

FIRST AMENDMENT TO TASK ORDER NO. 9

Additional Design Services – 6th Avenue Substation Site Development

THIS FIRST AMENDMENT TO TASK ORDER No. 9 ("Amendment") is made on _____, 2021, between the **City of Lake Worth Beach**, a Florida municipal corporation located at 7 North Dixie Highway, Lake Worth, Florida 33460 ("City") and **E.C.Fennell, PA**, a Florida corporation ("Consultant").

1.0 Project Description:

The City desires the Consultant to provide those services as identified herein and generally described as: **6th Avenue Substation Site Plan & PB&Z Submittal Package** (the "Project"). The Project is described in the consultant's proposal, dated October 7th, 2021, and is attached hereto as Exhibit "1" and incorporated herein.

2.0 Scope

Under this Amendment, the Consultant will provide additional professional services to the City as detailed in the **Consultant's proposal attached hereto and incorporated herein as Exhibit "1"**. Additional services to be provided under this Amendment include; Landscape plan, Unity of Title and submit permitting fees.

3.0 Schedule

The services to be provided under this Amendment shall be completed within **30** calendar days from the City's approval of this Amendment or the issuance of a Notice to Proceed.

4.0 Compensation

This Amendment is issued for a not to exceed amount, of **\$20,350.00**, and is comprised of a lump sum, not to exceed amount of **\$19,200.00**, and a time and expense, not to exceed amount of **\$1,150.00**. The attached proposal identifies all costs and expenses anticipated in the time and expense, not to exceed amount.

5.0 Project Manager

The Project Manager for the Consultant is Jerold Parrot, phone: 561-420-8618; email: JParrott@ecfconsultants.com; and, the Project Manager for the City is Paul Nicholas, phone: 561-533-7353; email: Pnicholas@LakeWorthBeachfl.gov.

6.0 Progress Meetings

The Consultant shall schedule periodic progress review meetings with the City Project Manager as necessary but every 30 days as a minimum.

7.0 Authorization

This Amendment is issued in compliance with the Consultants' Competition Negotiation Act, section 287.055, Florida Statutes, and pursuant to the Agreement for Professional Services between the City of Lake Worth and the Consultant, dated **March 16th, 2018** ("Agreement" hereafter). If there are any conflicts between the terms and conditions of this Amendment and the Agreement, the terms and conditions of the Agreement shall prevail; however, the specific scope of services set forth in this Amendment shall take precedence over any other more general description of services.

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF the parties hereto have made and executed this First Amendment to Task Order No. 9 on the day and year first above written.

CITY OF LAKE WORTH BEACH, FLORIDA

By: _____
Betty Resch, Mayor

ATTEST:

By: _____
Melissa Ann Coyne, CMC, City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

APPROVED FOR FINANCIAL
SUFFICIENCY

By: _____
Glen J. Torcivia, City Attorney

By: _____
Bruce T. Miller, Financial Services Director

CONTRACTOR: E.C. Fennell, PA

By: Everett C. Fennell

[Corporate Seal]

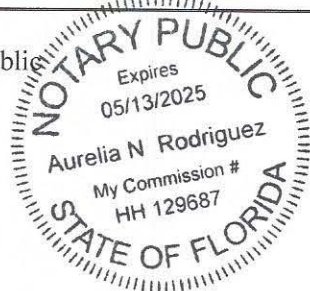
Print Name: Everett C. Fennell

Title: CEO

STATE OF Florida)
COUNTY OF Palm Beach)

The foregoing instrument was acknowledged before me this 12 day of October, 2021, by Everett Fennell, who was physically present, as _____ (title), of E.C. Fennell, PA, a Florida Corporation, which is authorized to do business in the State of Florida, and who is personally known to me or who has produced the following _____ as identification.

Notary Public



Aurelia
Print Name: Aurelia Rodriguez
My commission expires: 05/13/2025

EXHIBIT "1"
Contractors Proposal



October 7, 2021

Paul Nicholas
Engineering Manager – Special Projects
City of Lake Worth Beach

Re: 6th Ave Substation – Landscaping & Site Permit Fees Proposal

Mr. Nicholas:

In accordance with our recent conversation about the new *6th Ave Substation – Landscaping & Site Permit Fees*, we are pleased to submit this proposal for professional engineering services.

The following is an outline of work to be included in the preparation of the landscaping plan design, unity to title service and site permit fee submittal for this project.

PROJECT UNDERSTANDING

The City of Lake Worth Beach requires a landscaping plan to accompany 6th Ave Substation site development documents. In addition, ECF Engineering Consultants shall submit the site plan permitting fees on behalf of the City of Lake Worth Beach and shall be reimbursed under the terms of this proposal.

