

**AMENDMENT ONE TO  
AGREEMENT FOR PROFESSIONAL ENGINEERING AND ENVIRONMENTAL CONSULTING SERVICES**

For the Lake Bonnet Drainage Basin Flood Hazard and Debris Mitigation Project

On November 14, 2023, the **City of Lakeland, Florida ("CITY")**, entered into Agreement for Professional Engineering and Environmental Consulting Services ("Agreement") with **AECOM Technical Services, Inc. ("CONSULTANT")** for the Lake Bonnet Drainage Basin Flood Hazard and Debris Mitigation Project.

**WHEREAS**, Section III, Changes in Scope of Work, of the Agreement provides that any amendment to the Agreement shall be in writing and executed by the Parties thereto. Section XLVI. A. Contract Adjustments or Changes in Scope of Work of the Agreement provides that the City may change the services to be provided hereunder at any time by giving written notice to the Consultant. If such changes increase, decrease, or eliminate any amount of work, the City and the Consultant will negotiate any change in total cost or schedule modifications. If the City approves any change, this Agreement may be amended to reflect the changes and authorized in writing by the City's and Consultant's designated representative.

**WHEREAS**, on March 19, 2024, the State of Florida Department of Commerce executed Amendment One to the CITY's Federally Funded Community Development Block Grant Mitigation Program (CDBG-MIT) Subrecipient Agreement. This Amendment One required the City to perform a feasibility study to assess the constructability of the project before proceeding with an environmental assessment under the National Environmental Policy Act (NEPA). This change migrated and reorganized many of the tasks and deliverables provided in the Consultant's Agreement without changing the cost or overall project timeline. The migrated and reorganized tasks and deliverables are outlined below.

**WHEREAS**, the Parties wish to amend the Agreement as set forth herein.

**NOW THEREFORE**, in consideration of the mutual covenants and obligations set forth herein, the receipt and sufficiency of which are hereby acknowledged, the Parties agree to the following:

1. Remove Paragraph 3.9. Scope of Work included in Addendum "A" of the Agreement (that includes City of Lakeland 2023 Request For Qualifications (2023-RFQ-020) and all its Appendices, Addenda, Exhibits, and Attachments) and replace with the following:

**3.9. Scope of Work:**

*Tasks that are eligible for reimbursement are as follows:*

**ACTIVITY/PROJECT DELIVERABLES**

**A. Deliverable 1 – Project Implementation**

| ACTIVITY | DESCRIPTION   | ACTIVITY/PROJECT DELIVERABLES MIGRATION TO AMENDMENT ONE | PROJECT DELIVERABLES MIGRATION TO AMENDMENT ONE DESCRIPTION   |
|----------|---|--|---|
| 1a.      | Financial records maintenance, preparation, and submittal of monthly and quarterly reports. | A.6., A.14., A.15., A.16., A.17.                         | A-1 Deliverables: <b>A.6. Project Implementation</b> - Maintain financial records related to project activities on-site. <b>A.14.</b> Prepare financial |

