

# REQUEST FOR LEGAL SERVICES

TO: COUNTY ATTORNEY'S OFFICE (AT01)

ATTENTION: Noah Milov   
(CHECK ONE) Heather Bryan

5/18/20  
TR

FROM: William Lorenzo  
(Name and Phone Number)

DATE: 05/13/26

RETURN TO: William Lorenzo (TR02)

DIVISION: Roads and Drainage

BOARD AGENDA DATE: June 2, 2026

COUNTY MANAGER ITEM:

PROJECT: Lake Ned Road at Cypress Gardens Road Intersection Improvements

CSA/CONTRACT NUMBER: 22-083-01

MODIFICATION NUMBER: 2

CHANGE ORDER NUMBER:

TYPE OF AGREEMENT: CSA

NAME OF CONSULTANT/CONTRACTOR: Burgess and Niple, Inc

*Please indicate any time limits and attach all necessary documentation.*

REQUEST IN DETAIL: Contract Amendment No. 2 for review  
CSA Mod. #

*Please review attachments for the Board Agenda date indicated and return APPROVED documents at your earliest convenience. THANK YOU.*

For CAO Use Only:		County Attorney	
Assigned Staff:	<u>Noah</u>	Log-In Date:	<u>MAY 19 2026</u>
CAO Project Number:	<u>2026-347</u>	Log-Out Date:	<u>5/21/2026</u>

**CONSULTANT APPROVAL FORM**

**CPO:** If Consultant fee is under \$50,000 & construction is under \$250,000 (procedure)

**CSA:** If Construction is under \$4,000,000;

OR for study activity if consultant fee is under \$500,000- FS 287.055(CCNA))

**CPO/CSA #:** 22-083-01 Mod #2 (Assigned by Procurement)

To be completed by the requesting Division:

Date: 05/13/2026 Division: Roads & Drainage Division

Project Manager's Name: William Lorenzo Phone #: 863-535-2286

Project Name: Lake Ned Rd at Cypress Gardens Rd Intersection Improvements

Total Project Budget: \$2,723,529.00 Project # 5400194

Estimate of Construction Cost: \$ 1,535,044.10

Proposed Consultant: Burgess and Niple Inc. Fee: \$ 380,484.92

*This mod # 27,482.56*

Master Consultant Agreement # 22-083

**Attach Scope of Services Proposed by the Consultant (Exhibit "A")**

Approved By: [Signature] Date 5/14/26  
Division Director/Designee

**Procurement Division**

Date Received: 5/15/26 Date Reviewed by Analyst: 5/18/26

Approved by: [Signature]  
(Procurement Director/Designee)

**County Attorney's Office (Required for all CSA's)**

Date Received: 5/19/2026 Date Reviewed: 5/21/2026

Approved by: [Signature]  
(County Attorney Office Signature)

**County Manager's Office (Required if consultant fee is greater than \$100,000)**

Date Received: \_\_\_\_\_ Date Reviewed: 6/2/26

Approved by: [Signature]  
(County Manager Office Signature)

**Additional Attachments:** number of days to complete project, not to exceed/lump sum amount, justification for consultant selected, fee schedule, and Professional Liability COI (COI applicable to CSA only, description field must be project specific (contract requirement)).

**Consultant Services Authorization-Modification**

Firm Name:	Burgess & Niple, Inc.
Master Agreement No.:	22-083
CSA No.:	22-083-01
CSA Modification No.:	2
Project Name:	Lake Ned Rd at Cypress Gardens Rd Intersection Improvements
Project Description:	Provide professional engineering services (Post Design Services)
Project Exhibit Attachment	Exhibit "A"- Modified Scope of Services
Original # of days to complete project	Through completion of construction
# of days increased by previous modification (if applicable)	N/A
Additional # of days for this Modification	N/A
Revised total # of days to complete project	Through completion of construction
Original Compensation	\$318,137.45
Net change by previous modifications	\$34,864.91
Compensation increase/decrease this Modification	\$27,482.56
Revised total compensation	\$380,484.92
Budget Source/Availability	10104.540541095.5663400.5400194

*5666000 WPK 5/13/26*

IN WITNESS WHEREOF, the parties hereto have executed this CSA Modification on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**Attest:**  
 STACY M. BUTTERFIELD  
 By: \_\_\_\_\_  
 Deputy Clerk  
 Date Approved by County: \_\_\_\_\_

POLK COUNTY, a political subdivision  
 of the State of Florida  
 By: \_\_\_\_\_  
 \_\_\_\_\_, Chairman  
 Board of County Commissioners

Review as to form and legal sufficiency  
*Nevada W. Niple* 5/21/2026  
 County Attorney's Office Date  
 Burgess & Niple, Inc.

**Attest:**  
*Jason L. Poyard* 5/5/2026  
 Corporate Secretary Date

CONSULTANT COMPANY NAME  
*[Signature]*  
 Authorized Corporate Officer  
 Scott D. Perfater, PE | Executive Vice President | May 6, 2026  
 Printed Name and Title] Date

SEAL



# BURGESS & NIPLE

1800 Pembroke Drive | Suite 265 | Orlando, FL 32810 | 407.401.8527

Mr. William G. Lorenzo, PE, Project Manager  
Polk County Board of County Commissioners  
Roads & Drainage Division  
PO Box 9005, Drawer TR05  
Bartow, FL 33831-9005

Re: CR 540 (Cypress Gardens Road) @  
Lake Ned Road Roundabout  
Intersection Improvements  
Professional Services Fee Proposal  
CSA No. 22-083-01 (Modification #02)

February 13, 2026

Dear Mr. Lorenzo:

Burgess & Niple, Inc. (B&N) is pleased to submit this fee proposal for professional services for improvements to the CR 540 (Cypress Gardens Road), Lake Ned Road intersection. This proposed fee proposal was prepared based on the additional effort required to provide post design services during construction. This document will act as a scope of services with an attached proposed maximum not-to-exceed fee for this contract assigned under the authority of our continuing services contract with Polk County, Contract No. 22-083.

