

THIRD AMENDMENT TO TASK ORDER NO. 2

Additional Design Services for the Distribution – Voltage Conversion Work Plan (4DR01 and 4R0704 Circuits)

THIS THIRD AMENDMENT TO TASK ORDER No. 2 ("Amendment") is made on the _____ day of _____, 2022, between the **City of Lake Worth Beach**, a Florida municipal corporation located at 7 North Dixie Highway, Lake Worth, Florida 33460 ("City") and **Power Engineers, Inc.**, a Florida corporation ("Consultant").

1.0 Project Description:

The City desires the Consultant to provide those additional services as identified herein as they relate to **Distribution – Voltage Conversion Work Plan (4DR01 and 4R0704 Circuits)** (**original scope under Task Order No. 2**) (the "Project").

2.0 Scope

Under this Amendment, the Consultant will provide professional services to the City as detailed in the **Consultant's proposal attached hereto and incorporated herein as Exhibit "1"**.

3.0 Schedule

The services to be provided under this Amendment shall be completed within 180 calendar days from the City's approval of this Amendment.

4.0 Compensation

This Amendment is issued for a time and expense, not to exceed amount of **\$31,998**. 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 Ivette Sanchez, phone: 407-341-6907; email: ivette.sanchez@powereng.com; and, the Project Manager for the City is Paul Nicholas, phone: 561-533-7353; email: Pnicholas@lakeworth.org

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 Limitation of Liability

The City agrees to limit CONSULTANT's liability, to the City and to those under contract with the City to perform the work under the scope of the Project, for insurable events arising from the CONSULTANT's performance under this Amendment to One-Million Dollars (\$1,000,000.00). Except for the CONSULTANT's agreement and obligation to indemnify and hold harmless under the Agreement, the CONSULTANT's liability for non-insurable events including breach of contract shall not exceed \$31,998 under the proposed Amendment

8.0 Authorization

This Amendment to Task Order No. 2 is issued in compliance with the Consultants' Competition Negotiation Act, section 287.055, Florida Statutes, and pursuant to the Agreement for Professional Services for Electric Transmission and Generation Options between the City of Lake Worth and the Consultant, dated May 1st, 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.

9.0 Confidentiality

The information provided to the Consultant under this Amendment and Task Order No. 2 by the City will contain proprietary business information, trade secret information and information that is otherwise confidential and/or exempt from public disclosure under Florida law. Accordingly, the Consultant shall keep confidential, and shall not disseminate to any third party or use for any purpose other than the performance of this Amendment and Task Order No. 2 (except with the written authorization from the City), any information received from the City arising from or related to the performance of this Amendment and Task Order No. 2. If Consultant receives a request and/or legal process to disclose any City information, the Consultant shall promptly notify the City and provide the City an opportunity to take appropriate action to address the request and/or legal process. The Consultant shall include a similar confidentiality provision in any subcontractor agreements.

10.0 Amendment

Except for the provisions of Task Order No. 2 specifically amended by this Amendment, all other terms and conditions of Task Order No. 2 and the Agreement remain in full force and effect. This Amendment shall not become binding and effective until approved by the Consultant and City Commission. None of the provisions contained in this Amendment may be modified or altered except by written instrument executed by both parties.

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IN WITNESS WHEREOF, the parties hereto have made and executed this Third Amendment to Task Order No. 2 as of the day and year set forth above.