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|     |  |   | activity reports for submission to Commerce. <b>A.15.</b> Prepare and submit detailed monthly and quarterly reports to Commerce. <b>A.16.</b> Prepare and submit Section 3 reports to Commerce. <b>A.17</b> Respond to citizens' complaints.   |
| 1b. | Conduct stakeholder meetings (with property owners within the project area) and prepare meeting minutes. Provide community engagement and outreach activities, public meetings, information sharing via social media and/or other methods as outlined in DEO Agreement No MT047 Project Implementation through Phase 1, Phase 2, and Phase 3 | A.5., A.11.                                 | <b>A-1 Deliverables: A.5. Project Implementation</b> - Prepare and submit public notices for publications. <b>A.11.</b> Conduct Community Engagement, Public Meetings, and Outreach requirements.  |
| 1d. | Monthly project planning meetings with City staff, vendors, subcontractors, regulatory agencies & submittal of meeting minutes to DEO as outlined in DEO Agreement No MT047 Project Implementation through Phase 1, Phase 2, and Phase 3 (estimated 72 months)   | A.12.                                       | <b>A-1 Deliverables: A.12. Project Implementation</b> - Conduct project planning meetings with the Subrecipient's local governing body, vendors, subcontractors, and regulatory agencies to provide progress reports on subgrant activities; submit meeting attendance and minutes to Commerce.                                    |
| 1e. | Complete NEPA review (field investigations, records review, and site surveys)  | C.3.  | <b>A-1 Deliverables: C.3. Engineering and Design</b> – Conduct Environmental Review/Assessment in accordance with HUD and Commerce Policies and the National Environmental Policy Act referenced in Attachment D.4.b. of this A-1 and carry out any mitigation measures required as a result of the Environmental Review findings. |
| 1f. | Prepare and submit NEPA/Findings and Recommendations Report (DRAFT)  | C.3.  | <b>A-1 Deliverables: C.3. Engineering and Design</b> – Conduct Environmental Review/Assessment in accordance with HUD and Commerce Policies and the National Environmental Policy Act referenced in Attachment D.4.b. of this A-1 and carry out any mitigation measures required as a result of the Environmental Review findings. |
| 1g. | Project Oversight and Program Management, communications with regulatory agencies, QA/QC   | A.2., A.4., A.7., A.9., A.10., A.13., A.19. | <b>A-1 Deliverables: A.2. Project Implementation</b> - Develop policies for the Recipient to adopt related to special conditions listed in the   |

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|   | oversight, compliance maintenance, etc., as outlined in DOC Agreement No MT047 Project Implementation through Phase 1, Phase 2, and Phase 3 |  | subgrant agreement. <b>A.4.</b> Prepare a list of minority and women business enterprise (MBE/WBE) firms that operate in the Recipient's area. <b>A.7.</b> Conduct a Fair Housing activity. <b>A.9.</b> Review contractor payrolls and interview employees to determine compliance with the Davis-Bacon Act, the Contract Work Hours and Safety Standards Act, and the Copeland "Anti-Kickback" Act. <b>A.10.</b> Maintain Project Files. <b>A.13.</b> Prepare documentation for or participate in monitoring visits in person or virtually during monitoring with Commerce. <b>A.19.</b> Prepare responses to monitoring findings and concerns for the recipient to submit to Commerce or HUD. |
| <b>Deliverable 1 - Project Implementation Subtotal:</b> |   |  | <b>\$4,230,075.39</b>   |

## B. Deliverable 2 – Feasibility Study

| ACTIVITY | DESCRIPTION   | ACTIVITY/PROJECT DELIVERABLES MIGRATION TO AMENDMENT ONE | PROJECT DELIVERABLES MIGRATION TO AMENDMENT ONE DESCRIPTION   |
|----------|---|--|---|
| 2a.      | Complete Floodway Encroachment Analysis (field investigations, records review, site visits).      | B.1. (a)   | <b>A-1 Deliverables: B.1 Feasibility Study</b> - Floodplain management and environmental review requirements. The sub-recipient will perform activities including the following:<br><b>(a).</b> A floodway encroachment and environmental analysis to evaluate the hydraulic impact of the proposed pump station in the regulatory floodway, per 44 CFR 60.3(d)(3).     |
| 2a.      | Prepare and submit DRAFT Floodway Encroachment Analysis Report with findings and recommendations. | B.1. (a)   | <b>A-1 Deliverables: B.1 (a) Feasibility Study</b> - Floodplain management and environmental review requirements. The sub-recipient will perform activities including the following:<br><b>(a).</b> A floodway encroachment and environmental analysis to evaluate the hydraulic impact of the proposed pump station in the regulatory floodway, per 44 CFR 60.3(d)(3). |

