

PROFESSIONAL SERVICE AGREEMENT
#2022-013
AMENDMENT #1

This AMENDMENT is made and entered into, effective as of the date last executed, by and between, Polk County (the "County"), a political subdivision of the State of Florida, situated at 330 W. Church Street, Bartow, Florida 33830, and AECOM Technical Services, Inc. (the "Consultant"), a California corporation, headquartered at 300 South Grand Avenue, 9th Floor, Los Angeles, California, whose Federal Employer Identification number is 95-2661922.

WITNESSETH:

WHEREAS, the County and Consultant entered into Professional Service Agreement 2022-013 dated March 1, 2022 (the "Agreement"), for the purpose of providing professional services in connection with the North Ridge Trail project located in northeast Polk County, from Deen Still Road to Sand Mine Road, to review and update current construction plans and specifications, segmenting construction plans, and post design services; and

WHEREAS, during the review and updating phase it was discovered that the existing permits for construction have expired and need to be resubmitted, and as a result of the previous permit application, a Request for Additional Information letter from the Florida Department of Environmental Protection has been issued and the Consultant will need to conduct additional surveys and prepare documentation to address the request; and

WHEREAS, pursuant to Section 16.0 of the Agreement, the County and the Consultant mutually agree to amend the Agreement as set forth below.

NOW, THEREFORE, the County and the Consultant, hereby agree as follows:

1. The recitals stated above are true and correct and are fully incorporated herein.
2. The Agreement is hereby amended to modify Exhibit "Aiii" Scope of Services and Compensation of the Agreement to include the additional services needed, which are more fully set forth and described in Exhibit "A" of this Amendment, attached hereto and fully incorporated herein.
3. The cost of the additional services, which is more fully set forth and described in Exhibit "A" to this Amendment, shall be a not-to-exceed amount of \$323,232.00. Accordingly, the total Agreement amount shall be increased from the original not-to-exceed amount of \$353,006.00 to the new not-to-exceed amount of \$676,238.00.
4. The Agreement, as amended by this Amendment #1, continues in full force and effect.

THE REMAINDER OF PAGE LEFT INTENTIONALLY BLANK

IN WITNESS WHEREOF, the parties hereto have executed this Amendment.

Attest:

STACY BUTTERFIELD
CLERK OF THE BOARD

POLK COUNTY, a political subdivision
of the State of Florida

By: _____
Deputy Clerk

By: _____
George Lindsey III, Chairman,
Board of County Commissioners

Date Approved by County: _____

Approved as to form and legal sufficiency:

Sandra B. Howard 3/8/23
County Attorney Date

ATTEST:

AECOM Technical Services, Inc.,
a California corporation

By: Aleksa Kopanja
Aleksa Kopanja
PRINT NAME
Civil Engineer I
TITLE

By: M. Janet Everett
M. Janet Everett
PRINT NAME
Vice President
TITLE

Date: 03/08/2023

SEAL

ACKNOWLEDGEMENT OF FIRM IF A LIMITED LIABILITY COMPANY

STATE OF _____ County OF _____
 The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this _____ (Date) by _____ (Name of officer or agent) as _____ (title of officer or agent) of the Company on behalf of the Company, pursuant to the powers conferred upon him/her by the Company. He/she personally appeared before me at the time of notarization, and ☐ is personally known to me or ☐ has produced _____ as identification and did certify to have knowledge of the matters stated in the foregoing instrument and certified the same to be true in all respects. Subscribed and sworn to (or affirmed) before me this _____ (Date).
 _____ (Official Notary Signature and Notary Seal)
 _____ (Name of Notary typed, printed or stamped)
 Commission Number _____ Commission Expiration Date _____

ACKNOWLEDGEMENT OF FIRM, IF A CORPORATION

STATE OF Florida County OF Orange
 The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this March 8, 2023 (Date) by Sam Everett (Name of officer or agent) as Vice President (title of officer or agent) of the Corporation on behalf of the Corporation, pursuant to the powers conferred upon him/her by the Corporation. He/she personally appeared before me at the time of notarization, and ☐ is personally known to me or ☒ has produced Personally Known as identification and did certify to have knowledge of the matters stated in the foregoing instrument and certified the same to be true in all respects. Subscribed and sworn to (or affirmed) before me this March 8, 2023 (Date).
Shelley O'Neill (Official Notary Signature and Notary Seal)
Shelley O'Neill (Name of Notary typed, printed or stamped)
 Commission Number 961984 Commission Expiration Date April 20, 2024

