AMENDMENT 1 TO ADDENDUM NO. 10
TO THE AGREEMENT DATED DECEMBER 28, 2015
BETWEEN THE GREATER ORLANDO AVIATION AUTHORITY
AND NV5, INC.

Project: **Additional Construction Phase OAR Services for FY21 for W-S111 South Terminal C (Phase 1) – Program & Project Management Services (OAR), Orlando International Airport**

THIS AMENDMENT is effective this 20th day of January, 2021, by and between the **GREATER ORLANDO AVIATION AUTHORITY** ("Authority"), and **PAGE ONE CONSULTANTS, INC.** ("Consultant").

WITNESSETH:

WHEREAS, by Agreement dated December 28, 2015 , Authority and Consultant entered into an agreement for Consultant to provide **Program and Project Management Services for the South Terminal C, Phase 1** at Orlando International Airport; 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 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 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 THREE HUNDRED NINETY THOUSAND SIX AND NO/100 DOLLARS ($390,006.00),** broken down as follows:

Professional Fees:	**NTE:**	**$390,006.00**
Professional Fees:	**LS:**	**$0.00**
Reimbursable Expenses:	**NTE:**	**$0.00**
Total:		**$390,006.00**

3. Except as expressly modified in this Amendment, the Agreement dated December 28, 2015 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 Amendment this 12th day of February, 2021.

GREATER ORLANDO AVIATION AUTHORITY

By: _____
Phillip N. Brown, AAE
Chief Executive Officer

Approved as to Form and Legality (for the benefit of GOAA only)
this 3rd day of Feb, 2021
By: _____
NELSON MULLINS BROAD AND CASSEL, Legal Counsel
Greater Orlando Aviation Authority

NV5, INC.

By: _____
Signature (Duly Authorized Rep.)

Robert J. Lochrane
Printed Name

Vice President
Title

GREATER ORLANDO AVIATION AUTHORITY

Orlando International Airport
One Jeff Fuqua Boulevard
Orlando, Florida, 32827-4392
(407) 825-2001

Memorandum

To: **Members of the Construction Committee**

From: **Davin Ruohomaki, Senior Director Planning, Engineering and Construction**
(Prepared by John Guirges, OAR)

Date: **December 22, 2020**

Re: **Request for Recommendation of Approval of an Amendment to Addendum 10 to the Program and Project Management Services for the South Terminal C, Phase 1 Agreement with NV5, Inc. to provide Additional FY21 Construction Phase OAR Services for W-S111, South Terminal C (Phase 1) – Program and Project Management Services (OAR), Orlando International Airport.**

On July 28, 2020, the Construction Committee approved Addendum 10 in the amount of $2,314,272.00 to the above referenced agreement which the Aviation Authority Board approved on August 19, 2020. Since that time, it has been determined that additional QA/QC Review and Inspection support staff is needed.

Consultant's attached proposal, dated December 02, 2020, is to provide additional construction management support services including assistance to the GOAA staff in the areas of QA/QC Review of Specifications and Drawings and to assist with establishing QA/QC Control Procedures for the project, including attending OAR/Construction Management meetings, special sessions with planned subconsultants, obtaining and reviewing proposals, and assist with QA/QC testing and inspection services through September 30, 2021 for project W-S111, South Terminal C (Phase 1) – Program and Project Management Services (OAR).

If approved, these services would be effective January 20, 2021 as outlined in the attached proposal.

South Terminal Complex (STC):	Addendum 10 OAR Services	Proposed Amendment	Revised Total
Not to Exceed Fees:	$2,314,272.00	$390,006.00	$2,704,278.00
Lump Sum Fees:	$0.00	$0.00	$0.00
Not to Exceed Expenses	$0.00	$0.00	$0.00
Total Cost (NTE & LS):	**$2,314,272.00**	**$390,006.00**	**$2,704,278.00**

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

Funding is from General Airport Revenue Bonds, Customer Facility Charges, and Passenger Facility Charges to the extent eligible. Funding source verified by Dan of Construction Finance on 12/17/20 as correct and available.

