

**AMENDMENT 2 to ADDENDUM NO. 8
TO THE AGREEMENT DATED MAY 7, 2021
BETWEEN GREATER ORLANDO AVIATION AUTHORITY
AND MSE GROUP, LLC**

Project: Additional FY24 Wildlife Hazard Assessment Survey and Report Services, Orlando International Airport

THIS AMENDMENT is effective this day of Jun 5, 2024, by and between the **GREATER ORLANDO AVIATION AUTHORITY** (“Aviation Authority”), and **MSE Group, LLC** (“Consultant”).

WITNESSETH:

WHEREAS, by Agreement dated May 7, 2021, Aviation Authority and Consultant entered into an agreement for Consultant to provide Continuing Environmental Consulting 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 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 Amendment 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 THIRTY-THREE THOUSAND SIX HUNDRED FIFTY-THREE AND NO/100 DOLLARS (\$33,653.00)**, broken down as follows:

Professional Fees:	NTE:	\$29,353.00
Professional Fees:	LS:	\$0.00
Reimbursable Expenses:	NTE:	<u>\$4,300.00</u>
Total:		\$33,653.00

3. Except as expressly modified in this Amendment, the Agreement dated May 7, 2021 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 Jun 5, 2024.

GREATER ORLANDO AVIATION AUTHORITY


boxSIGN 1V9Q39JH-4W6WLJ6V

By:

Kevin J. Thibault, P.E.
Chief Executive Officer

Approved as to Form and Legality
(for the benefit of GOAA only)
this day of Jun 3, 2024



By:

boxSIGN 1BRUK51-4W6WLJ6V
NELSON MULLINS RILEY AND
SCARBOROUGH, Legal Counsel
Greater Orlando Aviation Authority

MSE GROUP, LLC


boxSIGN 1V733XP2-4W6WLJ6V

By:

Signature (Duly Authorized Rep.)

Ellen M. Eveland, PE

Printed Name

Vice President

Title

MEMORANDUM

TO: Members of the Procurement Committee

FROM: Keegan O'Brien, P.E., Assistant Vice President of Environmental

DATE: May 28, 2024

ITEM DESCRIPTION

Request of Approval of Amendment 2 to Addendum No. 8 to the Continuing Environmental Consulting Services Agreement with MSE Group, LLC. for Additional FY 2024 Wildlife Hazard Assessment Survey and Report at the Orlando International Airport.

BACKGROUND

In 2021, the firms providing Continuing Environmental Consulting Services were selected through a competitive award process. These services are procured on an as-needed or annual basis.

On April 21, 2021, the Aviation Authority Board approved a Continuing Environmental Consulting Services Agreement with the following firms:

- Breedlove, Dennis and Associates, Inc.
- Bio-Tech Consulting, Inc.
- DRMP, Inc.
- The Transit Group, Inc. d/b/a Ecological Associates, Inc.
- EXP U.S. Service, Inc.
- MSE Group, LLC
- Terracon Consultants, Inc.
- Vanasse Hangen Brustlin, Inc.

On September 27, 2023, the Aviation Authority Board approved Addendum No. 8 to the Continuing Environmental Consulting Services Agreement with MSE Group, LLC for FY 2024 Wildlife Hazard Assessment Survey and Report at the Orlando International Airport, for the total amount of \$82,232.00. Since that time it has been determined that additional scope and funding is needed to conduct roosting and nesting bird surveys at OIA.

These no-cost base agreements established the negotiated hourly rates. The continuing environmental consulting services may include, but are not limited to, evaluation and assessment of wildlife issues, uplands and wetlands evaluation, habitat analysis, threatened and endangered species issues, jurisdictional wetland determinations, water quality analysis, land management, and monitoring of wetlands mitigation on facilities operated or purchased by the Aviation Authority and all other related services including coordination with the Aviation Authority, its Consultants, the City of Orlando and all agencies having jurisdiction over the facilities. The Services may also include preparation of required notices and reports, coordination and providing assistance with requirements of authorities having jurisdiction over various mitigation sites, documentation of existing environmental conditions, preparation of environmental studies, technical support, and assistance with permitting activities which may be required where the Aviation Authority elects not to solicit letters of interest by means of public advertisement.