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:

By: _____
Glen J. Torcivia, City Attorney

APPROVED FOR FINANCIAL
SUFFICIENCY

By: _____
Bruce T. Miller, Financial Services Director

CONTRACTOR:

Power Engineers, Inc

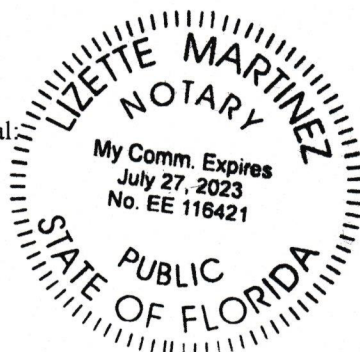
[Corporate Seal]

By: _____
Print Name: Alan Sowell
Title: _____
POWER Engineers, Inc.
2022.08.15
13:53:12-04'00'

STATE OF Florida
COUNTY OF Orange

THE FOREGOING instrument was acknowledged before me by means of ☐ physical presence or ☒ online notarization on this 15 day of August 2022, by Alan Sowell, as the VP, PM [title] of **Power Engineers, Inc** a Florida Corporation authorized to do business in the State of Florida, who is personally known to me or who has produced _____ as identification, and who did take an oath that he or she is duly authorized to execute the foregoing instrument and bind the CONTRACTOR to the same.

Notary Seal:



Notary Public Signature

Exhibit 1

Project Change Request

PCR issue Date: 7/7/2022

PCR Number: 02

To: Paul Nicholas

PCR Revision No.: 2.0

Originator: Ivette Sanchez

PCR Name: City of Lake Worth Beach

Related PCN: NA

Project Number 155789

PCN Issue Date: NA

Project Name: Distribution Voltage Conversion

PCN Approval Date: NA

Developed By: Ivette Sanchez

Event/ Decision Justifying Change:

Previously approved budget was used to develop construction permit drawings for LWDD, FDOT and PBC agencies. Additional budget is needed to finalize additional voltage conversion plans, plan and profile permitting packages and record drawings. The total estimated time-and-expense cost to complete these activities is **\$31,988**. Please note that \$14,500 of labor expended as of July 07, 2022, is included in the above amount.

Task Order #2:	\$ 194,242
TO #2 Amend#1:	<u>\$ 165,962</u>
Total P.O.:	\$ 360,204
TO #2 Amend #2:	<u>\$ 48,699</u>
Current P.O. :	\$ 408,903
TO #2 Amend #3:	<u>\$ 31,988</u>
Total P.O.:	\$ 440,891

Change Description:

Additional work included in the CLWB Voltage Conversion Project that were not contemplated in the original scope of work includes :

- Develop construction permit drawings for LWDD, FDOT and PBC agencies.
- Permit coordination and submittals .

Assumptions (to complete project):

- Project management and control – 28 hours
- Finalize design plans and construction permit plans – 60 hours
- Record drawings – 26 hours

Requested PCR Approval Date: 7/7/2022

Estimated Additional Cost:

Activities	Budget
0. Support provided as of July 07, 2022	\$ 14,500
Tasks for design completion and Construction Support	
1. Project Supervision/Control	\$ 5,540
2. Finalize Design Plans and Construction Permit Plans	\$ 8,580

Project Change Request

3. Post-Construction/Record Drawings	\$ 3,368
Total Change Order (\$)	\$ 17,488
Grand Total Change Order (\$)	\$ 31,998

Impact on Schedule:

None

Impact on Deliverables:

None

Potential Impacts to other Project(s)/Department(s):

None

Submitted by: Ivette Sanchez

Approved by: Paul Nicholas

Date: 7/7/2022

Date: _____

Disciplines Impacted (check appropriate boxes):

- | | | |
|--|-------------------------------------|--|
| <input type="checkbox"/> Project Mgmt. | <input type="checkbox"/> Electrical | <input type="checkbox"/> Environ. /ROW |
| <input type="checkbox"/> Project Control | <input type="checkbox"/> Controls | <input type="checkbox"/> POWER 360 |
| <input type="checkbox"/> Civil | <input type="checkbox"/> Substation | <input type="checkbox"/> Communications |
| <input type="checkbox"/> Structural | <input type="checkbox"/> Line | <input type="checkbox"/> Construction Mgmt. |
| <input type="checkbox"/> Mechanical | <input type="checkbox"/> Studies | <input type="checkbox"/> Testing and commissioning |
| <input type="checkbox"/> Other | | |

cc: