

**AMENDMENT NO. 1 TO TASK ORDER NUMBER 3
TO AGREEMENT FOR PROFESSIONAL SERVICES
ON A CONTINUING BASIS**

THIS AGREEMENT is made as of the _____ day of _____ in the year 2006, between The City of Leesburg, a Florida Municipal Corporation, whose address is 501 West Meadow Street, Post Office Box 490630, Leesburg, Florida 34749-0630 (hereinafter referred to as the "CITY"), and Boyle Engineering Corporation, whose address is 320 EAST SOUTH STREET, ORLANDO, FLORIDA 32801, (hereinafter referred to as the "PROFESSIONAL").

WITNESSETH:

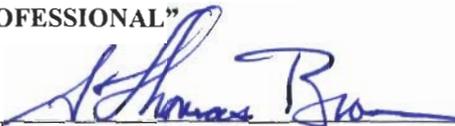
WHEREAS, on **May 24, 2004** the CITY and the PROFESSIONAL previously entered into an Agreement for Professional Services on a Continuing Basis (hereinafter referred to as the "Agreement"). The Agreement is referenced herein as though set forth in full.

WHEREAS, the CITY and the PROFESSIONAL desire to enter into Amendment Number 1 to Task Order Number 3.

NOW THEREFORE, for and in consideration of the mutual covenants and promises contained in this Task Order, the CITY and the PROFESSIONAL do hereby agree as set forth below:

1. The above recitals are true and correct and are incorporated herein.
2. The Parties agree to the scope of work and budget pursuant to the terms and conditions set forth in Exhibits "A & B."

IN WITNESS WHEREOF, the parties hereto have executed this Task Order on the respective dates under each signature.

"PROFESSIONAL"
By: 
A. Thomas Brown, PE
Its: _____ Vice President
Date: 10/24/06

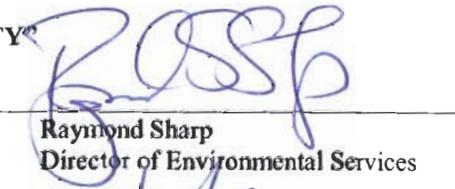
"CITY"
By: 
Raymond Sharp
Director of Environmental Services
Date: 11/30/06

Exhibit "A"
Amendment No. 1 to Task Order No. 3
SCOPE OF WORK
FOR

Value Engineering and Additional Construction Administration Services for the Canal Street Wastewater Treatment Plant (WWTP) and Operations Building

I. General

The CITY desires to pursue value engineering work during the construction phase for the Canal Street WWTP Phase 2 and Operations Building (Construction Projects). The CITY requests that the PROFESSIONAL provide engineering services related to the construction administration and observation during the Construction Projects. The work is described in Part II and Part III herein.

The following discussion presents the specific tasks that will be performed as part of this Scope of Work. To the extent possible, these assumptions are stated herein and are reflected in the budget for services. If the work tasks differ from those formulated as a result of these assumptions, or if the CITY desires additional services, the resulting changes in scope and/or budget will serve as a basis for preparing additional AMENDMENTS, as agreed to by both the CITY and PROFESSIONAL. Task descriptions and the project budget are summarized in Exhibit B.

II. Task Group 1 – Additional Construction Phase Services for the Canal St WWTF

The PROFESSIONAL will provide limited Construction Phase services related to the Phase 2 upgrades at the Canal Street WWTF. These services are described as follows:

- 1.1 The PROFESSIONAL will meet with the CITY and Contractor in two (2) meetings to receive proposed value engineering items.
- 1.2 The PROFESSIONAL will review the value engineering items and prepare request for propose changes (RPCs) related to the value engineering items accepted by the CITY. It is anticipated that PROFESSIONAL will prepare approximately fifty (50) RPCs throughout the construction project.
- 1.3 The PROFESSIONAL will provide engineering design services related to designing changes from a two million gallon to a four million gallon tank. This includes the geotechnical work related to the settlement and foundation requirements associated with this change. Geotechnical and Environmental Consultants, Inc (a subconsultant to the PROFESSIONAL) will provide the geotechnical services. Their proposal is attached in Exhibit C.
- 1.4 The PROFESSIONAL will provide additional engineering and geotechnical work related to unforeseen soil and sediment conditions. Geotechnical and Environmental Consultants, Inc (a subconsultant to the PROFESSIONAL) will provide the geotechnical services. Their proposal is attached in Exhibit C.