ACKNOWLEDGEMENT OF FIRM, IF AN INDIVIDUAL

STATE OF _____ County OF _____
 The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this _____ (Date) By _____ (Name of acknowledging) who personally appeared before me at the time of notarization, and ☐ is personally known to me or ☐ has produced _____ as identification and did certify to have knowledge of the matters in the foregoing instrument and certified the same to be true in all respects. Subscribed and sworn to (or affirmed) before me this _____ (Date).
 _____ (Official Notary Signature and Notary Seal)
 _____ (Name of Notary typed, printed or stamped)
 Commission Number _____ Commission Expiration Date _____



ACKNOWLEDGEMENT OF FIRM, IF A PARTNERSHIP

STATE OF _____ County OF _____
The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this _____ (Date) by _____ (Name of acknowledging partner or agent) on behalf of _____ a partnership. He/She personally appeared before me at the time of notarization, and ☐ is personally known to me or ☐ has produced _____ as identification and did certify to have knowledge of the matters in the foregoing instrument and certified the same to be true in all respects. Subscribed and sworn to (or affirmed) before me this _____ (Date) .

(Official Notary Signature and Notary Seal)

(Name of Notary typed, printed or stamped)
Commission Number _____ Commission Expiration Date _____



AMMENDMENT NO. 1

EXHIBIT A

SCOPE OF SERVICES

Polk County Project # 5400206

Additional Utility Locations, SWFWMD ERP Application, and FDEP RAI Response for North Ridge Trail

1. PURPOSE

The design of the North Ridge Trail was completed in 2009, and the Southwest Florida Water Management District (SWFWMD) issued Environmental Resource Permit (ERP) No. 44034931.000 to construct this project, which expired in March 2020. Therefore, the preparation and submission of an ERP application to the SWFWMD is required for a new permit to authorize project construction. The project was also authorized under the federal Section 404 Program in 2009 by a Nationwide Permit, which expired in June 2011. In December 2020, regulation of the federal Section 404 Program was assumed by the Florida Department of Environmental Protection (FDEP); therefore, a State 404 Program Permit is required to authorize wetland impacts regulated under the State 404 Program. A State 404 program permit application was submitted to FDEP in 2021, which generated a Request for Additional Information (RAI) letter that is currently pending a response. The general objective of this scope of services is to prepare the project Stormwater Report, SWFWMD ERP application, and FDEP RAI Response Package. A geotechnical report and environmental technical memorandum are part of this scope. The roadway plan set has already been updated and is therefore not included in this scope services.

2. PROJECT GENERAL TASKS

2.1. Review of Drainage Analysis

For each Segment, review the design for the retention ponds to ensure they meet the current drainage design manual requirements for stormwater treatment and attenuation. Prepare a stormwater report, check basin boundaries, curve number calculations, time of concentrations, volumes and ICPR routing for each pond.

2.1.1. Review Drainage Map Hydrology

Review (post-condition) basin drainage maps to be used in defining the system hydrology. Drainage map to include onsite and offsite areas and BMPs

2.1.2. Review Design of Cross Drains

Review the design of cross drains that convey stormwater runoff westward under the proposed North Ridge Trail from off-site areas located east of the North Ridge Trail.

EXHIBIT A SCOPE OF SERVICES
CONSULTING ENGINEERING SERVICES FOR
SWFWMD ERP APPLICATION AND FDEP RAI RESPONSE

2.1.3. Review of Stormwater Management Facility

Review eight dry retention ponds to meet current requirements for stormwater quality treatment, attenuation and aesthetics. Update proposed drainage basins, pond analysis and ICPR routing

2.1.4. Review Design of Storm Sewer Systems

Review the design of the storm sewer drainage systems that collect and convey the stormwater runoff to the proposed dry retention ponds. Check the sub-basin boundaries, rational runoff coefficients, time concentration and spread calculations for each inlet.

2.1.5. Drainage Design Documentation Report

Compile drainage design documentation into report format. Include documentation for all the drainage tasks and a summary of all decisions and conclusions.

2.1.6. Existing Permit Analysis

Data gathering including desktop analysis of local, state and federal Drainage permits along North Ridge Trail to evaluate and account for any onsite and offsite current/future drainage system.

2.1.7. Technical Meetings

A pre app meeting with the Water Management District will be held prior to any submittals.

2.2. Review Drainage Design in Plans

Check drainage plans to ensure the proposed stormwater ponds and storm sewer systems are designed in accordance with current standards and have sufficient detail in the plans to be constructed.

2.2.1. Review Drainage Map

2.2.2. Review Drainage Structures

2.2.3. Retention Ponds

2.3. Review Roadway Elements

The roadway plans will be required to show all the proposed drainage design components. Check and update drainage data and elements with calculations.

2.4. Environmental Permits

2.4.1 Prepare and Submit ERP Application

EXHIBIT A SCOPE OF SERVICES
CONSULTING ENGINEERING SERVICES FOR
SWFWMD ERP APPLICATION AND FDEP RAI RESPONSE

This task includes preparing all required documents for the ERP application and electronic submittal to SWFWMD. These documents may include but are not limited to: Environmental Technical Memorandum; Sections A, C, and E of the application form; UMAM updates (if necessary); and updated wetland impact sketches if the previously approved wetland boundaries are revised. This task also includes a virtual pre-application meeting and one onsite meeting with SWFWMD to verify wetland boundaries within the project area. Also included in this task are field visits by project biologists to re-flag and document existing wetland boundaries prior to submittal of the permit application. Up to two RAI Responses to SWFWMD, if necessary, are included in this task. If any additional mitigation is required due to wetland boundary revisions, we will coordinate with a local mitigation bank to reserve the required number of credits. A cumulative impact analysis for out-of-basin mitigation is not included in this task.

2.4.1 Prepare and submit FDEP RAI Response

This task includes preparing all documents and electronic submittal of the FDEP RAI response package. Included in this task is coordination with Florida Fish and Wildlife Conservation Commission (FWC) to address their comments in an email to FDEP dated July 14, 2021. Anticipated documents for this task include: Alternatives Analysis, Environmental Technical Memorandum (including the wildlife assessment report requested by FWC and a wetland impact discussion), UMAM analysis, and a completed WOTUS determination form. This task also includes a virtual pre-application meeting with each agency (two total) and one onsite meeting with FDEP to verify wetland boundaries within the project area. Also included in this task are field visits by project biologists to assess potential wildlife utilization of the project area prior to submittal of the permit application. Up to two additional RAI Responses to FDEP and two RAI Responses to FWC, if necessary, are included in this task. If any additional wetland mitigation is required due to wetland boundary revisions, we will coordinate with a local mitigation bank to reserve the required number of credits. A cumulative impact analysis for out-of-basin mitigation is not included in this task.

Assumption: AECOM has included up to 60 hours to cover RAI's for both agencies.

2.5 Seasonal Protected Species Surveys

It is our understanding that the FWC has requested a wildlife survey for several federally-listed species as a part of the FDEP RAI. AECOM will conduct a general wildlife survey to assess habitat suitability for the species identified in the RAI, however AECOM believes that the only two species that will require species specific surveys are the gopher tortoise (*Gopherus polyphemus*), sank skink (*Neosops reynoldsi*), and bluetail mole skink (*Eumeces egregius lividus*). AECOM is already under contract to conduct a gopher tortoise survey.

AECOM will conduct a quantitative coverboard survey for the federally-listed skink species identified above within suitable habitat. Potential skink habitat occurs within 35 acres of the 6-mile project limits as defined by three factors: location, elevation, and suitable soils. The coverboard survey will be conducted in accordance with US Fish and Wildlife Service (USFWS) survey protocols which will require the placement of 1,400 coverboards on bare sand. Each

EXHIBIT A SCOPE OF SERVICES
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coverboard will be evaluated four times with no less than five days in between each monitoring event. AECOM will prepare the site for coverboard installation to include removal of vegetation so that the coverboard contacts bare ground. Coordination will be conducted to have coverboards ordered, cut and delivered to the project location. The coverboards will be monitored for up to five weekly events (2-days each) between March 1 and May 15, 2023. AECOM will remove and dispose of the coverboards at the conclusion of the survey. Results will be provided to the County in the form of a technical memorandum with maps and representative photographs.

Assumptions: The installation of coverboards needs to happen by April 17, 2023 in order to be within the requisite FWS survey methodology window. We have estimated 332 hours to procure, setup and install coverboards, 568 hours to conduct five monitoring events, and 140 hours to remove coverboards upon completion of the study.