SCOPE OF SERVICES

LANDSCAPE ENGINEERING SERVICES

I. **Code Minimum Landscape Plan** **\$4,700.00**

The following services only apply to these design areas:

- Landscape Buffer Areas
- Vehicular Use Areas
- Foundation Planting

1. Prepare code minimum landscape for planning approvals and building permit submittal.
2. Final plans to include location, botanic and common plant name, size, quantities and specific requirements for proposed planting materials.
3. Plans will include written specifications and planting details associated with the proposed landscape design.
4. Plans will be sign and sealed by a landscape architect for building permit submittal.

II. **Code Minimum Landscape Plan** **per revision \$2,000.00**

Preparation of revisions to landscape plan during the site plan approval process, based on comments received or site plan modifications.

III. **Representation and Construction Administration** **\$1,150.00 (Hourly Not to Exceed)**

1. Provide representation of landscape and irrigation plans at meetings and on progress calls as requested.
2. Issue Landscape Certification Letter after satisfactory inspection.

BASIS OF THIS PROPOSAL

This proposal is based on the following:

1. ECF shall be entitled to rely on the completeness and accuracy of all information provided by CLIENT. Information requested by ECF during the project will include, but may not be limited to, environmental assessments; geotechnical reports; and survey (with CAD file);
2. Design of utility services (water and sewer) will not be required and are not included in the scope of services;
3. Stormwater modeling or calculations are not anticipated to be required for this development of the site based on the limited proposed impervious surface.
4. Significant site plan modifications will require an amendment to this contract. ECF will submit a separate proposal for those services;
5. Additional submittals and coordination with permitting agencies not due to ECF's work will be invoiced on an hourly basis;
6. Subsurface Utility Engineering (SUE), utility designations, and pot-holing services will be provided if needed, and a separate proposal will be submitted once the scope is determined;
7. The project will be designed and permitted under one phase;
8. Site visits for construction administration will be invoiced on an hourly basis; and
9. Services not included: Structural, Architectural, Hardscape Design, Landscape Lighting Design, Irrigation, Title Search, Traffic, Environmental, and Geotechnical.

Basis of Fee Proposal	
Phase	Price
Landscape Architecture	\$6,700.00
Time & Expense – Representation and Construction Administration <i>(NOT TO EXCEED)</i>	\$1,150.00
Unity of Title Service	\$1,500.00
Site Permitting Fees	\$11,000.00
Total	\$20,350.00

CLIENT RESPONSIBILITIES:

Client to provide the following additional information required to begin site design services on this project:

1. AutoCAD and PDF files of proposed site plans/ base maps; and
2. CAD files of existing boundary survey of the subject property.

WORK NOT INCLUDED:

Work not included in the above proposal items will not be performed without your prior knowledge and approval. When merited, we will provide you with a lump sum fee for additional services. Otherwise, additional services will be performed on an hourly basis at the rate to be negotiated.

PERMIT FEES:

This proposal includes the payment of the City of Lake Worth Beach required permitting, submittal and processing fees. The cost of these fees shall be reimbursed to ECF Engineering Consultants.

REPRODUCTION AND OUTSIDE SERVICE FEES:

Unless otherwise specified, these fees do not include the cost of printing or reproduction (other than normal check sets and permit sets), nor do they include the cost for outside services by others. These fees are direct charges and shall be included in final invoice.

CHANGES IN PLANS:

1. Any changes which are requested by Client after approval of the detailed layout and which shall require additional work shall be paid for by Client as an extra charge, above estimate at a mutually agreed to rate.
2. The scope of work may be modified or expanded in which case a new letter of agreement would be executed so that Engineer/Client have a mutually clear understanding of our understanding of our responsibility. This may be waived by Client and an hourly rate will be applied to cover the additional service.

CODES:

All designs will conform to all applicable codes.

FEE FOR SERVICES:

The above is an outline of the scope of the work to be included in the –
Landscaping & Site Permit Fees Proposal for the future *6th Ave Substation* – Site Plan
Development in Lake Worth Beach, Florida.

***Our price to prepare landscaping plans, utility of title service and permit
fee reimbursement as detailed above for the lump sum of \$20,350.00.***

ACCEPTANCE:

This proposal and fee schedules are based upon the acceptance within thirty (30) days of the date of preparation. If not accepted by Client within that time period, Engineer reserves the right to re-evaluate the terms and conditions contained herein.

If the proposed work and fees contained herein are agreeable with Client, please sign this proposal and return to this office. Should any questions arise regarding the above, please do not hesitate to call this office.

Very truly yours,

A handwritten signature in blue ink that reads "Everett C. Fennell". The signature is written in a cursive style with a large initial "E".

Everett C. Fennell
Managing Principal
ECF Engineering Consultants, INC.

ECF

Cc: File; J. Parrott, S. Fennell

Appendix A

Project Man-Hour Estimate

Staff Position	Task	Rate/Hour	Man Hours	Total Labor Dollar
Senior Landscape Designer	Production	\$130	30	\$3900.00
Senior Landscape Architect	Review Sign & Seal	\$200	4	\$800.00
Total			44	\$4,700.00