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| 2b. | Complete FEMA review and coordination prepare; Letter of Map Revision as needed.  | B.1. (b)      | <u>A-1 Deliverables: B.1.(b) Feasibility Study</u> - If the floodway encroachment analysis indicates an increase in base flood evaluation, the city must apply for a Conditional Letter of Map Revision (CLOMR) and receive FEMA approval prior to construction (44 CFR 60.3(d)(4)). This must be accounted for in the revised project budget and schedule.  |
| 2c. | Complete pre-application meetings with permitting agencies, including Southwest Florida Water Management District (SWFWMD), Florida Department of Environmental Protection (FDEP), US Army Corp of Engineers (USACE). | B.1. (c)      | <u>A-1 Deliverables: B.1.(c) Feasibility Study</u> - Define necessary state, federal, and local permitting requirements. Early coordination with permitting agencies to confirm the need and schedule for permits and obtain project feedback is required.   |
| 2d. | Stakeholder coordination with property owners within the Feasibility Study project area to obtain site access and review scope of work.   | B.2. (a), (c) | <u>A-1 Deliverables: B.2. Feasibility Study</u> - The sub-recipient will specify property required to obtain easements for project implementation and: (a). Coordinate with property owners in accordance with Uniform Relocation Act requirements, and (c). Scope community engagement specifics during design and construction, including number of public meetings held.  |
| 2e. | Conduct surveys, site inspections, property records review, property appraisals, and land/easement acquisition study.   | B.2. (b)      | <u>A-1 Deliverables: B.2.(b). Feasibility Study</u> - Conduct necessary surveys, site inspections, and appraisals and calculate subcontractor fees, real estate fees, and all other materials necessary to complete the valuation and purchase of land required to access the site and complete construction.  |
| 2f. | Prepare and submit project technical scope, schedule, budget review, and refinement. City will submit to DEO for approval.  | B.3.          | <u>A-1 Deliverables: B.3. Feasibility Study - Floodway Encroachment Analysis</u> . The sub-recipient will perform limited engineering and design activities, as reasonable and necessary, to complete the required flood plain management analysis component of the feasibility study. These engineering and design elements will include and be limited to the following required surveys listed in B.3. a – d below (or 2g -2j). |
| 2g. | Complete Topographic & Boundary Survey of project study area.   | B.3. (a)      | <u>A-1 Deliverables: B.3. (a) Feasibility Study</u> - Topographic Survey.  |

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| 2h. | Complete Wetlands Delineation in project study area.   | B.3. (b) | A-1 Deliverables: <b>B.3. (b) Feasibility Study</b> - Wetlands Delineation.  |
| 2i. | Complete Bathymetric Mapping and Sediment Thickness Survey   | B.3. (c) | A-1 Deliverables: <b>B.3. (c) Feasibility Study</b> - Bathymetric and sediment thickness survey.   |
| 2j. | Complete LiDAR Survey of project study area.   | B.3. (d) | A-1 Deliverables: <b>B.3. (d) Feasibility Study</b> - LiDAR Survey.  |
| 2k. | Complete Project Feasibility Study & Implementation Plan DRAFT report.   | B.4.     | A-1 Deliverables: <b>B.4. Feasibility Study</b> - Copy of the Feasibility Study and proposed updated Scope of Work. The sub-recipient <b><u>will provide the above-mentioned documentation outlining the project for Commerce's review and approval prior to moving forward with the project.</u></b> The Feasibility Study should confirm the final scope of work, properties needed for acquisition, project schedule, project budget and leveraged funds, and maintenance procedures and funding sources. The sub-recipient will confirm that any changes proposed to the initial project will still meet a National Objective and that the low-to-moderate income analysis for the project is revised, if necessary. |
| 2k. | Complete Project Feasibility Study & Implementation Plan FINAL report.   | B.4.     | A-1 Deliverables: <b>B.4. Feasibility Study</b> - Copy of the Feasibility Study and proposed updated Scope of Work. The sub-recipient <b><u>will provide the above-mentioned documentation outlining the project for Commerce's review and approval prior to moving forward with the project.</u></b> The Feasibility Study should confirm the final scope of work, properties needed for acquisition, project schedule, project budget and leveraged funds, and maintenance procedures and funding sources. The sub-recipient will confirm that any changes proposed to the initial project will still meet a National Objective and that the low-to-moderate income analysis for the project is revised, if necessary. |
| 2l. | Complete and submit 30% Preliminary Design Report for Dredge Operations, Wetland Rehabilitation and Littoral Zone Restoration. | B.3.     | A-1 Deliverables: <b>B.3. Feasibility Study</b> - Floodway Encroachment Analysis. Limited Engineering and Design Activities.   |



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| 2m.  | Complete and submit 30% Preliminary Design Report for Flood Protection Mitigation. | B.3. | A-1 Deliverables: <b>B.3. Feasibility Study</b> - Floodway Encroachment Analysis. Limited Engineering and Design Activities. |
| <b>Deliverable 2 – Feasibility Study Subtotal:</b> |  |      | <b>\$1,534,696.93</b>  |

### C. Deliverable 3 – Design and Engineering

| ACTIVITY | DESCRIPTION   | ACTIVITY/PROJECT DELIVERABLES MIGRATION TO AMENDMENT ONE | PROJECT DELIVERABLES MIGRATION TO AMENDMENT ONE DESCRIPTION  |
|----------|---|--|--|
| 3a.      | Complete easement and property acquisition (budget includes sub-consultant time and \$\$ to purchase property)  | D.1.   | A-1 Deliverables: <b>D.1. Construction</b> . Acquire property necessary for project construction (including wetland dredging and flood relief infrastructure), including permanent easements, in accordance with the HUD Handbook for Tenant Assistance, Relocation, and Real Property Acquisition Handbook (Handbook 1378). Provide copies of acquisition and closing paperwork to Commerce.                                    |
| 3b.      | Complete Work Plans for field investigation work, including Health & Safety Plan, Emergency Response, Sampling & Analysis Plan, & Quality Assurance Project Plan. | C.1.   | A-1 Deliverables: <b>C.1. Engineering and Design</b> . Create a full design package(s), signed and sealed by a Professional Engineer (PE) licensed in the State of Florida, including engineering drawings, specifications, construction cost estimates, surveys, and any other reports, documents, or information relevant to this project that meet all local current hurricane code ratings, local codes, and building codes. |
| 3c.      | Complete sediment sampling field investigation, laboratory analysis, summary report.  | C.3.   | A-1 Deliverables: <b>C.3. Engineering and Design</b> – Conduct Environmental Review/Assessment in accordance with HUD and Commerce Policies and the National Environmental Policy Act referenced in Attachment D.4.b. of this A-1 and carry out any mitigation measures required as a result of the Environmental Review findings.   |
| 3d.      | Complete geotechnical field investigation, laboratory,  | C.3.   | A-1 Deliverables: <b>C.3. Engineering and Design</b> – Conduct Environmental Review/Assessment in accordance   |

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|     | laboratory analysis, summary report.   |      | with HUD and Commerce Policies and the National Environmental Policy Act referenced in Attachment D.4.b. of this A-1 and carry out any mitigation measures required as a result of the Environmental Review findings.  |
| 3e. | Complete Groundwater Impact Field Investigation (monitoring well and seepage meter install, sampling and analysis) and Report. | C.3. | A-1 Deliverables: <u>C.3. Engineering and Design</u> – Conduct Environmental Review/Assessment in accordance with HUD and Commerce Policies and the National Environmental Policy Act referenced in Attachment D.4.b. of this A-1 and carry out any mitigation measures required as a result of the Environmental Review findings.   |
| 3f. | Complete treatability testing/evaluation, and summary report.  | C.3. | A-1 Deliverables: <u>C.3. Engineering and Design</u> – Conduct Environmental Review/Assessment in accordance with HUD and Commerce Policies and the National Environmental Policy Act referenced in Attachment D.4.b. of this A-1 and carry out any mitigation measures required as a result of the Environmental Review findings.   |
| 3g. | Complete Construction Design Plans (60%) for Dredge Operations, Wetland Restoration, and Littoral Zone Rehabilitation.         | C.1. | A-1 Deliverables: <u>C.1. Engineering and Design</u> . Create a full design package(s), signed and sealed by a Professional Engineer (PE) licensed in the State of Florida, including engineering drawings, specifications, construction cost estimates, surveys, and any other reports, documents, or information relevant to this project that meet all local current hurricane code ratings, local codes, and building codes. |
| 3h. | Complete Construction Design Plans (90%) for Dredge Operations, Wetland Restoration, and Littoral Zone Rehabilitation.         | C.1. | A-1 Deliverables: <u>C.1. Engineering and Design</u> . Create a full design package(s), signed and sealed by a Professional Engineer (PE) licensed in the State of Florida, including engineering drawings, specifications, construction cost estimates, surveys, and any other reports, documents, or information relevant to this project that meet all local current hurricane code ratings, local codes, and building codes. |
| 3i. | Complete Construction Design Plans (100%) for Dredge Operations, Wetland   | C.1. | A-1 Deliverables: <u>C.1. Engineering and Design</u> . Create a full design package(s), signed and sealed by a   |