3. Project Duration / Schedule

The ERP re-application package will require two months. ERP issuance is anticipated within six to nine months following submittal.

The FDEP RAI response package will require three months to prepare because it requires the results of the quantitative sand skink survey. State 404 Program Permit issuance is anticipated within twelve months following submittal.

4. Cost / Fee

The proposed maximum not to exceed fee for the additional professional engineering services is \$323,232.00 and is located in Exhibit A-1.



ECHO UES, Inc.
4803 George Rd. Suite 350
Tampa, FL 33634
888.778.ECHO
Grow, Inspire, Make a Difference

02/21/2023

Robert Julius, PE
AECOM
212 E Main Street
Bartow FL, 33830
T 863-519-9504

PROPOSAL FOR SUBSURFACE UTILITY ENGINEERING AND SURVEY SERVICES

Project: North Ridge Trail – Underground Electrical Verification / Test Holes

Dear Mr. Julius:

At ECHO UES, Inc. (ECHO) we value your consideration and appreciate the opportunity to provide a technical proposal for the provision of professional services. This technical proposal, inclusive of economical offer and schedule, details the approach we consider as the most suitable for this project.

Project Synopsis: Based on the information made available to ECHO, we understand the project to consist of improvements design along the North Ridge Trail located in Polk County, Florida. ECHO's professional services were requested to provide subsurface utility engineering services within the provided area for which the improvements will be designed. ECHO's efforts for this project will be physically verifying the buried electrical distribution at limited locations.

Project Limits: ECHO's proposed services will be performed within well-defined limits (i.e. Project Limits) as shown on the attached graphic representations.

Subsurface Utility Engineering (SUE) Services

Using a combination of field investigative techniques and technology, including surface geophysical instruments. ECHO will perform the following services:

Identification and marking of existing utilities. Utilities potentially in conflict with the project and located within the project limits will be investigated in the attempt to identify their position. The results will be marked on the ground surface using the

most appropriate method (i.e. pin flags, paint etc.) and showing the approximate position of the identified utilities.

Utility Locating – (Quality Level A) ECHO will perform 2 vacuum excavations at each location in the attached limits on Buried Electrical Facilities (only) to determine the depth and elevation of utility. ECHO will attempt to expose utilities via minimally intrusive methods (e.g. use of vacuum excavation) to confirm their characteristics (e.g. type, size, material, direction, configuration) and provide an accurate location. At completion of each excavation (test hole) ECHO will record all verifiable utility information, mark the utility location with the most appropriate method (e.g. wooden lathes, "X" mark on concrete, disc and nail on asphalt) and restore the field to as close as possible to its original conditions.

Deliverables:

Subsurface Utility Engineering & Survey

- Field deliverables will consist of field marks (e.g. pin flags, paint marks, wooden lathes, nails/discs etc.) showing the position of the designated and located utilities.
- Office deliverables will consist of:
 - Test hole data sheets containing all the information obtained via test holes and visual verification.
 - AutoCAD survey file containing SUE data and an updated signed and sealed surveyors report.

Proposed Schedule: To be discussed and agreed upon with the client following acceptance of this proposal.

The proposed schedules shall be valid barring any unforeseen conditions.

Notes and Limitations:

1. Client shall facilitate access to the site and provide any relevant project information.
2. Site must be clear from obstacles impeding access to any portion of the project limits.
3. Standard work hours are from 7:00am to 4:00pm, Monday through Friday; additional charges may occur (following discussion with the Client) in case of weekend or nighttime work.
4. ECHO will not work on any site that is known to be contaminated with any hazardous or harmful substance.
5. Any permit or fee requested to perform the work complying with any stakeholder's requirement will be submitted to the Client with a 5% administrative markup.
6. FDOT Design Standards (Index 600 Series) will be utilized for the Maintenance of Traffic (MOT). Should the site require modification to the Index 600 for non-standard MOT arrangements, ECHO will seek the Client's concurrence to obtain signed and sealed project's specific MOT plans (to be provided by others).
7. Any cost associated with signed and sealed MOT plans will be submitted to the Client with a 5% administrative markup.
8. Unless otherwise stated within this proposal, test holes have usual depth of up to eight (8) ft. from the ground surface, and diameter of up to 1 ft. Should there be a need for deeper or wider excavations, additional charges may apply.
9. The original ground surface at each test hole location will be restored to as close as possible to its original conditions, using concrete mix or asphalt cold patch as applicable. Any deviation from this standard (e.g. use of hot asphalt, flowable fill etc.) may require additional charges and the use of specialty subcontractors.