- 1.5 The PROFESSIONAL will review the RPC pricing from the contractor and negotiate pricing through meetings and correspondence.
- 1.6 The PROFESSIONAL will provide recommendations to the CITY on the negotiated RPCs for approval and incorporation into contract change orders.
- 1.7 The PROFESSIONAL will prepare and compile change orders for final execution by the Contractor and the CITY. It is assumed that a total of seven (7) change orders will be developed throughout the duration of the construction project.
- 1.8 The PROFESSIONAL will review and coordinate the CITY's direct equipment purchases with the Contractor.
- 1.9 The PROFESSIONAL will review and distribute a total of twenty (20) additional shop drawing submittals and plant process bypass plans.
- 1.10 The PROFESSIONAL will provide addition coordination with permitting agencies during plant process bypassing or unforeseen conditions due to construction activities. This activity includes general phone calls and correspondence with the Florida Department of Environmental Protection.
- 1.11 The PROFESSIONAL will attend additional coordination and progress meetings with the City to coordinate the plant construction. It is assumed that the PROFESSIONAL will attend eighteen (18) meetings with the City.
- 1.12 The PROFESSIONAL will attend the factory witness test related to the instrumentation work for the Canal Street WWTF. It is anticipated that the factory witness test will be a total of (4) days in duration. The instrumentation subcontractor will provide all travel expenses related to and from the testing location.
- 1.13 The PROFESSIONAL will assist the City with process paperwork and prepare applications and invoices for the cost share funds with the St. John's River Water Management District (SJRWMD) reuse funding program. It is anticipated that the work will include meetings with the SJRWMD and preparing approximately six (6) total invoices through fiscal year 2007.

III. Task Group 2 – Additional Services Related to Contract Time Extension

- 2.1 The PROFESSIONAL will extend the RPR contract time to match the extension of the construction project time. Based on the latest time extension, it is assumed that the RPR will work for an additional 21 weeks at 40 hours per week. This extension will provide for the RPR through August 26th, 2007. If the contractor fails to complete the project by August 26th, 2007 and the CITY desires additional RPR services from the PROFESSIONAL, then the PROFESSIONAL's scope and fee will be amended as mutually agreed to by the CITY and the PROFESSIONAL.
- 2.2 The PROFESSIONAL will attend additional monthly progress meetings and prepare meeting minutes to be distributed at each meeting. It is assumed that the PROFESSIONAL will attend three (3) additional meetings.

- 2.3 The PROFESSIONAL will review additional pay applications and give recommendation of payment based on construction progress. It is assumed that the PROFESSIONAL will review three (3) additional pay applications.

IV. Task Group 3 – Value Engineering Work for the Operations Building

- 3.1 The PROFESSIONAL will meet with the CITY and Contractor to review proposed value engineering (VE) items related to the operations building construction project. The PROFESSIONAL will evaluate the options and provide a recommendation summary to the CITY. It is assumed that the PROFESSIONAL will attend two (2) meetings with the City and Contractor.
- 3.2 The PROFESSIONAL will provide RPCs on the approved VE items throughout the project and coordinate with the Contractor and the CITY throughout the duration of the project. It is assumed that a total of five (5) RPCs will be produced.
- 3.3 The PROFESSIONAL will review the Contractor's pricing of the RPCs and provide recommendations to the CITY for approval and incorporation into contract change orders.