EXHIBIT A

ISSUES

Consultant’s proposal, dated April 16, 2024, is to provide weekly nesting bird and egg surveys.

Upon completion of all required documentation, services will be effective no earlier than Procurement Committee approval.

The cumulative contract value of all addenda/amendments since the last approval by the Aviation Authority Board for the Continuing Environmental Consulting Services Agreement with MSE Group, LLC, is below the \$250,000 threshold; thus, this agenda item does not require Board approval.

SMALL BUSINESS

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

ALTERNATIVES

None.

FISCAL IMPACT

The fiscal impact is \$33,653.00. Funding is from previously-approved Operation and Maintenance Funds.

RECOMMENDED ACTION

It is respectfully requested that the Procurement Committee recommend approval of an Amendment to Addendum No. 8 to the Continuing Environmental Consulting Services with MSE Group, LLC, for the services contained herein and the amount as shown below:

Not to Exceed Fees	\$29,353.00
Lump Sum Fees	\$0.00
Not to Exceed Expenses	\$4,300.00
TOTAL	\$33,653.00
CRI – Compliance Review Date	DL 5/21/24
CRI – Funding Eligibility Review Date	5/21/24

**ATTACHMENT A
FINANCE FORM**

Date:	<u>5/14/2024</u>	Requestor's Extension:	<u>3555</u>
Requestor's Name:	<u>Keegan O'Brien</u>	Preparer's Extension:	<u>3555</u>
Preparer's Name:	<u>Keegan O'Brien</u>	Solicitation #:	<u></u>
Requestor's Department:	<u>Planning and Environmental</u>	Contract # / Name:	<u>Continuing Environmental Consulting Services Agreement</u>
Description:	<u>Additional FY 2024 Wildlife Hazard Assessment Survey and Report</u>	Procurement Committee Date:	<u>5/28/2024</u>
Vendor:	<u>MSE Group, LLC</u>	Agenda Item #:	<u></u>

NON-PROJECT FUNDS: O&M

Account Code Format:	FY 23 Amount	FY24 Amount	FY25 Amount	FY26 Amount	FY27 Amount	TOTAL CONTRACT
301.712.170.5310010.000.000000						
Total Requisition:		\$33,653.00				
Requisition Number:		96969				
Funding Approver: <i>Andrea Harper</i>						
OMB Notes:						

Number	Description	Approval Status	Creation Date	Currency	Total	Preparer	Reserved
96969	FY24 PC 05/28/24 - M	In Process	14-MAY-2024 16:41:0	USD	33,653.00	Wages, Alice M	<input checked="" type="checkbox"/>

MEMORANDUM

TO: Members of the Procurement Committee

FROM: Edelis Molina, Manager Small Business Programs

DATE: May 28, 2024

ITEM DESCRIPTION

Request of Approval of an Amendment to Addendum No. 8 to the Continuing Environmental Consulting Services Agreement with MSE Group, LLC. for Additional FY 2024 Wildlife Hazard Assessment Survey and Report at the Orlando International Airport.

SMALL BUSINESS

We have reviewed the qualifications of the subject contract's MWBE/LDB/VBE specifications and have determined that MSE Group, LLC does not propose small business participation on this amendment.



April 16, 2024

Electronic Mail Delivery Only

mary.obrien@goaa.org

Keegan O'Brien, PE
Assistant Vice-President of Environmental
Greater Orlando Aviation Authority (GOAA)
5855 Cargo Road
Orlando, Florida 32827

**RE: Ecological Consulting Services - Wildlife Hazard Assessment
and Hazard Abatement June through September 2024
Orlando International Airport
Orlando, Florida
Continuing Environmental Consulting Services - May 7, 2021**

Dear Ms. O'Brien:

MSE Group, LLC (MSE) is pleased to submit this proposal to provide ecological consulting services in support of GOAA's need to address safety hazards resulting from roosting avifauna within SW-04.

Background

Based on discussions between GOAA and MSE, GOAA has requested MSE to assist in the management avifauna abatement of wading bird species through the alteration of nesting habitat and egg addling within the waterways of selected airfield areas. MSE is being requested to conduct weekly surveys, via boat, from June 2024 through September 2024.

Scope of Work

MSE has a qualified team in place and ready to support GOAA with the following tasks.