Replace Section VI from the original CSA with the following:

## **SECTION VI – POST DESIGN PHASE SERVICES**

Post Design Services are support services that may be required to address changed conditions and other Services not covered under the original contract or subsequent contract modifications in order to facilitate and satisfactorily complete construction. These services are not intended to address any B&N errors and/or omissions that may occur. The hours required to complete these tasks may be increased or decreased by the County based on actual project requirements.

The following items are representative, but not limited to, services related to construction assistance to be provided by B&N. During the construction phase, it is understood a County designee is to administer the construction contract, perform records management and carry out resident engineering and inspection services.

B&N shall furnish the following services:

- Attend one pre-bid conference prior to construction letting and one pre-construction meeting prior to the commencement of construction to assist the County designee as requested.
- Provide written interpretations of the Contract Documents (i.e. plans, specifications and bid package) to the County designee and respond to questions concerning unforeseen conditions affecting the project's design and construction. B&N shall not direct or infer changes to the construction contract. Changes shall be submitted through the County's change order procedure as administered by the County's designee. Responses to four contractor/County designee requests for information are anticipated and included in this fee proposal.
- Attend up to three site visits as necessary to respond to problems encountered during construction and conduct field investigations as requested by the County designee. Based on information obtained during the visit to the construction site, B&N shall assist the COUNTY in providing potential solutions to any problem encountered including any plan modifications that may be required.

- From time to time during construction, B&N may be requested by the County designee to review contractor proposed field changes or respond with a recommended solution to remedy particular field situations not covered by the plans and specifications. B&N shall revise the plans to provide for changes the County deems necessary following final plan acceptance. One construction change is anticipated and included in this fee proposal.

Section VII is amended to add the following:

**SECTION VII (b) – PAYMENT FOR ADDITIONAL PROFESSIONAL SERVICES**

The proposed maximum not to exceed fee for the professional engineering services described in this Modification No. 2 to CSA 22-083-01 is \$27,482.56. See Exhibit B for a staff hour breakdown of this proposed professional services fee. If there are any questions regarding the enclosed material or if we can provide additional information to assist the County with its review, please contact us.

Sincerely,

**BURGESS & NIPLE, INC.**



\_\_\_\_\_  
Scott D. Perfater, PE  
Vice President



\_\_\_\_\_  
John Dee, PE  
Project Manager

EXHIBIT B

ESTIMATE OF WORK EFFORT AND COST - PRIME CONSULTANT

Name of Project:  
County:

Cypress Gardens Road (CR 540) @ Lake Ned Road Mod #2  
Polk

Consultant Name: Burgess & Niple  
Consultant No.: TBD

Date: 2/13/2026

Estimator: John Dee, PE

Staff Classification	Total Staff Hours From "SH" Summary -	Project Manager 3	Chief Engineer 2	Engineer 2	Engineer Intern	Senior Designer	Staff Classification 6	Staff Classification 7	SH By Activity	Salary Cost By Activity	Average Rate Per Task
3. Project General and Project Common Tasks	109	87	11	11	0	0	0	0	109	\$27,483	\$252.13
4. Roadway Analysis	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
5. Roadway Plans	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
6a. Drainage Analysis	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
6b. Drainage Plans	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
8. Environmental Permits, Compliance & Clearances	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
9. Structures - Misc. Tasks, Dwgs, Non-Tech.	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
18. Structures - Miscellaneous	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
19. Signing & Pavement Marking Analysis	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
20. Signing & Pavement Marking Plans	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
21. Signalization Analysis	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
22. Signalization Plans	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
23. Lighting Analysis	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
24. Lighting Plans	0	0	0	0	0	0	0	0	0	\$0	#DIV/0!
<b>Total Staff Hours</b>	109	87	11	11	0	0	0	0	109	\$27,482.56	
<b>Total Staff Cost</b>		\$21,796.11	\$3,464.56	\$2,221.89	\$0.00	\$0.00	\$0.00	\$0.00		\$27,482.56	

Check = \$27,482.56

SUE Field Days by Subconsultant  
3-Person Crew 0.00

SALARY RELATED COSTS:

OVERHEAD: 0%  
OPERATING MARGIN: 0%  
FCCM (Facilities Capital Cost Money): 0.00%  
4-person crew \$ / day  
SUBTOTAL ESTIMATED FEE: \$0.00

Notes:

- This sheet to be used by Prime Consultant to calculate the EXPENSES:
- Manually enter fee from each subconsultant. Unused sub Survey (Field - if by Prime) 0.00

SUBTOTAL ESTIMATED FEE:

Subconsultant: \$0.00  
Subconsultant: \$0.00  
Subconsultant: \$0.00  
SUBTOTAL ESTIMATED FEE: \$27,482.56  
Geotechnical Field and Lab Testing \$0.00  
SUBTOTAL ESTIMATED FEE: \$27,482.56  
Optional Services \$0.00  
GRAND TOTAL ESTIMATED FEE: \$27,482.56