It is respectfully requested that the Construction Committee recommend to the Aviation Authority Board approval of an Amendment to Addendum 10 to the Program and Project Management Services Agreement for the South Terminal C, Phase 1 Agreement with NV5, Inc. for the services contained herein and the amount as shown below:

Not to Exceed Fees:	$390,006.00
Lump Sum Fees:	$0.00
Not to Exceed Expenses:	$0.00
TOTAL:	**$390,006.00**
Reviewed by RWBC	JSS

ITEM 14
12/22/2020

EXHIBIT "A"

NV5

December 2, 2020

POC Project No.: 17010.10

Greater Orlando Aviation Authority
Orlando International Airport
10792 Jeff Fuqua Boulevard
Orlando, Florida 32827-4399

Attn: Mr. John Guirges
Senior Program Manager

Project: WS-111 Program & Project Mgt Services for South Terminal C, Phase I (QA/QC Review & Inspections)	
POC Staffing Fee	$390,006.00
Sub-consultants Staffing Fee	$0.00
Reimbursable Expense Allowance	$0.00
Total Estimated Fee	$390,006.00
Three Hundred Ninety Thousand Six Dollars	

Dear Mr. Guirges:

Further to our discussions and as referenced in the previous Page One Consultants, Inc. proposal, we hereby submit our fee proposal to render additional QA/QC Review and Inspection Support Staff to assist with establishing and maintaining QA/ QC Control Procedures through our Continuing Program and Project Management Services for South Terminal C, Phase 1 at the Orlando International Airport.

Project Description
Project includes a world-class domestic and international airport terminal building, consisting of an airside terminal with between 16 and 24 airline gates, a parking garage, and a landside terminal with both secure and non-secure areas.

Services
Our scope will be to provide the Authority with QA/QC Review of Specifications and Drawings and to assist with establishing QA/QC Control Procedures for the project. Our services will include attending OAR/ Construction Management meetings, special sessions with planned subconsultants, obtaining and reviewing proposals, and assist with QA/QC testing and inspection services on the project for the Authority. Support duration is from January 20, 2021 through September 30, 2021.

Fee Summary
Based on the attached worksheets, our anticipated staffing plan equates to a total **NTE Fee of $390,006.00 (Three Hundred Ninety Thousand Six Dollars)** distributed as follows:

NTE Professional Fees	$390,006.00
NTE Subconsultant Fees	$ 0.00
NTE Reimbursable Expenses	$ 0.00
TOTAL	$390,006.00

Our fee is based on regular time of forty hours per week. No costs have been included in our fee proposal for any overtime as we do not expect there to be any overtime.

MWBE/LDB Participation
We have identified an opportunity for small business sub-consultant services for this project.

Payment
We will invoice in accordance with terms of our Contract with the Authority.

Best regards,

NV5, INC.

Amr M. Sallam, Ph.D., P.E.
Director of CQA Services, Vice President

cc: File 17010.10

Greater Orlando Aviation Authority
Orlando International Airport
W-S111, South Terminal C, Phase I - QA/QC Review
NV5 Project No. 17010.10

Consultant	Position	Name	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Total MHRS	Hourly Rate	Total
NV5, Inc.	STC Project Manager II	Simon Fernandez				7	160	184	176	160	176	176	176	168	1383	$162.00	$224,046.00
NV5, Inc.	STC Senior Inspector I	John M. Danner				7	160	184	176	160	176	176	176	168	1383	$120.00	$165,960.00

TOTAL **$390,006.00**

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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 NV5, Inc.

DocuSigned by:

By: Amr Sallam

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Print Name: Amr M. Sallam, Ph.D., P.E., Director of CQA Services, VP

Date: December 7, 2020

GREATER ORLANDO AVIATION AUTHORITY
Orlando International Airport
5850-B Cargo Road
Orlando, Florida 32827-4399

MEMORANDUM

To: Members of the Construction Committee

From: Somdat Jiawan, Manager, Small Business Programs (sj)

Date: December 22, 2020

Re: Request for Recommendation of Approval of an Amendment to Addendum 10 to the Program and Project Management Services for the South Terminal C, Phase 1 Agreement with NV5, Inc. to provide Additional FY21 Construction Phase OAR Services for W-S111, South Terminal C (Phase 1) – Program and Project Management Services (OAR), Orlando International Airport.

We have reviewed the qualifications of the subject contract's MWBE/LDB/VBE specifications and determined that, due to the limited scope of the required services, NV5, Inc. does not propose any small business participation on this Amendment.

Our analysis indicates that NV5, Inc. is eligible for award of the subject Amendment.

*Current GMP Budget as of CCM December 9, 2020

GMP-P1X	Original GMP Budget	Current GMP Budget*	Proposed GMP Amendment	Proposed GMP Total
Direct Cost of Work	$72,421,002.00	$19,955,995.00	$0.00	$19,955,995.00
Unbought Scope	$237,500.00	$0.00	$0.00	$0.00
Allowances	$0.00	$502,724.00	$0.00	$502,724.00
CM@R Contingency	$2,906,340.00	$1,023,132.00	($600,000.00)	$423,132.00
Owner Contingency	$559,436.00	$261,887.00	$0.00	$261,887.00
P&P Bond	$536,037.00	$153,111.00	($4,225.00)	$148,886.00
Fee	$4,591,055.00	$1,311,365.00	($36,186.00)	$1,275,179.00
TOTAL	**$81,251,370.00**	**$23,208,214.00**	**($640,411.00)**	**$22,567,803.00**

*Current GMP Budget as of CCM December 9, 2020

The Office of Small Business Development has determined that due to the funding source of this GMP No. 6-S.6, Hensel Phelps Construction proposed DBE participation goals per bid scope of work for Construction Services. Hensel Phelps Construction's deductive Amendment No. 3 to Addendum No. 19 for BP-S00179 (GMP No. 6-S.6) does not have any impact on the small business participation. Currently, Hensel Phelps Construction's estimated cumulative participation for BP-S00179 (GMP No. 6-S.6) is 10% DBE for Construction Services.

Vice Chair Sharman asked if the project team is confident that this will no longer be required. Mr. Corthell answered yes.

Upon motion of Mr. Callum, second by Ms. Schneider, vote carried to recommend to the Aviation Authority Board approval of Amendment No. 3 to Addendum No. 19 to the Construction Management at Risk (CM@R) Entity Services for the South Terminal C, Phase 1 Agreement with Hensel Phelps Construction for BP-S00179, South Terminal C, Phase 1 - Airside Concourse (GMP No. 6-S.6), for a total negotiated deductive GMP Amendment amount of ($640,411.00), which includes a deductive amount of ($600,000.00) for CM@R Contingency, a deductive amount of ($4,225.00) for Performance and Payment Bonds, and a deductive amount of ($36,186.00) for the CM@R's Fee (6.031%), resulting in a revised total GMP amount of $22,567,803.00, with funding from FDOT Grants to the extent eligible, Passenger Facility Charges to the extent eligible and General Airport Revenue Bonds.

[Due to time constraints, the remaining Agenda Items were presented out of sequence, in the following order: Item Nos. 14, 21-C, 22, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21-A, 21-B.]

REQUEST FOR RECOMMENDATION OF APPROVAL OF AN AMENDMENT TO ADDENDUM NO. 10 TO THE PROGRAM AND PROJECT MANAGEMENT SERVICES FOR THE SOUTH TERMINAL C, PHASE 1 AGREEMENT WITH NV5, INC. FOR ADDITIONAL FY 2021 CONSTRUCTION PHASE OAR SERVICES FOR W-S00111, SOUTH TERMINAL C, PHASE 1 - PROGRAM AND PROJECT MANAGEMENT SERVICES (OAR), AT THE ORLANDO INTERNATIONAL AIRPORT.

7. [Agenda Item No. 14] Mr. Corthell presented the memorandum, along with a proposal from NV5, Inc. dated December 2, 2020, for an Amendment to Addendum No. 10 to the Program and Project Management Services for the South Terminal C, Phase 1 Agreement to provide Additional FY 2021 Construction Phase OAR Services for W-S00111, South Terminal C, Phase 1 - Program and Project Management Services (OAR), at the Orlando International Airport. On July 28, 2020, the Construction Committee approved Addendum 10 in the amount of $2,314,272.00 to the above referenced agreement which the Aviation Authority Board approved on August 19, 2020. Since that time, it has been determined that additional QA/QC Review and Inspection support staff is needed.

The consultant's proposal, dated December 02, 2020, is to provide additional construction management support services including assistance to the GOAA staff in the areas of QA/QC Review of Specifications and Drawings and to assist with establishing QA/QC Control Procedures for the project, including attending OAR/Construction Management meetings, special sessions with planned subconsultants, obtaining and reviewing proposals, and assist with QA/QC testing and inspection services through September 30, 2021, for project W-S00111, South Terminal C, Phase 1 - Program and Project Management Services (OAR).

If approved, these services would be effective January 20, 2021 as outlined in the proposal.

South Terminal Complex (STC):	Addendum 10 OAR Services	Proposed Amendment	Revised Total
Not to Exceed Fees:	$2,314,272.00	$390,006.00	$2,704,278.00
Lump Sum Fees:	$0.00	$0.00	$0.00
Not to Exceed Expenses	$0.00	$0.00	$0.00
Total Cost (NTE & LS):	**$2,314,272.00**	**$390,006.00**	**$2,704,278.00**

The Office of Small Business Development has reviewed the qualifications of the subject contract's MWBE/LDB/VBE specifications and determined that, due to the limited scope of the required services, NV5, Inc. does not propose any small business participation on this Amendment.

Vice Chair Sharman asked if this request is for regular Information Technology Services. Mr. Corthell answered no, and that this is for QA/QC Personnel.

Upon motion of Mr. Hunt, second by Ms. Schneider, vote carried to recommend to the Aviation Authority Board approval of an Amendment to Addendum No. 10 to the Program and Project Management Services for the South Terminal C, Phase 1 Agreement to provide Additional FY 2021 Construction Phase OAR Services for W-S00111, South Terminal C, Phase 1 - Program and Project Management Services (OAR), for a total not-to-exceed fee amount of $390,006.00, with funding from General Airport Revenue Bonds, Customer Facility Charges, and Passenger Facility Charges to the extent eligible.

INFORMATION ITEM

8. [Agenda Item No. 21-C]
Revised GMP Budget, Buyout and Contingency Form for Turner-Kiewit Joint Venture for a Budget Reallocation for BP-S00141, South Terminal C, Phase 1 - Landside Conveying Equipment (GMP No. 5-S.4), at the Orlando International Airport. [From the Construction Committee on October 13, 2020, Item No. 3-D]

NEW ITEM

REQUEST FOR RECOMMENDATION OF APPROVAL OF AMENDMENT NO. 9 TO ADDENDUM NO. 8 TO THE CONSTRUCTION MANAGEMENT AT RISK (CM@R) ENTITY SERVICES FOR THE SOUTH TERMINAL C, PHASE 1 AGREEMENT WITH HENSEL PHELPS CONSTRUCTION FOR BP-S00143, SOUTH TERMINAL C, PHASE 1 - AIRSIDE TERMINAL, STRUCTURE AND ENCLOSURE (GMP NO. 6-S.1), AT THE ORLANDO INTERNATIONAL AIRPORT.

9. [Agenda Item No. 22] [A handout was provided which included a new Office of Small Business Participation Memorandum.] Mr. Corthell presented the memorandum, dated December 22, 2020, for Amendment No. 9 to Addendum No. 8 to the Construction Management at Risk (CM@R) Entity Services for the South Terminal C, Phase 1 Agreement with Hensel Phelps Construction for BP-S00143, South Terminal C, Phase 1 - Airside Terminal, Structure and Enclosure (GMP No. 6-S.1), at the Orlando International

GREATER ORLANDO AVIATION AUTHORITY

Orlando International Airport
One Jeff Fuqua Boulevard
Orlando, Florida 32827-4399

MEMORANDUM

TO: Members of the Aviation Authority

FROM: Kathleen Sharman, Vice Chair, Construction Committee

DATE: February 2, 2021

ITEM DESCRIPTION

Recommendation of the Construction Committee to Approve Amendment No. 1 to Addendum No. 10 to the Program and Project Management Services for South Terminal C, Phase 1, Agreement with NV5, Inc. for Additional Fiscal Year (FY) 2021 Construction Phase Owner's Authorized Representative (OAR) Quality Assurance (QA)/Quality Control (QC) Review, Project Controls and Inspection Support Staff Services for W-S00111, South Terminal C, Phase 1 - Program and Project Management Services (OAR), at the Orlando International Airport

BACKGROUND

In 2015, the firms providing Program and Project Management Services for South Terminal C Program were selected through a competitive award process. These services are paid for on an annual basis through program duration.