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|     | Restoration, and Littoral Zone Rehabilitation.   |      | Professional Engineer (PE) licensed in the State of Florida, including engineering drawings, specifications, construction cost estimates, surveys, and any other reports, documents, or information relevant to this project that meet all local current hurricane code ratings, local codes, and building codes.   |
| 3j. | Complete Value Engineering & Constructability Review and Summary Report.               | C.1. | <u>A-1 Deliverables: C.1. Engineering and Design.</u> Create a full design package(s), signed and sealed by a Professional Engineer (PE) licensed in the State of Florida, including engineering drawings, specifications, construction cost estimates, surveys, and any other reports, documents, or information relevant to this project that meet all local current hurricane code ratings, local codes, and building codes. |
| 3k. | State, Local, and Federal Permit application and submittals (SWFWMD, FDEP and USACoE). | C.2. | <u>A-1 Deliverables: C.2. Engineering and Design.</u> Obtain copies of all permit applications, correspondence with permitting agencies, final permits, and any other permit-related documentation for the project.   |
| 3l. | Complete Construction Design Plans (60%) for Flood Protection Mitigation               | C.1. | <u>A-1 Deliverables: C.1. Engineering and Design.</u> Create a full design package(s), signed and sealed by a Professional Engineer (PE) licensed in the State of Florida, including engineering drawings, specifications, construction cost estimates, surveys, and any other reports, documents, or information relevant to this project that meet all local current hurricane code ratings, local codes, and building codes. |
| 3m. | Complete Construction Design Plans (90%) for Flood Protection Mitigation               | C.1. | <u>A-1 Deliverables: C.1. Engineering and Design.</u> Create a full design package(s), signed and sealed by a Professional Engineer (PE) licensed in the State of Florida, including engineering drawings, specifications, construction cost estimates, surveys, and any other reports, documents, or information relevant to this project that meet all local current hurricane code ratings, local codes, and building codes. |
| 3n. | Complete Construction Design Plans (100%) for Flood Protection Mitigation              | C.1. | <u>A-1 Deliverables: C.1. Engineering and Design.</u> Create a full design package(s), signed and sealed by a Professional Engineer (PE) licensed   |



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|  |   |      | in the State of Florida, including engineering drawings, specifications, construction cost estimates, surveys, and any other reports, documents, or information relevant to this project that meet all local current hurricane code ratings, local codes, and building codes.  |
| 3o.  | Complete Construction Design and Bid Specification Package for Dredge Operations, Wetland Restoration, and Littoral Zone Rehabilitation, and submit to DEO for review and approval. | C.1. | A-1 Deliverables: <b>C.1. Engineering and Design</b> . Create a full design package(s), signed and sealed by a Professional Engineer (PE) licensed in the State of Florida, including engineering drawings, specifications, construction cost estimates, surveys, and any other reports, documents, or information relevant to this project that meet all local current hurricane code ratings, local codes, and building codes. |
| 3p.  | Complete Construction Design and Bid Specification Package for Flood Protection Mitigation and submit to DEO for review and approval.   | C.1. | A-1 Deliverables: <b>C.1. Engineering and Design</b> . Create a full design package(s), signed and sealed by a Professional Engineer (PE) licensed in the State of Florida, including engineering drawings, specifications, construction cost estimates, surveys, and any other reports, documents, or information relevant to this project that meet all local current hurricane code ratings, local codes, and building codes. |
| <b>Deliverable 3 – Design and Engineering Subtotal</b> |   |      | <b>\$2,296,210.25</b>  |

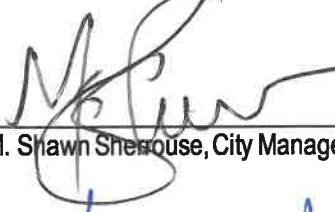
#### D. Deliverable 4 – Construction

| ACTIVITY | DESCRIPTION   | ACTIVITY/PROJECT DELIVERABLES MIGRATION TO AMENDMENT ONE | PROJECT DELIVERABLES MIGRATION TO AMENDMENT ONE DESCRIPTION   |
|----------|---|--|---|
| 4a.      | Complete the procurement package and submit to DEO for review and approval. Advertise Construction bids for dredging operations and sediment management, subcontractor site visit, bid review, bid award & notification to most responsive bidder(s). | A.3.   | A-1 Deliverables: <b>A.3. Project Implementation</b> – Prepare procurement documents.                     |
| 4b.      | Construction Management & Vendor/Subcontractor Oversight, monthly project   | D.2.   | A-1 Deliverables: <b>D.2. Construction</b> - Conduct, coordinate, manage, monitor and review construction |

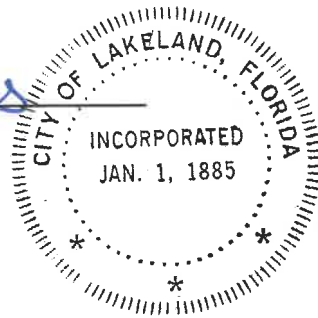
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|   | status reviews/updates as outlined in DEO Agreement No. MT047 throughout Phase 3.   |             | project to provide contractor oversight, project management, planning, design, and construction of project via monthly meetings.  |
| 4c.   | Complete construction oversight workplans (Health & Safety, Emergency Response & Preparedness).   | D.2.        | <b>A-1 Deliverables: D.2. Construction</b> - Conduct, coordinate, manage, monitor and review construction project to provide contractor oversight, project management, planning, design, and construction of project via monthly meetings.  |
| 4m.   | Complete the procurement package and submit to DEO for review and approval. Advertise Construction bids for flood protection mitigation (weir removal, embankment stabilization, pump station construction, culvert retrofits, canal modification, and flood relief diversion infrastructure), subcontractor site visit, bid review, bid award & notification to the most responsive bidder(s). | A.3.        | <b>A-1 Deliverables: A.3. Project Implementation</b> – Prepare procurement documents.   |
| 4v.   | Final Report delivery, including as-built engineering drawings and photo documentation.   | A.6., D.14. | <b>A-1 Deliverables: A.20. Project Implementation</b> – Project Closeout, Engineer's Certification of Completion, Grant Closeout Package completed and submitted to Commerce and <b>D.14. Construction</b> – Complete final deliverables including copies of final as-built drawings; photographs of the completed project; all inspection reports; project manager certification that the project was completed in accordance with all applicable codes and standards and in addition, all documentation related to required environmental conditions must be submitted in final project deliverables. |
| <b>Deliverable 4 – Construction Subtotal:</b> |   |             | <b>\$2,106,159.43</b>   |
| <b>Total Budget</b>                           |   |             | <b>\$10,167,142.00</b>  |

\*With the DOC Amendment One, many of the activities were moved or split into different deliverables and are color-coded as such in the tables above. For consistency purposes, the Consultant's original Bid Cost Proposal for each deliverable will remain the same. The City will subsequently and appropriately code and pay the Consultant invoices following the Consultant's original Bid Cost Proposal subtotals.

**CITY OF LAKELAND, FLORIDA**

 5/24/24  
M. Shawn Sherouse, City Manager

**ATTEST:**  
By:   
Kelly S. Koos, City Clerk



**APPROVED TO FORM AND CORRECTNESS:**

By:   
Palmer C. Davis, City Attorney

**CONSULTANT**

 5/21/24  
Daniel J. Levy, Authorized Signatory  
Vice President

**ATTEST:**  
By:   
(Witness Signature)

Printed Name: Babu Madabhushi \_\_\_\_\_

Title: Project Manager  
AECOM Technical Services, Inc.

