

**ADDENDUM NO. 1
TO THE AGREEMENT DATED JUNE 25, 2024
BETWEEN GREATER ORLANDO AVIATION AUTHORITY
AND KIMLEY-HORN AND ASSOCIATES, INC.**

Project: Construction Administration Services for H-378 Stormwater Pump System Plan, Orlando International Airport

THIS ADDENDUM is effective this 6th day of August, 2024 by and between the **GREATER ORLANDO AVIATION AUTHORITY** ("Aviation Authority"), and **KIMLEY-HORN AND ASSOCIATES, INC.** ("Consultant").

WITNESSETH:

WHEREAS, by Agreement dated June 25, 2024, Aviation Authority and Consultant entered into an agreement for Consultant to provide Continuing On-Call Architectural and Engineering Services; and

WHEREAS, under the Agreement, Consultant agreed to perform such additional services for the Aviation Authority as are contained in any additional scope of work established by the Aviation Authority in any addendum to the Agreement and accepted in writing by the Consultant; and

WHEREAS, the Aviation Authority and the Consultant desire to enter into this Addendum to the Agreement to provide for additional services to be rendered by the Consultant under the terms of said Agreement.

NOW, THEREFORE, in consideration of the premises and the mutual covenants herein contained, the Aviation Authority and the Consultant do hereby agree as follows:

1. Consultant shall perform additional services in accordance with the terms of the Agreement and the attached Exhibit "A." Consultant shall be paid for such additional services according to the payment terms set forth in the Agreement.
2. Consultant shall be compensated for such additional services in the **NOT TO EXCEED amount of TEN THOUSAND THREE HUNDRED THIRTY-EIGHT AND NO/100 DOLLARS (\$10,338.00)**, broken down as follows:

Professional Fees:	NTE:	\$10,338.00
Professional Fees:	LS:	\$0.00
Reimbursable Expenses:	NTE:	<u>\$0.00</u>
Total:		\$10,338.00

3. A. Consultant hereby certifies that it is not on the Scrutinized Companies that Boycott Israel List and is not engaged in a boycott of Israel, as defined in Florida Statutes § 287.135, as amended;

AND

B. (applicable to agreements that may be \$1,000,000 or more) - Consultant hereby certifies that it is: (1) not on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List as defined in Florida Statutes § 287.135; and (2) not engaged in business operations in Cuba or Syria, as defined in Florida Statutes § 287.135, as amended.

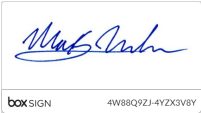
4. Aviation Authority may terminate the Agreement for cause and without the opportunity to cure if the Consultant is found to have submitted a false certification or has been placed on the Scrutinized Companies that Boycott Israel List or is engaged in a boycott of Israel.

In the event the Agreement is for One Million Dollars (\$1,000,000.00) or more, Aviation Authority may terminate this Agreement for cause and without the opportunity to cure if the Consultant is found to have submitted a false certification or has been placed on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List or is engaged in business operations in Cuba or Syria.


5. Except as expressly modified in this Addendum, the Agreement dated June 25, 2024 and all prior addenda will remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto by their duly authorized representatives, have executed this Addendum this day of Aug 9, 2024.


GREATER ORLANDO AVIATION AUTHORITY

By: 
Max Marble
Sr. Vice President, Capital Programs

**Approved as to Form and Legality
(for the benefit of GOAA only)
this day of Aug 8, 2024**

By: 
**NELSON MULLINS RILEY AND
SCARBOROUGH, Legal Counsel
Greater Orlando Aviation Authority**

KIMLEY-HORN AND ASSOCIATES, INC.

By: 
Signature (Duly Authorized Rep.)