Wildlife Hazard Abatement Operations

- Conduct weekly (June 2024 through September 2024) nesting bird and egg surveys (NBES) on islands within SW-04 as coordinated and supervised by Airfield Operations staff.
 - Our surveys will be consistent with **FAA AC 150/5200-38: Protocol for the Conduct and Review of Wildlife Hazard Site Visits, Wildlife Hazard Assessments, and Wildlife Hazard Management Plans.**
- Establish and maintain access to bird nesting areas upon the islands.
- Addle eggs of nuisance and nesting birds on the islands within SW-04.
 - This will be conducted in general accordance of the Humane Society of the United States (HSUS) Wildlife Neighbors *Canada Goose Egg Addling Protocol* (January 2002) and consistent with the Florida Fish and Wildlife Conservation Commission abatement permit for GOAA.
- Data collected during NBES operations will be entered into Microsoft Excel spreadsheets and all data QC'd.

- We will notify GOAA of any nesting protected species identified during surveys.
- We will incorporate the NBES results in the annual Wildlife Hazard Assessment Report.

Schedule

Upon your authorization, MSE will coordinate with the appropriate GOAA personnel to develop a project schedule that meets the time frames anticipated for the project.

Cost Proposal

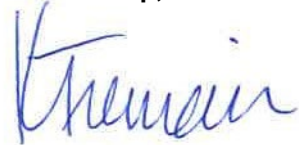
The scope of services defined above will be completed on a **time and materials basis not to exceed \$33,653.00**. MSE will utilize the unit rates provided in **Attachment A**.

Closure

MSE appreciates the opportunity to submit our qualifications and we look forward to continuing our support to GOAA on this project. If you have any questions regarding our proposal or need additional information, please contact Kendra Tremain at 407.405.8066/ ketremain@montrose-env.com

Sincerely,

MSE Group, LLC



Kendra Tremain, PWS
Senior Biologist/Manager

Attachment A – Cost Estimate

cc. Jim Cotton, Contract Manager
Christian H Miller, Project Manager
Proposal File

Attachment A - Cost Estimate

Attachment A - Cost Estimate
Wildlife Hazard Abatement Operations
ORLANDO INTERNATIONAL AIRPORT
(FY 2024) January 2024 - September 2024
Continuing Environmental Consulting Services - May 7, 2021
MSE Group, LLC


Position:	Associate Engineer/Scientist		Senior I Professional		Project II Professional		Project I Professional		Staff I Professional		Clerical		Total		Justification
	Rate (\$/Hour):	\$178.00	\$130.00	\$116.00	\$102.00	\$72.00	\$53.00	Staff hours	Cost	Staff hours	Cost	Staff hours	Cost		
Tasks															
Wildlife Hazard Abatement Operations															
Initial mobilization, project management, coordination.	5	\$801.00	9	\$1,170.00	0	\$0.00	0	\$0.00	10	\$720.00	0	\$0.00	24	\$2,691.00	10 events @ 1 hrs/MSE event; 0.5 hr internal coord/mo
Conduct habitat & egg reduction operations within the AOA	0	\$0.00	90	\$11,700.00	0	\$0.00	0	\$0.00	90	\$6,480.00	0	\$0.00	180	\$18,180.00	10 events @ 9 hrs/event
Coordinate data research and analysis with GOAA project manager / permitting support	5	\$890.00	24	\$3,120.00	0	\$0.00	0	\$0.00	16	\$1,152.00	0	\$0.00	45	\$5,162.00	coordinate permit documentation/ incorporate results in the WHAR
Enter data, QC data, & transmit data summary to GOAA each event.	0	\$0.00	20	\$2,600.00	0	\$0.00	0	\$0.00	10	\$720.00	0	\$0.00	30	\$3,320.00	10 events@1 hr data/event; 0.5 hr/mo for data trans; QC 10 events @ 0.5 hrs ea
Sub-Total	10	\$1,691.00	143	\$18,590.00	0	\$0.00	0	\$0.00	126	\$9,072.00	0	\$0.00	279	\$29,353.00	
TOTAL MSE LABOR	10	\$1,691	143	\$18,590	0	\$0	0	\$0	126	\$9,072	0	\$0	279	\$29,353	
Not-To-Exceed Expenses:															
									8 1/2 x 11 B&W Copies	0	Copies @	\$0.10	=	\$0.00	
									8 1/2 x 11 Color Copies	0	Copies @	\$1.25	=	\$0.00	
									11 x 17 Color Copies	0	Copies @	\$1.75	=	\$0.00	
									24x36 Blueprints	0	Copies @	\$3.00	=	\$0.00	\$0.00
									Misc. equipment/supplies (field books, markers, etc.)	1	lump sum	\$100.00	=	\$100.00	
									Specialized Equipment	1	lump sum	\$900.00	=	\$900.00	\$1,000.00
															\$1,000.00
									Boat Rental (per day)	10	Trips @	\$200.00	=	\$2,000.00	
									Vehicle Rental (per day)	10	Trips @	\$130.00	=	\$1,300.00	\$3,300.00
														Not-To-Exceed Expenses:	\$4,300.00
Not-To-Exceed Subcontractor Costs:															
														Subconsultant	\$0.00
														TOTAL NOT-TO-EXCEED FEE	\$0.00
														Total MSE Labor	\$29,353.00
														Total MSE Expenses	\$4,300.00
														Total Subconsultant Expenses	\$0.00
														Total Project Cost	\$33,653.00