10. Regardless of the type of estimate proposed (e.g. lump sum, time and materials, etc.) such estimate should be considered indicative and based on preliminary information. Should any situation out of ECHO's control heavily impact ECHO's field work performance (e.g. adverse site conditions), ECHO reserves the right to seek additional funds to complete the work.
11. The exact location of any underground utility is not guaranteed unless clearly exposed and visually verified at a specific location. Utility characteristics, methods of installation, soil conditions and the surrounding environment all may impact adversely the results of any utility investigation with surface geophysical instruments and technology. No guarantee is made that all utilities will be found and identified.
12. Independently from ECHO's scope of work and performance, the Client shall comply with the relative chapter from the Florida (or any other applicable) Statutes: "Underground Facility Damage Prevention and Safety Act" and call 811 prior to any excavation taking place.
13. Subsurface Utility Engineering, Designating and Locating terms all refer to the American Society of Civil Engineers / Construction Institute Standard for the Collection and Depiction of Subsurface Utility Data (ASCE/CI 38-02). Should ECHO adopt this standard for the performance of the scope of work and preparation of deliverables, clear mention to the Standard shall be made throughout the deliverable.

Fee: ECHO's competitive offer, which is inclusive of all field, office, materials, supplies, and equipment costs is detailed below.

- **Subsurface Utility Engineering, Vacuum Excavation and Limited Survey to record Utility data**

Lump Sum Fee - \$9,620.00

Acceptance: We will honor this proposal for 90 days. If accepted, please return to our attention together with a professional services agreement / task work order authorization and official Notice to Proceed.

At ECHO UES, Inc. we believe in collaboration and communication with our clients and are driven to understand their needs and provide time efficient and cost-effective solutions. ECHO strives to provide quality utility and survey reliable data to design better, build faster, and safely enhance Engineering, Design, Construction and Maintenance of infrastructure.

Thank you for considering ECHO for this important project and please do not hesitate to contact me directly should you have any questions or concern.

