORN will evaluate whether Contractor's work is generally proceeding in accordance with the Contract Documents.

For the purposes of this Amendment, KIMLEY-HORN has assumed up to 4 site visits and review of up to 15 RFIs.

- F. *Construction Plan Revisions* – As directed by the BOARD, KIMLEY-HORN will prepare up to four plan revisions to address changed field conditions or unforeseen conditions that may be encountered.

This task will be performed on an hourly as requested, and not to exceed, basis.

- G. *As-Built Review* – KIMLEY-HORN will, after notice from the BOARD that it considers the Project ready for its intended use, conduct a site visit and review draft as-built surveys to determine if the Project is substantially complete. Kimley-Horn will provide review markups of the as-built surveys and review updated surveys provided by the BOARD.

- H. *Permit Close-Out Support*. The BOARD will complete the permit closeout task using their CEI firm. KIMLEY-HORN will provide Engineer of Record assistance to the BOARD through the permit close out process with the applicable regulatory agencies, including the following:

- 1) Florida Department of Transportation

The BOARD’s CEI firm will be responsible for certifying completion and processing the permit close-outs.

Additional Services If Required

Services requested that are not specifically included will be provided under a new and separate Agreement or can be performed on an hourly basis upon written authorization.

Fee and Billing

KIMLEY-HORN will complete the above scope of services for the fees listed below, inclusive of expenses.

The existing Agreement dated December 10, 2019 is modified as follows:

Task	Fee
Task 9A – Project Administration	Lump Sum, \$2,475
Task 9B – Pre-Construction Conference	Lump Sum, \$2,475
Task 9C – Survey Services	Hourly, Not to Exceed, \$10,000
Task 9D – Utility Coordination Services	Hourly, Not to Exceed, \$12,000
Task 9E – Contractor RFIs and Site Visits	Lump Sum, \$11,635
Task 9F – Construction Plan Revisions	Hourly, Not to Exceed, \$9,025
Task 9G – As-Built Review	Lump Sum, \$4,150
Task 9H – Permit Close-Out Support	Lump Sum, \$4,825

A breakdown of fee per task is provided in the attached Table A.

**TABLE A
FEE ESTIMATE FOR PROFESSIONAL SERVICES**

PROJECT: CR 229 IMPROVEMENTS, RFQ 044-0-2019RS - AMENDMENT NO. 2	FILE NO.	142109124
CLIENT: BOARD OF SUMTER COUNTY COMMISSIONERS	DATE:	3/4/2022
KHA PM: NICHOLAS J. MORA, P.E.		
BASIS FOR ESTIMATE: APPROVED RATES PER RFQ 023-0-2017/RS		

TASK NO.	DESCRIPTION	DIRECT LABOR (MAN-HOURS)					
		Senior Professional	Professional	Support Staff	LABOR HOURS	SUB (\$)	LABOR TOTAL
		\$ 165.00	\$ 135.00	\$ 65.00	--	--	--
9	Engineer of Record Construction Phase Services						
9.A	Project Administration	15			15		\$ 2,475
9.B	Pre-Construction Conference	15			15		\$ 2,475
9.C	Survey Services	3	3	1	7	\$ 9,035	\$ 10,000
9.D	Utility Coordination Services	40	40		80		\$ 12,000
9.E	Contractor RFIs and Site Visits	35	41	5	81		\$ 11,635
9.F	Construction Plan Revisions	20	40	5	65		\$ 9,025
9.G	As-Built Review	15	10	5	30		\$ 4,150
9.H	Permit Close-Out Support	15	15	5	35		\$ 4,825
TOTALS		158	149	21	328	\$ 9,035	\$ 56,585