Sr. Vice President
Title

MEMORANDUM

TO: Members of the Construction Committee

FROM: Jeff Daniels, Assistant Vice President, Facilities

DATE: August 6, 2024

ITEM DESCRIPTION

Request for Approval of an Addendum to the Continuing On-call Architecture and Engineering Consultant Services with Kimley-Horn and Associates, Inc. for Construction Administration Services for H-00378 MCO Stormwater Pump System Plan, Orlando International Airport

BACKGROUND

This is an addendum agreement dated May 15, 2024 between the Authority and Consultant for Continuing Civil Engineering consulting services (W-486). Kimley-Horn and Associates, Inc. prepared drawings for this project under a previous contract.

ISSUES

Consultant’s proposal dated July 8, 2024 is to provide construction administration (CA) services for construction of concrete pads for stormwater pumps and for additional infrastructure to support stormwater conveyance and drainage.

If approved, services will be effective the date of Construction Committee approval.

This continuing consultant was selected for this task based on (☑ all that apply):

- Experience
- Available Personnel
- Current Workload
- Expertise
- Equitable Distribution
- Other: _____

SMALL BUSINESS

Based on the small size and limited opportunity to involve sub-consultants, no participation is anticipated for this task. The MWBE/LDB participation has been reviewed by the Office of Small Business Development. Their findings and recommendation are attached.

ALTERNATIVES

None.

FISCAL IMPACT

EXHIBIT A

CC
ITEM IV-C
8/6/2024

Funding is from Operations and Maintenance Funds 301.631.210.5460002.000.000000. Funding source verified by *Melvin Martinez* of Construction Finance on 08 / 01 / 24 as correct and available.

RECOMMENDED ACTION

It is respectfully requested that the Construction Committee approve an Addendum to the Continuing Civil Engineering Consulting Services Agreement with Kimley-Horn and Associates, Inc. for the services contained herein and the amount as shown below:

Not to Exceed Fees	\$10,338.00
Lump Sum Fees	\$0.00
Not to Exceed Expenses	\$0.00
TOTAL	\$10,338.00
AAC – Compliance Review Date	YR 07/31/2024
AAC – Funding Eligibility Review Date	YR 07/31/2024



July 8, 2024

Ms. Keegan O'Brien, P.E.
Assistance Vice President or Environmental
Greater Orlando Aviation Authority
5855 Cargo Road
Orlando, Florida 32827
mary.obrien@goaa.org

**Re: MCO Stormwater Pump Pads
On-Call Construction Phase Consulting Services
at Orlando International Airport**

Dear Keegan:

Attached, please find our proposal to complete the design services for the subject project, in accordance with our Continuing On-Call Architecture and Engineering Consultant Services contract (May 15, 2024) and approved rates.

The proposal submitted herein is for a total value of \$10,338; of which \$10,338 is not-to-exceed reimbursable labor fee. Due to the on-call nature of the project, the not-to-exceed fee shall not be considered all-inclusive. Kimley-Horn will provide the requested services up to the budgets outlined within this proposal, and if the budgets are exhausted, will halt services until additional budget is authorized by GOAA. The following tables are attached for backup:

- Table C-1, Summary of Fees and Expenses
- Table C-4, Summary of Not-to-Exceed Fees and Expenses
- Table C-5 (Kimley-Horn), Breakdown of Not-to-Exceed Reimbursable Fees for Kimley-Horn
- Table C-7, LDB/MWBE Participation Schedule
- Table C-9, Summary of Contracted Hourly Rates

Please note that due to the specific nature of this scope of services, we are unable to partner with any of our MWBE/LDB/DBE partners.

We sincerely appreciate the opportunity to provide these services to you and the Greater Orlando Aviation Authority. Please contact me if you have any questions.

Very truly yours,
KIMLEY-HORN AND ASSOCIATES, INC.

Jonathan A. Martin, P.E.
Principal

Brian S. Ashby, P.E.
Vice President

CC:
K:\ORL_Aviation\marketing\GOAA\2024-06-28-Pond Pump Pads\Coverletter-OBrien-MCO Pump Pads CPS-2024-07-03.docx

ATTACHMENT A: SCOPE OF SERVICES
ORLANDO INTERNATIONAL AIRPORT
MCO STORMWATER PUMP PADS
ON-CALL CONSTRUCTION PHASE CONSULTING SERVICES
GREATER ORLANDO AVIATION AUTHORITY

OVERVIEW AND BACKGROUND

The project consists of constructing three (3) new concrete pads for future stormwater pumps at Orlando International Airport (MCO). The project area is located at three (3) distinct locations. The current plan is to install one (1) concrete pad at the west side of the pond north of the Terminal A QTA, one (1) concrete pad at the southeast side of the pond north of South Park Place (Pond STP-20), and one (1) concrete pad at the south side of the South Terminal landside pond (Pond STP-70), based on a planning document prepared by Kimley-Horn in August of 2018.

The Greater Orlando Aviation Authority has requested Kimley-Horn to provide on-call consulting services during the 60-day procurement and construction duration.

**MISCELLANEOUS ON-CALL CONSTRUCTION PHASE CIVIL ENGINEERING
CONSULTING SERVICES SCOPE:**

Kimley-Horn will be available to provide on-call civil engineering consulting services through the duration of procurement and construction, which is anticipated to be 60 days. These services may include attendance at kick-off meetings, site visits to observe construction progress, attendance at construction meetings, review of proposed pump locations, and attendance at substantial and final completion walks.

Kimley-Horn understands that Construction Documents have not been prepared for this project. All direction for construction of the concrete pads will be provided by GOAA or GOAA's OAR. Kimley-Horn will be available to provide basic consulting services to the extent practical without approved Construction Documents. Kimley-Horn will not be responsible for any issues or claims that may arise from construction of the proposed concrete pads and any appurtenances.

Kimley-Horn has included a not-to-exceed fee budget for these services. Due to the on-call nature of the project, the not-to-exceed fee shall not be considered all-inclusive. Kimley-Horn will provide the requested services up to the budgets outlined within this proposal, and if the budgets are exhausted, will halt services until additional budget is authorized.

EXHIBIT A - CONSULTANT'S COMPENSATION PROPOSAL
Table C-1

Phase of Project:	Miscellaneous On-Call Construction Phase Civil Engineering Consulting Services	SUBTOTAL	TOTAL CONTRACT
1.0 Lump Sum Fee:	\$0.00	\$0.00	\$0.00
2.0 Not to Exceed Reimbursable Fee:	\$10,338.00	\$10,338.00	\$10,338.00
3.0 Not to Exceed Reimbursable Expenses:	\$0.00	\$0.00	\$0.00
4.0 TOTAL CONTRACT VALUE:	\$10,338.00	\$10,338.00	\$10,338.00

Total Lump Sum Labor Hours:	0	0	0
Total Not to Exceed Reimbursable Labor Hours:	48	48	48
TOTAL LABOR HOURS:	48	48	48
Average Hourly Rate:	\$215.38	\$215.38	\$215.38

**MCO Stormwater Pump Pads
On-Call Construction Phase Consulting Services
Orlando International Airport**

Table C-1

EXHIBIT A - CONSULTANT'S COMPENSATION PROPOSAL
Table C-4

Phase of Project:	Miscellaneous On-Call Construction Phase Civil Engineering Consulting Services		TOTAL
	Labor Hours	Total Fee	
Kimley-Horn & Associates			
Not to Exceed Reimbursable Fee	48	\$10,338	\$10,338
Not to Exceed Reimbursable Expenses		\$0	\$0
Sub-Total Designer	48	\$10,338	\$10,338
Total Not to Exceed Amount:	48	\$10,338	\$10,338

**MCO Stormwater Pump Pads
On-Call Construction Phase Consulting Services
Orlando International Airport**

Table C-4

Kimley-Horn and Associates, Inc.

July 2024

EXHIBIT A - CONSULTANT'S COMPENSATION PROPOSAL
Table C-5 (Kimley-Horn)

Position:	Principal		Senior Project Manager		Project Manager		Engineer/Planner		Engineering Intern		Administrative Assistant		TOTAL			
	\$367		\$338		\$280		\$209		\$130		\$120		Labor Hours	Cost	Avg. Hourly Rate	
Rate (\$/Hour):	Labor Hours	Cost	Labor Hours	Cost	Labor Hours	Cost	Labor hours	Cost	Labor Hours	Cost	Labor Hours	Cost				Labor Hours
Miscellaneous On-Call Construction Phase Civil Engineering Consulting Services																
Miscellaneous On-Call Construction Phase Civil Engineering Consulting Services	2	\$734	0	\$0	16	\$4,480	16	\$3,344	10	\$1,300	4	\$480	48	\$10,338	\$215	
Sub-Total Miscellaneous On-Call Construction Phase Civil Engineering Consulting Services	2	\$734	0	\$0	16	\$4,480	16	\$3,344	10	\$1,300	4	\$480	48	\$10,338	\$215	
TOTAL NOT TO EXCEED REIMBURABLE FEE:	2	\$734	0	\$0	16	\$4,480	16	\$3,344	10	\$1,300	4	\$480	48	\$10,338	\$215	

EXHIBIT A - CONSULTANT'S COMPENSATION PROPOSAL
Table C-7

TABLE C-7a DBE PARTICIPATION SCHEDULE

NAME OF SUBCONSULTANT	PROPOSED SCOPE OF SERVICES	FEE	PROPOSED PARTICIPATION
TOTAL PROPOSED PARTICIPATION		\$0.00	0.0%

TABLE C-7b MWBE PARTICIPATION SCHEDULE

NAME OF SUBCONSULTANT	PROPOSED SCOPE OF SERVICES	FEE	PROPOSED PARTICIPATION
		\$0.00	0.0%
TOTAL PROPOSED PARTICIPATION		\$0.00	0.0%

TABLE C-7c LDB PARTICIPATION SCHEDULE

NAME OF FIRM	PROPOSED SCOPE OF SERVICES	FEE	PROPOSED PARTICIPATION
TOTAL PROPOSED PARTICIPATION		\$0.00	0.0%

**MCO Stormwater Pump Pads
On-Call Construction Phase Consulting Services
Orlando International Airport**

Table C-7

EXHIBIT A - CONSULTANT'S COMPENSATION PROPOSAL

Table C-9

All amounts invoiced by the Consultant as Reimbursable Fees shall be calculated on the basis of the actual number of hours of services rendered under this Agreement by each of the positions defined and by the new positions as identified below, multiplied by the corresponding Contract Hourly Rate, up to the Not to Exceed limit defined by the Agreement. Include information on positions held by both the design consultant and each subconsultant.

FIRM	POSITION	CONTRACT HOURLY RATE
Kimley-Horn and Associates, Inc	Principal	\$367.00
Kimley-Horn and Associates, Inc	QC Reviewer	\$300.00
Kimley-Horn and Associates, Inc	Senior Project Manager	\$338.00
Kimley-Horn and Associates, Inc	Project Manager	\$280.00
Kimley-Horn and Associates, Inc	Senior Engineer/Planner	\$288.00
Kimley-Horn and Associates, Inc	Engineer/Planner	\$209.00
Kimley-Horn and Associates, Inc	Engineering Intern	\$130.00
Kimley-Horn and Associates, Inc	Designer	\$229.00
Kimley-Horn and Associates, Inc	Principal/Chief Scientist	\$222.00
Kimley-Horn and Associates, Inc	Environmental Specialist	\$170.00
Kimley-Horn and Associates, Inc	Administrative Assistant	\$120.00

MCO Stormwater Pump Pads
On-Call Construction Phase Consulting Services
Orlando International Airport

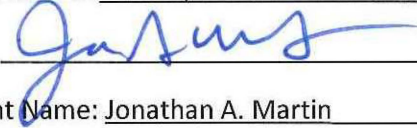
Table C-9

TRUTH IN NEGOTIATION CERTIFICATION

The Consultant hereby certifies, covenants, and warrants that wage rates and other factual unit costs supporting the compensation for this project's agreement are accurate, complete, and current at the time of contracting.

The Consultant further agrees that the original agreement price and any additions thereto shall be adjusted to exclude any significant sums by which the Greater Orlando Aviation Authority determines the agreement price was increased due to inaccurate, incomplete, or noncurrent wage rates and other factual unit costs. All such agreement adjustments shall be made within one (1) year following the end of the contract. For purposes of this certificate, the end of the agreement shall be deemed to be the date of final billing or acceptance of the work by the Greater Orlando Aviation Authority, whichever is later.

Consultant: Kimley-Horn and Associates, Inc.

By:  _____

Print Name: Jonathan A. Martin

Date: July 8, 2024

ATTACHMENT A

FINANCE FORM

Date:	<u>07/23/2024</u>	Requestor's Extension:	<u>2089</u>
Requestor's Name:	<u>Jeff Daniels</u>	Preparer's Extension:	<u>4155</u>
Preparer's Name:	<u>Ben Brown</u>	Solicitation #:	<u></u>
Requestor's Department:	<u>O&M</u>	Contract # / Name:	<u>Continuing Program and Project Management</u>
Description:	<u>H-00378, MCO Stormwater</u>	Procurement Committee Date:	<u>August 6, 2024</u>
Vendor:	<u>Prime Construction Group</u>	Agenda Item #:	<u></u>

PROJECT FUNDS

Account Code Format: xxx.xxx.xxx.xxxxxxx.xxx.xxxxxx	FY 23 Amount	FY24 Amount	FY25 Amount	FY26 Amount	FY27 Amount	TOTAL CONTRACT
O&M 301.631.210.5460002.000.000000		\$243,047.00				
Total Requisition:		\$243,047.00				
Requisition Number:		97484				
Funding Approver:						
OMB Notes:						

ATTACHMENT A

FINANCE FORM

Date:	07/23/2024	Requestor's Extension:	2089
Requestor's Name:	Jeff Daniels	Preparer's Extension:	4155
Preparer's Name:	Ben Brown	Solicitation #:	
Requestor's Department:	O&M	Contract # / Name:	Continuing Program and Project Management
Description:	H-00378, MCO Stormwater	Procurement Committee Date:	August 6, 2024
Vendor:	Prime Construction Group	Agenda Item #:	

PROJECT FUNDS

Account Code Format: <small>xxx.xxx.xxx.xxxxxxx.xxx.xxxxxx</small>	FY 23 Amount	FY24 Amount	FY25 Amount	FY26 Amount	FY27 Amount	TOTAL CONTRACT
O&M 301.631.210.5460002.000.000000		\$243,047.00				
Total Requisition:		\$243,047.00				
Requisition Number:		97484				
Funding Approver:	<i>Andrea Harper</i>					
OMB Notes:						

Number	Description	Approval Status	Creation Date	Currency	Total	Preparer	Reserved
97484	CCM 8/2024: H-00378	In Process	25-JUL-2024 13:34:28	USD	243,047.00	Field, John M	<input checked="" type="checkbox"/>



MEMORANDUM

TO: Members of the Procurement Committee

FROM: Edelis Molina, Manager Small Business Programs

DATE: August 06, 2024

ITEM DESCRIPTION

Request for Approval of an Addendum to the Continuing On-Call Architecture and Engineering Consultant Services with Kimley-Horn and Associates, Inc. for Construction Administration Services for H-00378 MCO Stormwater Pump System Plan, Orlando International Airport

SMALL BUSINESS

We have reviewed the qualifications of the subject contract's MWBE/LDB/VBE specifications and have determined that, due to the specialized nature of the scope of services, Kimley-Horn and Associates, Inc. does not propose small business participation on this addendum.