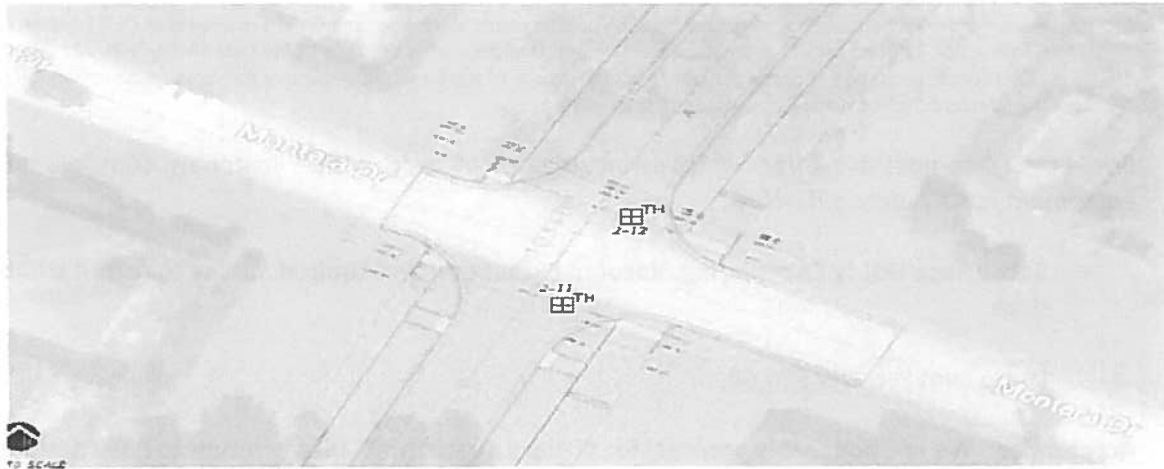
Sincerely,



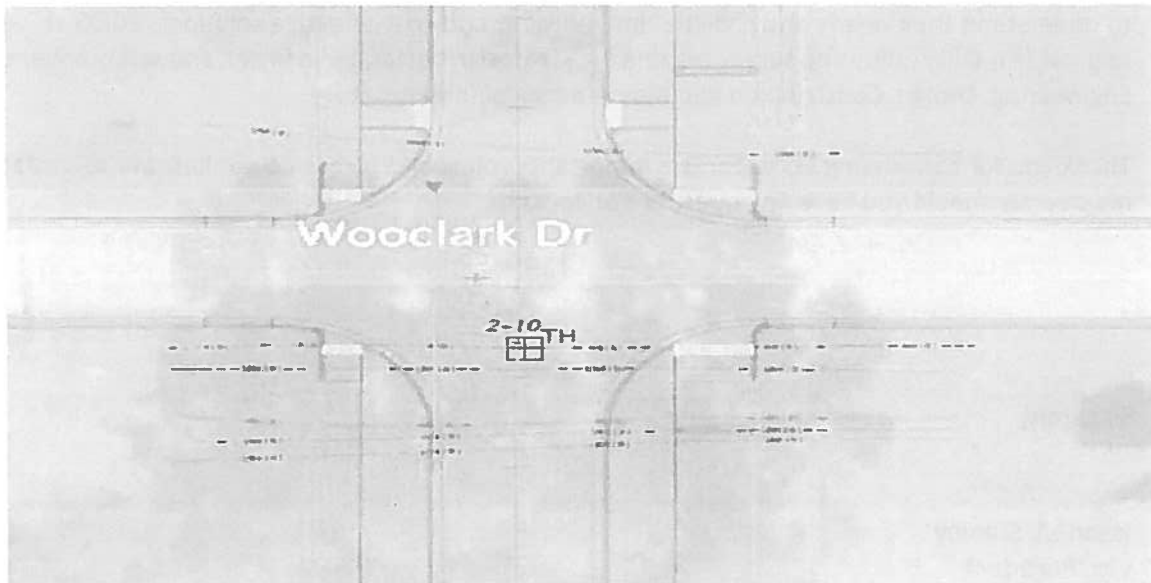
Jason M. Stanley
Vice President
ECHO UES, Inc.