On October 21, 2015, the Aviation Authority Board approved a Program and Project Management Services for the South Terminal C, Phase 1, Agreement at the Orlando International Airport, with NV5, Inc. (formerly known as Page One Consultants, Inc.). These Services may include, but are not limited to, any and all services necessary for the management of the various Authority contracts for the Project, the management of design from planning and conceptual design phase through detailed design, bidding and award of construction contracts; extension of staff services, development of design criteria documents, specifications review and coordination, Building Information Modeling (BIM) development and implementation and management of construction contracts, including design/build and construction management at risk; management of the construction and commissioning of projects including performing as the Owner's Authorized Representative (OAR); development and implementation of project cost controls and documents; providing material testing, quantity surveying, construction inspection, construction safety compliance inspection, and other services required to verify compliance of construction with contract documents; providing cost estimating, cost control, scheduling, progress reporting, and planning services to support both design and construction activities; negotiating contracts for project related professional and construction services required from the Authority's other consultants and contractors; coordination with the Federal Aviation Administration (FAA), the Transportation Security Administration (TSA), the Florida Department of Transportation (FDOT), and other governmental agencies on project-related issues; coordination of the activities of multiple consultants and contractors onsite; and all other related services, which may be required to accomplish the planning, funding, design, bidding and award, construction, commissioning and operation of the Project, which includes both existing and future facilities.

On August 19, 2020, the Aviation Authority Board approved Addendum No. 10 to the Program and Project Management Services for South Terminal C, Phase 1, Agreement with NV5, Inc. for FY 2021 Construction Phase OAR QA/QC Review, Project Controls and Inspection Support Staff Services for W-S00111, South Terminal C, Phase 1 - Program and Project Management Services (OAR), at the Orlando International Airport, for the total not-to-exceed fee amount of $2,314,272.

ISSUES

A fee has been negotiated with NV5, Inc. for a total amount of $390,006 for Additional FY 2021 Construction Phase OAR QA/QC Review, Project Controls and Inspection Support Staff Services for W-S00111, South Terminal C, Phase 1 - Program and Project Management Services (OAR), at the Orlando International Airport. Services will include additional QA/QC review of specifications and drawings, and assistance with establishing QA/QC control procedures for the program. Services will also include, but are not limited to, attendance at OAR/Construction Management meetings, special sessions with planned subconsultants, obtaining and reviewing of proposals, assistance with QA/QC testing and inspection services, and associated project management support services. Services will be provided through September 30, 2021.

The Aviation Authority has reviewed the proposal from NV5, Inc. and determined that, due to the limited scope of the required services, NV5, Inc. does not propose any small business participation on this addendum.

On December 22, 2020, the Construction Committee recommended approval of Amendment NO. 1 to Addendum No. 10 to the Program and Project Management Services for South Terminal C, Phase 1, Agreement with NV5, Inc. for Additional FY 2021 Construction Phase OAR QA/QC Review, Project Controls and Inspection Support Staff Services for W-S00111, South Terminal C, Phase 1 - Program and Project Management Services (OAR), at the Orlando International Airport, as outlined in the memorandum.

ALTERNATIVES

None.

FISCAL IMPACT

The fiscal impact is $390,006. Funding is from Passenger Facility Charges to the extent eligible, Customer Facility Charges to the extent eligible, and General Airport Revenue Bonds.

RECOMMENDED ACTION

It is respectfully requested that the Aviation Authority Board resolve to accept the recommendation of the Construction Committee and approve Amendment No. 1 to Addendum No. 10 to the Program and Project Management Services for South Terminal C, Phase 1, Agreement with NV5, Inc. for Additional FY 2021 Construction Phase OAR QA/QC Review, Project Controls and Inspection Support Staff Services for W-S00111, South Terminal C, Phase 1 - Program and Project Management Services (OAR), at the Orlando International Airport, for the total not-to-exceed fee amount of $390,006, with funding from Passenger Facility Charges to the extent eligible, Customer Facility Charges to the extent eligible, and General Airport Revenue Bonds; and authorize an Aviation Authority Officer or the Chief Executive Officer to execute the necessary documents following satisfactory review by legal counsel.