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: 

Print Name: Kendra Tremain

Date: 4/17/2024

Addenda / Amendments Awarded per Agreement - Summary for Committee

MSE Group, LLC -- Agreement No. 202104-CE6 Continuing Environmental Consulting Services

<i>Add</i>	<i>Amd</i>	<i>Proj.</i>	<i>Description</i>	<i>PSC/CCM</i>	<i>Board</i>	<i>Exec.</i>	<i>PO#</i>	<i>\$ Amount</i>	<i>Cumul. per Add. \$ Amount</i>
000	000	-	Continuing Environmental Consulting Services	PSC	04/01/21	04/21/21	05/07/21	\$0.00	\$0.00
001	000	-	FY21 Water Quality Monitoring Program	CCM	05/25/21	NA	06/08/21	93450	\$24,273.12
002	000	-	FY22 Water Quality Monitoring Program	CCM	09/21/21	NA	10/05/21	93838	\$244,118.32
003	000	-	FY22 Wildlife Hazard Assessment Surveys and Related Reports	CCM	09/28/21	NA	10/05/21	94082	\$78,425.00
004	000	-	FY22 Stormwater Best Management Practices (BMP) Audits for the South Terminal Complex for W-S00116	CCM	10/05/21	NA	10/22/21	1006872	\$39,348.00
005	000	-	FY23 Water Quality Monitoring Program	CCM	09/13/22	NA	10/24/22	95206	\$249,744.17
006	000	-	FY23 Wildlife Hazard Surveys and Related Reports	CCM	09/13/22	NA	10/24/22	95208	\$82,232.00
007	000	-	FY24 Water Quality Monitoring Program	PSC	08/29/23	09/27/23	10/12/23	97291	\$249,970.36
008	000	-	FY24 Wildlife Hazard Assessment Survey and Report	PSC	08/29/23	09/27/23	10/12/23	96614	\$82,232.00
008	001	-	Additional FY24 Wildlife Hazard Assessment Survey and Report Services	PSC	01/23/24	NA	01/24/24		\$26,472.00
009	000	-	First Extension	CCM	12/05/23	01/17/24	02/05/24		\$0.00

Total for MSE Group, LLC for Agreement No. 202104-CE6

\$1,076,814.97

Addenda / Amendments Awarded per Agreement - Summary for Committee

Terms of Agreement

Firm	Agreement Execution Date	Original Duration 1st Extension 2nd Extension	Current Expiration Date
Continuing Agreement Consultant - Environmental			
MSE Group, LLC	05/07/21	Original Dur: 3 Yrs 1st Ext Dur: 1 Yrs 2nd Exr Dur: 1 Yrs	05/07/24
Asian-Pacific American			

Addenda / Amendments in Chronological Order

PSC	Board	Add #	Amd #	\$ Amt	Cumulative
08/29/23	09/27/23	007	000	\$249,970.36	\$249,970.36
08/29/23	09/27/23	008	000	\$82,232.00	\$332,202.36
01/23/24		008	001	\$26,472.00	\$358,674.36