

**ADDENDUM NO. 39
TO THE AGREEMENT DATED JUNE 15, 2018
BETWEEN GREATER ORLANDO AVIATION AUTHORITY
AND MSE GROUP, LLC**

Project: **Natural Attenuation Monitoring Concerning HBJ Diesel Discharge, Orlando International Airport**

THIS ADDENDUM is effective this 10th day of October, 2023, by and between the **GREATER ORLANDO AVIATION AUTHORITY** ("Authority"), and **MSE GROUP, LLC** ("Consultant").

WITNESSETH:

WHEREAS, by Agreement dated June 15, 2018 Authority and Consultant entered into an agreement for Consultant to provide **Continuing Environmental Engineering** consulting services; and

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

WHEREAS, the 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 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 **TWENTY-FOUR THOUSAND FIVE HUNDRED TWENTY-SEVEN AND NO/100 DOLLARS (\$24,527.00)**, broken down as follows:

Professional Fees:	NTE:	\$19,504.00
Professional Fees:	LS:	\$0.00
Reimbursable Expenses:	NTE:	<u>\$5,023.00</u>
Total:		\$24,527.00

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. 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, 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 15, 2018 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 Oct 27, 2023.

GREATER ORLANDO AVIATION AUTHORITY

By:


boxSIGN 4WB8Q9ZJ-469PL788

Max Marble
Sr. Vice President, Capital Programs
Construction Committee Chair


Approved as to Form and Legality
(for the benefit of GOAA only)
this day of Oct 27, 2023



By: boxSIGN 1JBRLK51-469PL788
**NELSON MULLINS BROAD AND
CASSEL, Legal Counsel
Greater Orlando Aviation Authority**

MSE GROUP. LLC

By:


boxSIGN 1V733XP2-469PL788

Signature (Duly Authorized Rep.)

Ellen M. Eveland, PE

Printed Name

Vice President

Title

Orlando
One
Orlando, Florida, 32827-4592
(407) 825-2001

Memorandum

To: Members of the Construction Committee

From: Dan Carrington Environmental Manager

Date: October 10, 2023

Re: Request for Approval of an Addendum to the Continuing Environmental Engineering Consultant Services Agreement with MSE Group, LLC to perform Natural Attenuation Monitoring concerning HBJ Diesel Discharge at the Orlando International Airport

Consultant's attached proposal dated September 5, 2023 is to perform the 2nd phase of the Natural Attenuation Monitoring (NAM) consisting of 4 Semi-Annual monitoring events over two years as requested by the Florida Department of Environmental Protection (FDEP) at the HBJ Fire Pump location.

If approved, these services would 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:

The MWBE/LDB participation has been reviewed by the Office of Small Business Development. Their findings and recommendation are attached.

Funding is from previously approved Capital Expenditure (308.711.170.5310010.000.501159)
Funding source verified by Andrea Harper of Construction Finance on
10/5/23 as correct and available.

It is respectfully requested that the Construction Committee approve an Addendum to the Continuing Environmental Engineering Consultant Services Agreement with MSE Group, LLC for the services contained herein and the amount as shown below:

Not to Exceed Fees	\$19,504.00
Lump Sum Fees	\$0.00
Not to Exceed Expenses	\$5,023.00
TOTAL	\$24,527.00
AAC – Compliance Review Date	<u>SJ</u> 10/03/23
AAC – Funding Eligibility Review Date	10/05/23

Operating Unit	GOAA	Number	95170	Type	Internal Request	Preparer	Wages, Alice M
Description	FY24 CCM 10/10/2	Status	Incomplete, Res	Total	USD		24,527.00
Lines							
Num	Type	Item	Rev	Category	Description	UOM	C
1	Encumbrance C			Encumbrance Ho	MSE Group (GASB49) t	US D	2
Destination Type Expense							
Requester Wages, Alice M							
Source Supplier							
Supplier							



Proposal

ECOLOGICAL | ENVIRONMENTAL | ENGINEERING

September 5, 2023 (revised October 2, 2023)

Electronic Mail Delivery Only

dcarrington@goaa.org

Mr. Dan Carrington
Greater Orlando Aviation Authority
5855 Cargo Road
Orlando, Florida 32827

RE: **Proposal for Natural Attenuation Monitoring (2nd Phase)**

HBJ Pumphouse Diesel Discharge

7401 Dowden Road

Orlando, Florida

Continuing Environmental Engineering Consulting Services - June 15, 2018

Dear Mr. Carrington:

MSE Group, LLC (MSE) is pleased to present our proposal for the 2nd Phase of Natural Attenuation Monitoring (NAM) services at the Orlando International Airport (OIA) site located at 7401 Dowden Road in Orlando, Florida. This scope will be conducted under MSE's Agreement for Continuing Environmental Engineering Consulting Services dated June 15, 2018.

Background

On behalf of GOAA, MSE recently completed 2 years of groundwater monitoring at the HBJ site following the NAM Plan that was approved by the Florida Department of Environmental Protection (DEP) on September 14, 2021. Results of the fourth and final semiannual sampling event under that plan were presented in the Y2/SA2 NAM report, dated May 10, 2023. Analytical results consistently demonstrated that groundwater impacts remained confined to the source area and that concentrations of nearly all monitored parameters are gradually declining, though not yet below Groundwater Cleanup Target Levels (GCTL).

Based on this information, it was proposed to DEP on May 10, 2023, that the existing semiannual NAM Plan be extended for a period of 2 years, or until two consecutive events are documented in which analytical parameters are below GCTLs. If NAM Plan action levels are exceeded, options including additional monitoring or interim source removal would be discussed with DEP. The proposed extension of the NAM Plan was approved by DEP per their letter dated May 31, 2023.

Scope of Work

The approved NAM Plan scope includes the following:

- Groundwater sampling at three groundwater monitoring wells: MW-01 (source), MW-02 (downgradient/point of compliance), and MW-05 (downgradient/point of compliance) on a semiannual basis for a period of two years. This proposal includes budget for 2 years of NAM (4 semiannual events). Quality assurance/quality control (QA/QC) samples will be collected for each event per FDEP SOPs.
- Laboratory analysis of groundwater samples for benzene, ethylbenzene, toluene, and xylenes (BTEX) by EPA Method 8260 and Total Recoverable Petroleum Hydrocarbons TRPHs by the FL-PRO Method.
- Concurrent with each sampling event, the collection of depth-to-water measurements from monitoring wells MW-01 to MW-05 and piezometers TMW-03 to TMW-06, to monitor the direction of groundwater flow in the upper surficial aquifer.
- Semiannual reporting of NAM results to the DEP.

NAM reporting will include copies of analytical reports, summary tables, field forms, and figures showing the site, sampling locations and areas of contamination, if present. The second semiannual NAM report will summarize the annual data and provide appropriate recommendations based on contaminant concentrations recorded over the initial year's monitoring period.

Assumptions

The following assumptions were used in the development of the scope of work and associated costs:

- Laboratory services will be provided on a standard turnaround time. Additional costs may be incurred if analytical data is rushed.

Cost Estimate

The scope of services defined above will be completed on a time and materials basis for each requested service per June 15, 2018, Continuing Environmental Engineering Consulting Services Contract and will not exceed **\$24,527.00**. MSE will utilize the unit rates provided in **Attachment A**.

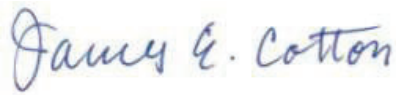
MWBE/LDB Commitment

MSE has teamed with Southern Research Laboratories, Inc., and Alpha-Omega, certified Orange County Minority/Women Business Enterprises to provide the analytical and waste disposal services for this project. Subcontractor cost backups are provided in **Attachment B**.

Closure

We appreciate the opportunity to submit this proposal. If you have any questions or require additional information, please contact me at 407.304.9568 or jcotton@msegroup.com.

Very truly yours,
MSE Group, LLC

A handwritten signature in blue ink that reads "James E. Cotton".

James Cotton, PG
Contract Manager

Attachments:

- Attachment A – Cost Estimate
- Attachment B – Subcontractor Cost Backup
- Attachment C – Truth in Negotiation Certificate

Attachment A – Cost Estimate

Attachment A - Cost Estimate				
HBJ - Natural Attenuation Monitoring (NAM) - Phase 2				
Continuing Environmental Engineering Consulting Services - June 15, 2018				
October 2, 2023				
ITEM	RATE	UNIT	Number of Units	Total
MSE PERSONNEL LABOR				
Principal Engineer/Scientist	\$231.00	Hour		\$0.00
Associate Engineer/Scientist	\$178.00	Hour	4	\$712.00
Senior II Professional	\$150.00	Hour	32	\$4,800.00
Senior I Professional	\$130.00	Hour		\$0.00
Project II Professional	\$116.00	Hour		\$0.00
Project I Professional	\$102.00	Hour		\$0.00
Staff II Professional	\$87.00	Hour	104	\$9,048.00
Senior Technician	\$76.00	Hour	16	\$1,216.00
Staff I Professional	\$72.00	Hour		\$0.00
Technician	\$60.00	Hour	48	\$2,880.00
Admin/Clerical	\$53.00	Hour	16	\$848.00
PERSONAL PROTECTIVE EQUIPMENT				
Level D PPE (Hard Hat, Work Gloves, Boots, Cotton Clothes, Safety Glasses)	\$25.00	Per Man/Day	10	\$250.00
Disposable Gloves (Latex)	\$25.00	Box	2	\$50.00
SAMPLING/TESTING EQUIPMENT				
Crew Truck	\$130.00	Day	4	\$520.00
YSI 556 (DO/COND/pH/ORP) with FLOW CELL	\$140.00	Day	4	\$560.00
Turbidity Meter	\$50.00	Day	4	\$200.00
Water Level indicator	\$50.00	Day	4	\$200.00
3/8" Poly Down Well Tubing (100FT)	\$38.00	Roll	2	\$76.00
Silicone Tubing	\$4.00	LF	15	\$60.00
Peristaltic Pump	\$50.00	Day	4	\$200.00
IDW DISPOSAL - ALPHA-OMEGA				
Waste Profiling	\$70.00	Each	1	\$70.00
Waste Transportation	\$595.00	Each	1	\$595.00
Drum Disposal (Investigation-Derived Waste)	\$150.00	Each	1	\$150.00
ANALYTICAL SERVICES - SOUTHERN RESEARCH LABORATORIES				
Volatile Organic Aromatics/Halocarbons in Water by GC-MS (5030/8260)	\$50.00	Each	16	\$800.00
Florida-Petroleum Range Organics in Water (FL-PRO)	\$80.00	Each	16	\$1,280.00
Environmental Impact Fee	\$12.00	Each	1	\$12.00
MSE NTE Labor	\$19,504.00	79.5%		
MSE NTE Expenses	\$2,116.00	8.6%		
NTE Subcontractor Expenses	\$2,907.00			
Southern Research Laboratories (W/MBE)	\$2,092.00	8.5%		
Alpha-Omega (W/MBE)	\$815.00	3.3%		
Total NTE Amount	\$24,527.00			
The above referenced fees and expenses are estimated. The actual fees and expenses will vary based on scope of work performed.				

Attachment B – Subcontractor Cost Backup

Southern Research Laboratories, Inc.

279 Douglas Ave., Suite 1110

Altamonte Springs, Florida 32714

(407) 522-7100 Fax: (407) 522-7043

Estimate

DATE	ESTIMATE NO.
7/5/2023	1416

Estimate for:**MSE Group****5858 S Semoran Blvd****Orlando, FL 32822****Phone: 407.629.8180****Fax: NA**

CONTACT: Jim Cotton			
PROJECT: GOAA HBJ NAM – 2nd Phase			
QTY	DESCRIPTION	COST	TOTAL
16	8260 (BTEX+MTBE) in Water (5030/8260 VOA)	50.00	800.00
16	Florida-Petroleum Range Organics in Water (FL-PRO)	80.00	1,280.00
1	Environmental Impact Fee	12.00	12.00
1	Holds OR Cancellations are subject to a \$7.00 fee per sample hold samples ~ not analyzed samples (\$7 per hold) are charged a slight fee to cover time to prepare, to make deliveries, to login, costs for labels, costs for disposal and materials adds up..etc	0.00	0.00
We appreciate your business. Thank you		TOTAL	\$2,092.00



February 9, 2023

Jim Cotton
MSE Group
Orlando, FL
407-304-9568
jicotton@montrose-env.com

RE: Drum disposal Orlando International Airport.

SCOPE OF SERVICES

AOTC will provide transportation and disposal of six 55-gallon drums of petroleum impacted soils and water. AOTC will profile the waste into a disposal facility. Lab analysis may need to be provided if requested by the disposal facility. All waste will be nonhazardous.

Items provided by MSE

- AOTC will be able to get equipment in and off property
- An authorized representative will be available during the course of the project

Description	Number of Units	Unit Cost	Cost
Waste profiling fee	1	\$70.00	\$70.00
Transportation for disposal	1	\$595.00	\$595.00
Disposal of water drum nonhazardous	3	\$150.00	\$450.00
Disposal of soil nonhazardous	3	\$150.00	\$450.00
Total			\$1,565.00

We look forward working with you and we are prepared to proceed with the tasks outlined above upon receipt of your authorization. If you wish AOTC to proceed, please formalize this agreement by signing the attached acceptance form and returning back to us. Should you have any questions, please contact me at 321.536.9509.

Sincerely,
AOTC

Kirk Kraus
Project Manager

321.445.9845

PO BOX 236727, COCOA, FL 32923
www.a-otc.com

Attachment C – Truth in Negotiation Certification

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 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 (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 Aviation Authority, whichever is later.

Consultant MSE Group, LLC

By: James E. Cotton

Print Name: James Cotton, Sr Geologist

Date: 9/5/2023



GREATER ORLANDO AVIATION AUTHORITY

Orlando International Airport
5850-B Cargo Road
Orlando, Florida 32827-4399

MEMORANDUM

To: Members of the Construction Committee

From: Edelis Molina, Sr. Small Business Administrator

Date: October 10, 2023

Re: Request for Approval of an Addendum to the Continuing Environmental Engineering Consultant Services Agreement with MSE Group, LLC to perform Natural Attenuation Monitoring concerning HBJ Diesel Discharge at the Orlando International Airport

We have reviewed the qualifications of the subject contract's MWBE/LDB/VBE specifications and determined that MSE Group, LLC proposes 8.5% MWBE and 3.3% VBE participation on this addendum.

Our analysis indicates that MSE Group, LLC is eligible for award of the subject addendum.

MWBE UTILIZATION FORM FOR NON-FEDERALLY FUNDED PROJECTS

PLEASE COMPLETE THIS FORM

This form should be used to report Construction and Engineering /Professional Services activities.Name of Airport: Orlando International AirportTelephone No: (407) 825-7130Address: One Jeff Fuqua Boulevard, Orlando, FL 32827Project Name & Number: Request for Approval of an Addendum to the Continuing Environmental Engineering Consultant Services Agreement with MSE Group, LLC to perform Natural Attenuation Monitoring concerning HBJ Diesel Discharge at the Orlando International Airport**1. Construction Information:**

Addendum Amount: _____

2. MWBE Goal by Group Representation:

Asian Pacific American	_____	Actual Result	_____
Asian Subcontinent American	_____	Actual Result	_____
Black American	_____	Actual Result	_____
Caucasian Female American	_____	Actual Result	_____
Hispanic American	_____	Actual Result	_____
Native American	_____	Actual Result	_____
Other	_____	Actual Result	_____
Total MWBE Participation	-	Actual Result	_____

3.a. Prime Contractor Information:

Name: _____
Address: _____
City, State, Zip: _____
Telephone: _____

3.b. Name and Address of MWBE Subcontractor

Name: _____
Address: _____
City, State, Zip: _____
Telephone: _____

3.c. *Identity:

Work Item(s): _____

Amount of Subcontract _____

Percent of Prime Contract (%): _____

4. Engineering/Professional Services Information:Addendum Amount: \$24,527.00**5. MWBE Goal by Group Representation:**

Asian Pacific American	-	Actual Result	0.0%
Asian Subcontinent American	-	Actual Result	0.0%
Black American	2,092.00	Actual Result	8.5%
Caucasian Female American	-	Actual Result	0.0%
Hispanic American	-	Actual Result	0.0%
Native American	-	Actual Result	0.0%
Other	-	Actual Result	0.0%
Total MWBE Participation	2,092.00	Actual Result	8.5%

6.b. Engineering / Professional Service Firm Information:

Name: MSE Group, LLC
Address: 5858 S. Semoran Blvd.
City, State, Zip: Orlando, FL 32822
Telephone: (407) 629-8180

6.b. Name and Address of MWBE Subconsultant

Name: Southern Research Laboratories, Inc.
Address: 2251 Lynx Lane, Suite 1
City, State, Zip: Orlando, FL 32804
Telephone: 407.522.7100

6.c. *Identity:

Black American

Work Item(s): Analytical ServicesAmount of Subcontract \$2,092.00Percent of Prime Contract (%): 8.5%

* In Items 3.c. and 6.c. above specify the identity of MWBE Subcontractors and E/PS Firms (e.g. Black American, Hispanic American, Asian Subcontinent American, Asian Pacific American, Caucasian Female American, Native American & Other)

LDB UTILIZATION FORM FOR NON-FEDERALLY FUNDED PROJECTS**PLEASE COMPLETE THIS FORM**This form should be used to report Construction and Engineering /Professional Services activities.Name of Airport: Orlando International AirportTelephone No: (407) 825-7130Address: One Jeff Fuqua Boulevard, Orlando, FL 32827Project Name & Number: Request for Approval of an Addendum to the Continuing Environmental Engineering Consultant Services Agreement with MSE Group, LLC to perform Natural Attenuation Monitoring concerning HBJ Diesel Discharge at the Orlando International Airport**1. Construction Information:**Addendum Amount: \$0.00**2.a. Name and Address of Prime Contractor**

Name: _____

Address: _____

City, State, Zip: _____

Telephone: _____

2.b. Name and Address of LDB Subcontractor

Name: _____

Address: _____

City, State, Zip: _____

Telephone: _____

LDB/VBE? _____

Work Item(s) _____

Amount of Subcontract _____

Percent of Prime Contract (%) _____

3. Engineering/Professional Services Information:Addendum Amount: \$24,527.00**4.a. Engineering / Professional Service Firm Information:**Name: MSE Group, LLCAddress: 5858 S. Semoran Blvd.City, State, Zip: Orlando, FL 32822Telephone: (407) 629-8180**4.b. Name and Address of LDB Subconsultant**Name: Alpha-Omega Training and Compliance, Inc.Address: 1540 Armstrong DriveCity, State, Zip: Titusville, FL 32780Telephone: (407) 304-9568LDB/VBE? VBEWork Item(s) Waste disposal servicesAmount of Subcontract \$815.00Percent of Prime Contract (%) 3.3%