V. Task Group 4 – Provide Bidding Documents and Additional Limited Construction Phase Services for the Operations Building Parking Lot

- 4.1 The PROFESSIONAL will revise the existing operations building construction documents for new parking lot construction documents. These documents will be used for bidding documents for the new parking lot.
- 4.2 The PROFESSIONAL will distribute construction documents to potential bidders.
- 4.3 The PROFESSIONAL will answer bidders' questions related to the parking lot and attend one (1) pre-bid meeting at the CITY. The PROFESSIONAL will attend the bid opening at the CITY.
- 4.4 The PROFESSIONAL will update the drawings from the addendums and incorporate addendums and original executed documents into the technical specifications to conform the contract documents.
- 4.5 The PROFESSIONAL will prepare for and attend a pre-construction meeting.
- 4.6 The PROFESSIONAL will provide limited construction observation services. The PROFESSIONAL will review shop drawing submittals, respond to requests for information (RFIs), provide a total of two (2) site visits, review pay applications, and provide substantial and final completion site reviews including punch lists to be distributed to the Contractor and CITY.
- 4.7 The PROFESSIONAL will prepare and provide record drawings based on the Contractor As-Built Drawings provided to the CITY.

VI. Services Not Included

The following services are not included in this Amendment to the Scope of Services:

- Permit fees.
- Value Engineering Services related to Architectural, Mechanical, and Electrical redesign of the Operations Building Construction Documents

VII. CITY's Responsibilities

The CITY shall endeavor to provide the following in a timely manner so PROFESSIONAL can complete its work.

- Designate an agent to act as CITY's representative with respect to the services to be rendered under this Amendment. The designated agent shall have complete authority to transmit instruction, receive information, and interpret and define the CITY's policies and decisions with respect to the PROFESSIONAL services for this Project.
- Pay all permit fees.
- Administer construction contract.
- Provide review of pay requests and SJRWMD invoices.
- Provide part time RPR services during times of excessive construction work during the course of the project.
- Provide other such services and assistance as needed to expedite and complete this portion of the Project.

VI. Deliverables (PROFESSIONAL)

PROFESSIONAL will provide the City the following deliverables under this Amendment to the Scope of Services:

- Five (5) copies of the bidding documents of the Parking Lot construction to the CITY, which include half size drawings and the technical specification manual.
- Three (3) copies of the response to the RFI.
- Three (3) copies of the final RPCs.
- Two (2) copies of the reviewed shop drawings.
- One (1) set of reproducible record drawings.
- Six (6) copies of the final change orders.
- Six (6) copies of the final invoices submitted to the SJRWMD.

VII. Period of Service

The schedule provided herein is based on the timely receipt of the information to be provided by the CITY. Should the CITY's activities require more time than anticipated, the schedule described below will be modified accordingly. It is anticipated that the Period of Service for this project will extend 60 days past the Substantial Completion Date of the Phase 2 construction contract. It is anticipated that the Period of Service for the work related to the Operations Building and Parking Lot will be included within the overall construction schedule.

1. PROFESSIONAL will commence work upon receipt of an executed copy of this agreement.
2. Upon receipt of the RFIs, the PROFESSIONAL will provide a response within four (4) business days to the Contractor and the CITY.
3. Upon receipt of the shop drawings, the PROFESSIONAL will provide review comments within thirty (30) days to the Contractor and the CITY.
4. Upon receipt of the As-Built drawings, the PROFESSIONAL will provide record drawings within thirty (30) days to the CITY.
5. Bid ready construction documents for the parking lot are anticipated to be complete one (1) week after the notice to proceed of the operations building construction.
6. It is anticipated that the invoices will be completed on a quarterly basis from the end of 2006 through fiscal year 2007.

VIII. Compensation

- A. PROFESSIONAL has estimated the level of effort to perform the services described in this Amendment based on certain assumptions. This estimate is presented in Exhibit B and totals **three hundred fifteen thousand eight and 00/100 dollars (\$315,008.00)**. An estimated budget for other project costs, which are expected to include copying costs, mileage, postage and long-distance telephone calls, is also presented in Exhibit B. PROFESSIONAL shall invoice the CITY monthly for services rendered and expenses incurred based on actual effort (i.e. time and materials) using the rates as follows:

<u>Personnel Category</u>	<u>\$/hr</u>
Principal Engineer	\$200.00
Senior Engineer	\$130.00
RPR	\$78.70
Associate Engineer	\$100.00
Assistant Engineer	\$80.00
Design CADD Operator	\$80.00
Clerical	\$67.00

- B. The PARTIES understand that the figures described in Exhibit B are an estimate of the man hours required by PROFESSIONAL to perform the various services

requested by the CITY pursuant to this Agreement. The PARTIES understand and agree that the PROFESSIONAL shall bill every four (4) weeks for services rendered on an hourly basis, as described above. The CITY shall not be obligated to pay PROFESSIONAL more than a total nine hundred eighteen thousand three hundred sixty-five and 00/100 dollars (\$918,365.00) unless both parties agree to and enter into a WRITTEN AMENDMENT to this Agreement.

Task Order No. 3	\$603,357.00
Amendment No. 1	<u>\$315,008.00</u>
Total	\$918,365.00

Exhibit "B"
PROJECT BUDGET

Project Budget

City of Leesburg

Canal Street WWTF - Rehab and Upgrade Phase 2 and Operations Building
 Additional Construction Phase Services
 Value Engineering, Extension of Contract Time, and Additional Geotechnical Work

Task Description	Personnel Hours										Budget			
	Principal Eng	Senior Eng	RPR	Associate Eng	Assistant Eng	Design CAD Operator	Clerical	Total Hours	Labor	Non-Labor Costs	Subconsultants	Total Non-Labor	Total	
Task Group 1 – Additional Construction Phase Services for the Canal St WWTF														
1.1 Meet with the City and Contractor to Evaluate Value Engineering Items. Assume two (2) meetings.	8	16			16			42	\$ 5,094	\$ 509		\$ 509	\$ 5,603	
1.2 Prepare RPCs on the approved VE items. Assume a total of fifty (50) RPCs will be produced.	10	50			160	40	15	275	\$ 25,505	\$ 2,551		\$ 2,551	\$ 28,056	
1.3 Redesign Services Related to the Four (4) mg Ground Storage Tank.	2	8			40	60	1	111	\$ 9,507	\$ 951	\$ 1,620	\$ 2,571	\$ 12,078	
1.4 Provide-Additional Geotechnical Work and Evaluation During Construction	2	60			40		8	110	\$ 11,936	\$ 1,194	\$ 11,800	\$ 12,994	\$ 24,930	
1.5 Review the Contractor Pricing of the RPCs and Negotiate Pricing with the Contractor	13	105			210		25	353	\$ 34,725	\$ 3,473		\$ 3,473	\$ 38,198	
1.6 Provide recommendations to the City on the RPCs to include within change orders.	10	35			20		3	68	\$ 8,351	\$ 835		\$ 835	\$ 9,186	
1.7 Compile the Change Orders and Execute. Assume a total of seven (7) Change Orders will be produced.	2	7			28		4	40	\$ 3,735	\$ 373		\$ 373	\$ 4,108	
1.8 Review and Coordination of the Owner Direct Purchases	2	12			24		8	46	\$ 4,416	\$ 442		\$ 442	\$ 4,858	
1.9 Review of Additional Shop Drawing Submittals and Plant Process Bypass Plans (Assume 20)	2	20			80			107	\$ 9,735	\$ 974		\$ 974	\$ 10,709	
1.10 Additional Permitting Coordination with the Plant Operations	1	8			2			11	\$ 1,400	\$ 140		\$ 140	\$ 1,540	
1.11 Prepare for and attend additional meetings with the City (assume 18 meetings)	8	76			40		18	142	\$ 15,886	\$ 1,589		\$ 1,589	\$ 17,475	
1.12 Attend the instrumentation factory witness testing. Assume 4 days.		32						32	\$ 4,160	\$ 416	\$ 2,880	\$ 3,296	\$ 7,456	
1.13 Assist City with Documentation for Grant Funding	38						143	181	\$ 17,181	\$ 1,718		\$ 1,718	\$ 18,899	
Subtotal	98	429	-	-	660	100	232	1,518	\$ 151,631	\$ 15,163	\$ 16,300	\$ 31,463	\$ 183,094	
Task Group 2 - Additional Services Related to Contract Time Extension.														
2.1 Provide RPR services for the Contract Time Extension. It is assumed that the RPR will work for 40 hrs week for 21 weeks			840					840	\$ 66,108	\$ 10,286		\$ 10,286	\$ 76,394	
2.2 Prepare for and attend Monthly Progress Meetings (assume 3 meetings)	3	18					3	24	\$ 3,141	\$ 314		\$ 314	\$ 3,455	
2.3 Review monthly pay requests (assume 3 pay applications)	1	7					1	8	\$ 1,117	\$ 112		\$ 112	\$ 1,229	
2.4 Management of extension to construction phase services.	12	81					8	101	\$ 13,466	\$ 1,347		\$ 1,347	\$ 14,813	
Subtotal	16	106	840	-	-	-	12	973	\$ 83,832	\$ 12,058	\$ -	\$ 12,058	\$ 95,890	
Task Group 3 - Value Engineering Work for the Operations Building														
3.1 Meet with the City and Contractor to Review VE items. Provide a summary analysis and meet with the Building Department	1	16			4		1	22	\$ 2,667	\$ 267		\$ 267	\$ 2,934	
3.2 Provide RPCs on the approved VE items. Assume a total of five (5) RPCs	1	5			20		3	29	\$ 2,668	\$ 267		\$ 267	\$ 2,934	
3.3 Review the Contractor Pricing of the RPCs and provide recommendations to the City	4	20			40		5	69	\$ 6,935	\$ 694		\$ 694	\$ 7,629	
Subtotal	6	41	-	-	64	-	9	120	\$ 12,270	\$ 1,227	\$ -	\$ 1,227	\$ 13,496	
Task Group 4 - Provide Bidding Documents and Additional Limited Construction Phase Services for the Operations Building Parking Lot														
4.1 Revise Operations Building Construction Documents for New Parking Lot Bidding Documents	1	4			16	30	2	53	\$ 4,534	\$ 453		\$ 453	\$ 4,987	
4.2 Coordinate and Distribute construction documents to potential bidders.		4			8		8	20	\$ 1,696	\$ 1,170		\$ 1,170	\$ 2,866	

Project Budget

**Canal Street WWTF - Rehab and Upgrade Phase 2 and Operations Building
Additional Construction Phase Services
Value Engineering, Extension of Contract Time, and Additional Geotechnical Work**

City of Leesburg

Task Description	Personnel Hours							Budget					
	Principal Eng	Senior Eng	RPR	Associate Eng	Assistant Eng	Design CADD Operator	Clerical	Total Hours	Labor	Non-Labor Costs	Subconsultants	Total Non-Labor	Total
4.3 Answer Bidders Questions and attend one (1) pre-bid and the bid opening at the City.		8			12		1	21	\$ 2,067	\$ 207		\$ 207	\$ 2,274
4.4 Conform the Documents		1			4	4	1	10	\$ 837	\$ 84		\$ 84	\$ 921
4.5 Prepare and Attend a Pre-Construction Meeting		8			2		1	11	\$ 1,267	\$ 127		\$ 127	\$ 1,394
4.6 Provide Limited Construction Observation Services (Review Shop Drawings, Perform Site Visits, Answer RFIs, Review Pay Applications)	2	16			60		8	86	\$ 7,816	\$ 782		\$ 782	\$ 8,598
4.7 Prepare and Submit Record Drawings		2			4	8	2	16	\$ 1,354	\$ 135		\$ 135	\$ 1,489
Subtotal	3	43	-	-	106	42	23	217	\$ 19,571	\$ 2,957	-	\$ 2,957	\$ 22,528
Total	123	619	840	-	830	142	275	2,828	\$ 267,303	\$ 31,405	\$ 16,300	\$ 47,705	\$ 315,008

Amounts shown are fee.

Personnel Category	\$/HR
Principal Eng	\$200.00
Senior Eng	\$130.00
RPR	\$78.70
Associate Eng	\$100.00
Assistant Eng	\$80.00
Design CADD Operator	\$80.00
Clerical	\$67.00

Exhibit "C"
SUBCONSULTANT PROPOSALS



**Geotechnical
and
Environmental
Consultants, Inc.**

February 1, 2006

Boyle Engineering Corporation
320 East South Street
Orlando, Florida 32801

Attention: Mr. Dwayne Kreidler, P.E.

Subject: Cost Proposal for Post-Design Geotechnical Services
CITY OF LEESBURG
Canal Street WWTF Expansion
Lake County, Florida
GEC Proposal No. 4121G

Dear Dwayne:

Geotechnical and Environmental Consultants, Inc. (GEC) is pleased to present this Cost Proposal for the above-referenced project. Our services will include site visits, attending meetings and providing evaluations and recommendations regarding subsurface conditions at the site. In addition, our services may include necessary on-site and laboratory testing. Our cost estimate for post-design geotechnical engineering services is as follows:

1.	Senior Project Engineer, 24 hours @ \$150.00/hr	\$3,600.00
2.	Project Engineer, 48 hours @ \$100.00/hr	\$4,800.00
3.	Senior Engineering Technician, 36 hours @ \$70.00/hr	\$2,520.00
4.	Secretary, 16 hours @ \$55.00/hr	<u>\$880.00</u>
	Total Cost Estimate	\$11,800.00

Units of work may vary to meet the needs of the project. However, we will not exceed the above estimate without your authorization.

Please contact us at your convenience if you need additional information. We look forward to working with Boyle Engineering Corporation on the construction phase of the City of Leesburg WWTF Expansion project.

Very truly yours,

GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS, INC.

Riad Touati, P.E.
Project Engineer

Gary L. Kuhns, P.E.
Chief Engineer

RT/GLK/ydb

1230 East Hillcrest Street, Orlando, FL 32803-4713
407/898-1818 Fax 407/898-1837 E-mail: gec@g-e-c.com
www.g-e-c.com



**Geotechnical
and
Environmental
Consultants, Inc.**

February 1, 2006

Boyle Engineering Corporation
320 East South Street
Orlando, Florida 32801

Attention: Mr. Dwayne Kreidler, P.E.

Subject: Cost Proposal for Reuse Water Storage Tank Re-Design
CITY OF LEESBURG
Canal Street WWTF Expansion
Lake County, Florida
GEC Proposal No. 4122G

Dear Mr. Dwayne:

Geotechnical and Environmental Consultants, Inc. (GEC) is pleased to present this Cost Proposal for the above-referenced project. We understand that consideration is being given to increasing the capacity of the reuse water ground storage tank which will result in increasing the tank diameter and height. Our geotechnical engineering services will include completing engineering analyses to aid design and construction of the new proposed tank structure foundation. Our cost estimate for design geotechnical engineering services is as follows:

1.	Senior Project Engineer, 4 hours @ \$150.00/hr	\$600.00
2.	Project Engineer, 8 hours @ \$100.00/hr	\$800.00
3.	Secretary, 4 hours @ \$55.00/hr	<u>\$220.00</u>
	Total Cost Estimate	\$1,620.00

Units of work may vary to meet the needs of the project. However, we will not exceed the above estimate without your authorization.

Please contact us at your convenience if you need additional information. We look forward to working with Boyle Engineering Corporation on the construction phase of the City of Leesburg WWTF Expansion project.

Very truly yours,

GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS, INC.

Riad Touati, P.E.
Project Engineer

Gary L. Kuhns, P.E.
Chief Engineer

RT/GLK/ydb

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