Project Limits: Physically confirm Buried Electric Transmission Lines

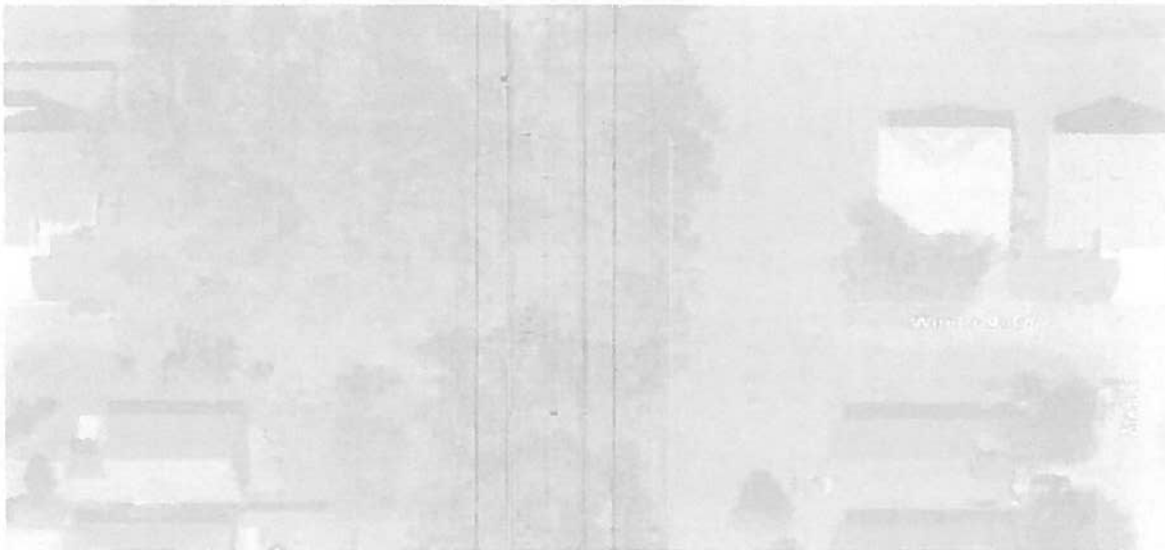
1. Montara intersection: S-339 to S-241



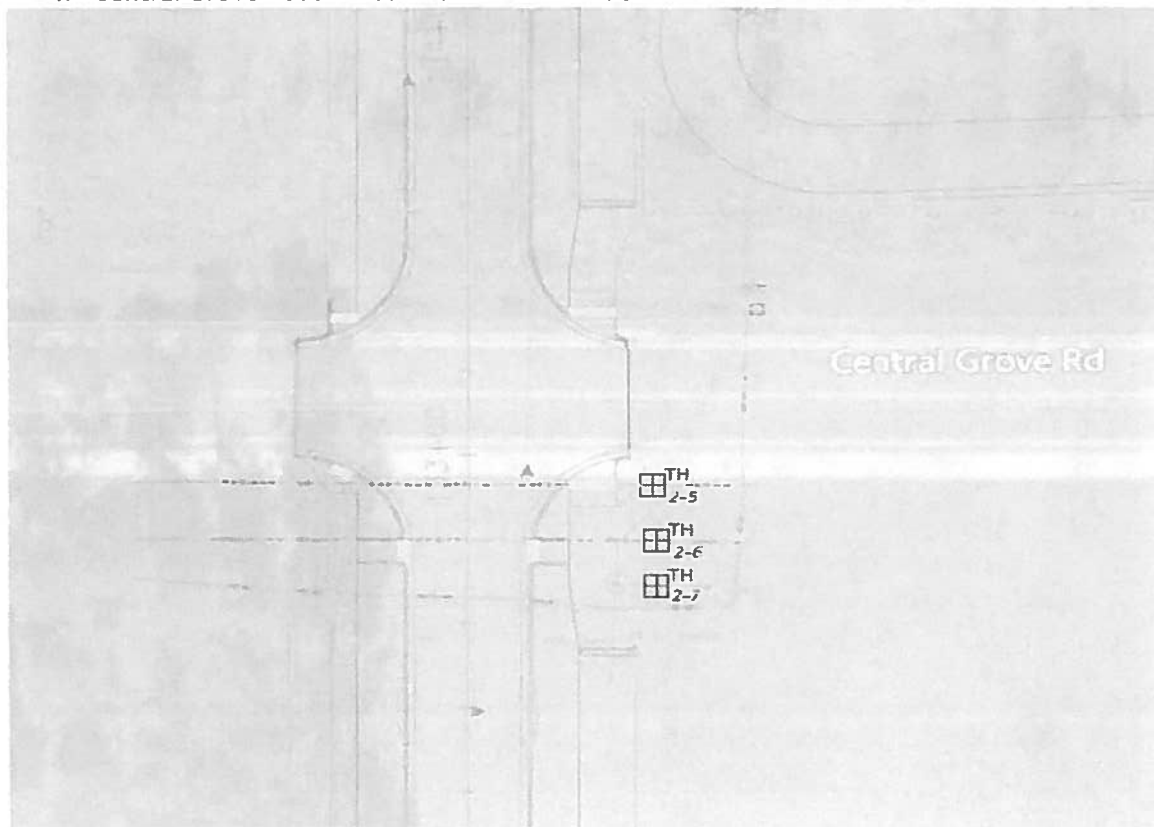
2. Woodlark intersection: Near S-350 to S-351



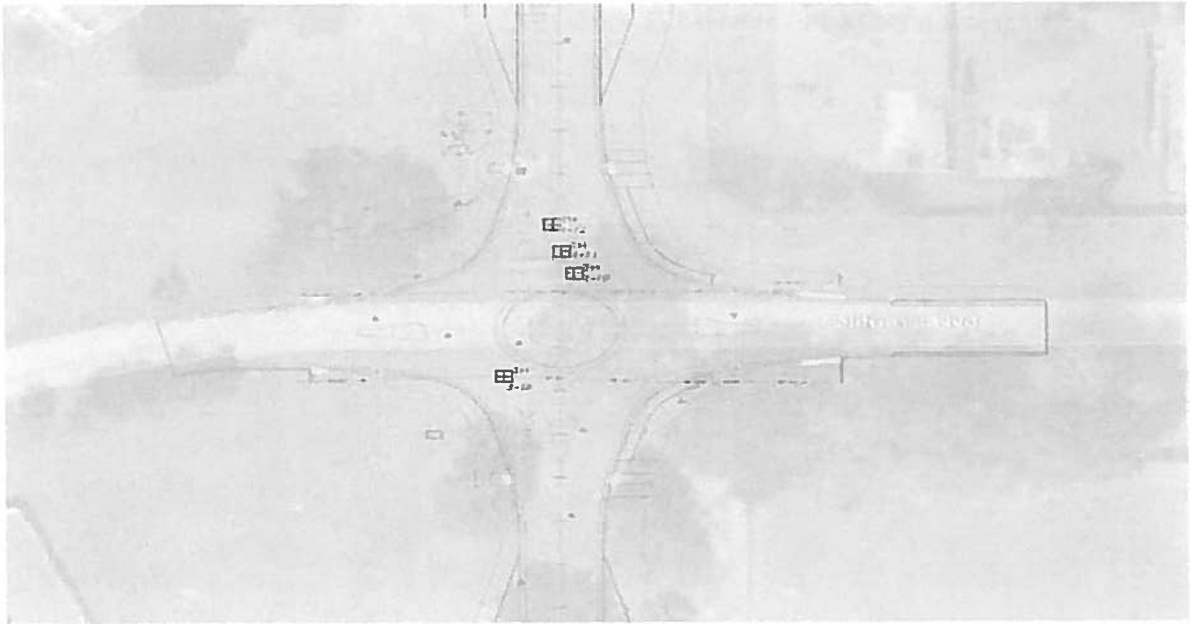
3. Near stations 118-119 btwn S-353 and S-355



4. Central Grove Road BE btwn S-406 and S-408



5. California Blvd S-514C and S-514H



6. Between sta. 168 and 171: S-523 to S-525 to S-526 BE



7. Sta's 173-174 between S-527 and S-529



8. Highlands Reserve Blvd S-529 to S-551; S-549A-S-549-B to S-551A



EXHIBIT A-1
ADDENDUM NO. 1 ROADWAY DESIGN PROJECT
North Ridge Trail ERP re-application

Task	Description	P.M. (hrs)	\$198.00	Sr. Eng. (hrs)	\$179.00	Project Eng. (hrs)	\$137.00	Engineer (hrs)	\$132.00	Sr. Env. Sci (hrs)	\$137.00	Structural Tech (hrs)	\$151.00	Sr. Tech. (hrs)	\$121.00	Tech. (hrs)	\$105.00	Clerical (hrs)	\$80.00	Total (hrs)	Total Task Cost
1	GENERAL TASKS			8		8		8		8		0		8		8		0		40	\$5,192
2	ROADWAY ANALYSIS			8		16		16		0		0		16		0		0		36	\$7,672
3	ROADWAY PLANS			24		0		36		0		0		36		36		0		172	\$17,184
4	DRAINAGE ANALYSIS			25		100		60		3		0		25		50		0		265	\$35,055
5	UTILITIES			0		0		0		0		0		0		0		0		0	\$0
6	SWFWMD PERMITS			10		40		0		88		0		40		32		32		272	\$35,456
7	DEP PERMITS	12		40		0		0		520		0		400		100		12		1404	\$173,736
8	SIGNING & MARKING ANALYSIS			0		0		0		0		0		0		0		0		0	\$0
9	SIGNING & MARKING PLANS			0		0		0		0		0		0		0		0		0	\$0
10	SIGNALIZATION ANALYSIS			0		0		0		0		0		0		0		0		0	\$0
11	SIGNALIZATION PLANS			0		0		0		0		0		0		0		0		0	\$0
12	LIGHTING ANALYSIS			0		0		0		0		0		0		0		0		0	\$0
13	LIGHTING PLANS			0		0		0		0		0		0		0		0		0	\$0
14	LANDSCAPE ANALYSIS			0		0		0		0		0		0		0		0		0	\$0
15	LANDSCAPE DESIGN			0		0		0		0		0		0		0		0		0	\$0
16	POST DESIGN SERVICES			0		0		0		0		0		0		0		0		0	\$0
17				0		0		0		0		0		0		0		0		0	\$0
TOTAL HOURS		12		145		164		120		613		0		525		526		61		2169	
TOTAL LABOR COST (AECOM)		\$2,376		\$25,955		\$22,468		\$15,840		\$83,981		\$0		\$63,525		\$55,230		\$5,120		\$274,195	

SUBTOTAL LABOR

\$274,495.00

DIRECT EXPENSES (1.5%)

Boards for Sand Skink Surveys

\$4,117.00

\$35,000.00

SUB-CONSULTANTS

ADDITIONAL ECHO UTILITY LOCATIONS

\$9,620.00

PROJECT TOTAL FOR AECOM AND SUB-CONSULTANTS

\$323,232.00