



CONTRACT AMENDMENT #5

This Amendment #5 (“Amendment #5”) to the Design & Permitting Services for a New Regional Park Facility on Torino Parkway under Contract #20220036 (“the Contract”), by and between the City and Kimley-Horn and Associates, Inc. (“Consultant” or “Kimley-Horn”), shall be effective as of the date this Amendment #5 is fully executed.

Consultant’s Full Legal Name:	Kimley-Horn and Associates, Inc.
Solicitation No./Event ID:	20220036
Solicitation Title/Event Name:	Design & Permitting Services for a New Regional Park Facility on Torino Parkway
Contract Award Date:	8/8/2022
Initial Contract Term:	10/3/2022 through 6/30/2023
Current Contract Expiration Date:	12/30/2026
Requested Contract Expiration Date:	12/30/2026
Initial Contract Amount:	\$257,920.00
Current Contract Amended Amount:	\$272,820.00
Requested Financial Change Amount:	\$1,816,700.00
New Contract Amount:	\$2,089,520.00
Amendment No.:	5
Amendment Type:	Extension

WHEREAS, the Contract, including any previous amendments, is in effect through the Current Contract Expiration Date, as defined above; and

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of

which are hereby acknowledged, the parties do hereby agree as follows:

The following modifications to the Terms and Conditions contained in the Contract, are hereby incorporated and made a part of that Contract.

This Amendment #5 is for the items outlined below.

1. PROJECT UNDERSTANDING:

On June 24, 2024 the City of Port Saint Lucie Council approved the Phase 1 design for Torino Regional park, consisting of the following design and program:



- **Trailhead and Bus Drop-off area:** ~1200 SF restroom/shelter building, parking lot with space for busses to maneuver, trail access, trail signage, lighting, paved 10' trail, unpaved trail, seating nodes along trail, boardwalk through wetland area, site furnishings
- **Internal park roadway with two entrances on NW North Torino Parkway,** w entry signage and required landscape buffer, sidewalk from east entrance to future roundabout.
- **Pickleball Courts:** as many as 12 courts, fences, nets, lighting
- **Skate Park area:** 15,000 SF Skate Park, ~1200 SF restroom/shelter building, shade features, ~1500 SF small maintenance building, parking lot, lighting, site furnishings
- **Destination Playground area:** a large playground area with semi-custom play features serving multiple age groups, shade sails, safety surfacing, parking, lighting, site furnishings, and picnic shelters of varying sizes. Circuit-style fitness equipment under a shade feature.
- **Splash Pad area:** ~2500 SF splash pad with shade features, picnic shelters, and required fencing, pump systems, and paved seating spaces surrounding. Equipment area to be designed above grade, screened and fenced, and with all required systems per Florida Building Code/Florida Department of Health regulations. Exact size of splash pad will ultimately be determined through design development in Task 2.
- **Parking lot and plaza:** parking for ~200 vehicles to serve the large pavilion, splash pad, playground, pickleball, and outdoor circuit fitness feature. A drop-off with entrance plaza is designed with lawn spaces with electrical outlets for events. The parking lot also has lighting, signage and site furnishings.

- **Large Group Pavilion:** seating for as many as 300 people, ceiling fans, and lighting. A building independent of the shelter cover will feature restrooms intended to serve the playground and splash pad as well as the pavilion, as well as a catering kitchen space with countertops, sinks, and electrical outlets. The intent is for serving food, not cooking.
 - The large group pavilion's shelter feature may take the form of multiple pavilions or may be eliminated and replaced with another recreation feature to be determined during design development.
- **Lakeside activity area:** kayak launch and fishing pier with shade shelters and dedicated kayaker parking.
- **Public Art:** locations for public art will be explored and designated within Phase 1.

Kimley-Horn will subcontract with CivilSurv to provide site survey services, Terraquatic to provide bathymetric survey services, Tierra South Florida for geotechnical services, Action Sports Design for skate park design services, Wet Engineering for Splash Pad engineering services, and Song + Associates for architectural services. Kimley-Horn will self-perform civil engineering, site electrical engineering, structural engineering, traffic engineering, security system design, professional environmental, and landscape architectural services.

It is our understanding that the project (Phase 1, as described above) is funded through a variety of sources for a total project budget of \$20,500,000, including a portion from the American Rescue Plan Act (ARPA). It is our understanding that the funds provided through ARPA must be expended by December 31, 2026.

Project Assumptions

- The City will contract with a Construction Manager At Risk (CMAR) who will provide constructability and budget feedback during design development/ construction document phases and will develop a Guaranteed Maximum Price (GMP) based on 90% complete plans.
- The City desires a design development phase to defined specific designs for the skate park, playground, large group shelter, splash pad, and the park configuration that incorporates all program elements.
- Services in this proposal are limited to Phase 1, as identified in the Project Understanding.
- Architectural design services are required for design of four buildings. All are assumed to require air conditioning, and consist of the following:
 - ~2100 SF restroom / catering service space/ storage building
 - ~1200 SF restroom/ shelter building (trailhead)
 - ~1200 SF restroom/ shelter building (Skate park) – same design as trailhead building
 - Maintenance building (Size to be determined): pre-engineered metal shell structure; services are required for interior build-out for office space, storage, etc.
- All open-air shelters will be designed in coordination with a pre-engineered shelter design vendor and will be developed as component elements. Final structural design, including foundation, is assumed to be prepared by the shelter manufacturer's engineer and permitted as components of the project during construction.
- The 'catering kitchen space' is assumed not to require cooking or preparing food. The catering space will be designed with countertops, electrical outlets, a sink, and space for food service brought in from a catering service. Only outdoor grilling spaces or similar will be designed under the basic services of this agreement.
- The project improvements will require the design team to submit plans to the City through a Site Plan approval process, requiring City Council approval. Variances or development waivers are not anticipated to be required. If variances or development waivers are needed to approve the project, a project amendment will be required.
- Passive Parks and Parks are allowed by code or are identified as a special exception use by code. No rezoning services are required.
- If significant modifications are made to the design after the initial site plan application is made or significant modifications are required as a result of running plan production and permit submittals concurrently, an amendment will be required.
- The Consultant team will develop a technical specifications book. Technical specifications will be assembled per City requirements.
- Limited construction phase services are required for this project, as outlined herein.
- Maintenance of Traffic (MOT) and dewatering plans, if required, will be provided by the Contractor or others.

- Paved and unpaved trails will be shown to be cleared and only rough graded within the plans. All fine grading and design to be completed in the field by the Consultant in conjunction with the selected CMAR, using GPS to locate the trail. A performance specification will be developed for GMP pricing purposes.
- Splash Pad design does not anticipate requiring a variance. Submittal preparation and presentations to the Florida Department of Health Advisory Review Board (Variance Board) is not anticipated. Those services will require a project amendment.
- Splash Pad equipment is assumed to be comprised of self-contained, pre-plumbed equipment vaults and collector tanks to be located in a designated equipment area or free-standing equipment in an equipment building designed by others. Most, if not all, splash pad equipment is desired to be installed above grade to allow for maintenance access.
- Off-site utility main extensions or off-site roadway improvements are not anticipated and services for the design of such are excluded from this agreement. Those services can be provided by the Consultant with a project amendment.
- City will provide security system equipment preferences or provide for coordination with the City's preferred security system vendor for integration with existing systems.

Scope of Services

The following services are proposed for Phase 1 design. It is our understanding that only the portion of Parcel A north of the canal will be developed as a part of Phase 1, as highlighted below. Services for this agreement are limited to this portion of Parcel A and necessary work within adjacent rights of way.



TASK 1 – SURVEY, GEOTECHNICAL SERVICES, AND PROFESSIONAL ENVIRONMENTAL SERVICES

1.1 Professional Topographic Survey Services

A subconsultant to Kimley-Horn, CivilSurv, will update the boundary survey for Parcel A with a topographic survey for the area identified above, totaling 74.92 AC (62.4 AC upland area). Survey is anticipated to take 90-150 days to complete.

Professional survey services will adhere to the Minimum Technical Standards as set forth by the Board of Surveyors and Mappers pursuant to Rule 5J-17 of the Florida Administrative Code. The topographic survey will depict the following:

- Horizontal datum, based on the East Zone of the Florida State Plane Coordinate System.
- Up to five (5) vertical control points for future construction. Vertical datum will be dependent on nearest vertical control to project. Both vertical datum points will be located on the North side of the canal.
- Locate above ground improvements to the centerline of the adjacent Right-of-Ways.
- Spot elevations at 200' intervals including intermediate highs and lows.

- Rim, invert and pipe sizes of assessable storm and sanitary lines.
- Title commitment services for all tracts.
- Depict all easements and Right-of-Ways per title commitment provided by City.
- Top of bank, bottom of bank, water's edge for all water bodies
- Locate wetland flags provided by Kimley-Horn environmental professional.
- Tree locations for trees within the improvement area footprint for trees 12" DBH and larger and all native palms with 10' of Clear Trunk.

1.2 Professional Bathymetric Survey Services

A subconsultant to Kimley-Horn, Terraquatic, will prepare a bathymetric survey within an approx. 30,000 SF area of the lake in proximity to the conceptually proposed kayak launch and associated dock facility. The bathymetric survey will be conducted using a single beam sonar system combined with RTK GPS for positional accuracy. The transects shall extend from the water's edge of the subject property continuing to the limits defined in the below exhibit. Manual poling of depths will be collected in areas inaccessible to the survey vessel. Depths will not be collected under docked or moored vessels or under docks. All survey operations will be conducted under the direct responsible charge of a Florida Licensed Professional Surveyor and Mapper and will be in accordance with the "Standards of Practice" set forth in Florida Statute 472, Administrative Code 5J17

Task 1.2 deliverables will consist of a XYZ file of the point data referenced to the NAVD 88, certified digital contour chart (PDF), and CAD file in dwg format.

1.3 Professional Geotechnical Services

Tierra South Florida (TSF), a Geotechnical Sub-consultant to Kimley-Horn will perform the following exploration services:

Supporting Soils, Structures:

- Three (3) Standard Penetration Test (SPT) borings to 30 feet.
- Two (2) SPT Borings to 50' for piles

Access Roadways and Parking:

- Ten (10) Auger Borings (or SPT Borings) to 6 feet.
- Three (3) Soil Samples and Lab Tests for Limerock Bearing Ratio (LBR) Tests

Drainage:

- Three (3) Borehole Permeability (BHP) Tests

Field exploration work will be performed in the daytime and site access will be coordinated with the City prior to our mobilization. Prior to drilling at the project site, TSF will notify the local utility companies and request that underground utilities be marked. It is not expected that utility companies will mark privately owned utilities. This scope assumes that utility lines will be located in the field by others prior to mobilization of the drill rig, if the Florida 811 Utility System does not clear the site. As an alternative, the City may provide the "all clear" if sufficient knowledge of the site utilities is known.

A geotechnical engineer will evaluate the results of all drilling and laboratory testing. A report will be issued that contains the following information:

General

- Summary of USDA Soil Information for the project area
- Soil Profiles / Boring Logs
- Boring Location Plan
- Results and Summary data for Laboratory Testing
- Groundwater Table
- Seasonal High Groundwater Table Estimate

Foundations

- Recommendations for Shallow Foundation Bearing Capacity

- Estimate of settlement and differential settlement
- Discussion of issues that may affect the foundations.
- Details for Compaction

Slabs

- Subgrade Modulus
- Details for Compaction

Drainage

- Summary of Soil Parameters related to the drainage testing completed (K value in Ft/day)

Pavement

- General recommendations for Asphalt (Flexible) Pavement Design
- General recommendations for Rigid (Concrete) Pavement Design for truck parking or dumpster pads.
- Details for Compaction

Pavement Support

- Limerock Bearing Ratio (LBR) values from testing

Fishing Pier

- Pile Capacity Estimates for Timber Piles
- Soil Parameters for input for Lateral Pile Analyses.

1.4 Professional Environmental Services

Consultant will provide the following services:

- ***Formal Wetland Delineation and Updated General Listed Species Survey***

Kimley-Horn will formally delineate wetlands and surface waters within the project limits. Wetlands will be delineated based on the Florida unified wetland delineation methodologies identified in Chapter 62-340, Florida Administrative Code (FAC), and United States Army Corps of Engineers (USACE) 1987 Wetland Delineation Manual and regional supplement. We will coordinate with the project surveyor to provide wetland flag locations for the project topographic survey, as noted above.

Kimley-Horn will also conduct a general listed species survey while onsite for the wetland delineation. This survey will include a 15% gopher tortoise survey. This scope does not include detail listed species surveys, such as a 5-day survey for the Florida scrub-jay. Should a formal scrub-jay survey be required by the agencies, this will require a project amendment.

- ***USACE Federal Permit Application***

It is anticipated that federal permitting with the USACE is required, due to parts of the project (proposed fishing pier and proposed kayak launch) taking place in within Waters of the US. Kimley-Horn will prepare either an USACE Nationwide permit application or an USACE Regional General Permit application. If it is determined that a Standard permit application is instead required, this will be considered an Additional Service for the extra effort required to prepare this application, including an Alternatives Site Analysis. The application will include site plan drawings indicating the limits of proposed activities including, the limits of existing wetlands and surface waters delineated in Task 1, and proposed impacts to existing wetlands and surface waters (if applicable). Under this scope, Kimley-Horn will coordinate wetland mitigation in the form of a purchase from a wetland mitigation bank (if wetland impacts are proposed). If onsite or offsite mitigation is instead proposed, Kimley-Horn will prepare a separate scope and fee for the effort required to create an onsite or offsite mitigation plan. Additionally, it is assumed wetland mitigation credits can be purchased from a mitigation bank that is in the same drainage basin as the proposed project. Once the application is submitted, Kimley-Horn will respond to up to two RAIs. Kimley-Horn will also attend up to one onsite meeting with USACE. Any additional RAIs or meetings with USACE will be considered additional services. All permit application fees shall be paid by the Client.

- ***State Environmental Resource Permit (ERP) Application***

Kimley-Horn will assist in the preparation of an Individual application for an Environmental Resource Permit (ERP) to be submitted to South Florida Water Management District (SFWMD). Kimley-Horn will use the information obtained in Task 1, as well as previously prepared environmental documents (the Natural Resources Assessment previously prepared by Kimley-Horn), to fill out sections A and C of the Individual ERP application. Kimley-Horn can complete Section E of the ERP application with the assistance of the project engineer. Associated wetland mitigation tables as well as figures depicting the limits of proposed wetland fill and excavation, if applicable, will be provided. Under this scope, Kimley-Horn will coordinate wetland mitigation in the form of a purchase from a wetland mitigation bank. If onsite or offsite mitigation is instead proposed, Kimley-Horn will prepare a separate scope and fee for the effort required to create an onsite or offsite mitigation plan. Additionally, it is assumed wetland mitigation credits can be purchased from a mitigation bank that is in the same drainage basin as the proposed project. If only credits are available outside of the drainage basin, then a Cumulative Impacts Analysis (CIA) will be required, which is not included with this scope. A CIA will be considered an Additional Service.

For this task, it is assumed that the same mitigation provided for USACE will be sufficient for SFWMD.

Prior to submitting the application, Kimley-Horn will attend one pre-application meeting with SFWMD. Once the application is submitted, Kimley-Horn will attend up to one meeting on-site with SFWMD to verify the existing site conditions and will respond to up to three RAIs from SFWMD with the assistance of the project engineer. All permit application fees shall be paid by the Client.

The following services are not included in the Environmental Services Scope. These services can be provided by Kimley-Horn with a project amendment:

- Cumulative Impacts Analysis
- Alternative Sites Analysis
- USACE Standard Permit Application
- Onsite or Offsite mitigation plans
- 100% Gopher tortoise survey, tortoise permitting and relocation.
- Listed species permitting i.e. Incidental Take Permits/Habitat Conservation Plans
- Formal listed species surveys
- ***Environmental Permit Sketches***
 Consultant will prepare concept level Environmental permit sketches and drawings of the project showing overall layout of the elements required for submittal with the environmental permit application such as boardwalks, kayak launches, fishing piers as well as other waterside improvements. Permit sketches will include conceptual details, and definition of the general project scope. These permit sketches and drawings will be used during the environmental permitting task as an attachment to the Environmental permit application. These sketches will not be construction drawings and are intended for environmental permit submission only.

TASK 2 – DESIGN DEVELOPMENT

Using the approved masterplan as a guide, Kimley-Horn will further develop designs for the following:

- Destination Playground
- Large Group Pavilion/ alternate recreation option area
- Splash Pad
- Fishing pier and kayak launch
- Skate Park area
- Trailhead and trail features
- Site furnishings
- Lighting features
- Entry signage
- Boardwalk

- Pickleball area
- Outdoor circuit-style fitness area
- Public Art locations

For this task, the Consultant will provide the following services:

- Project kick-off meeting with the City and CMAR
- Preparation of conceptual plan view designs for the above-listed elements. Conceptual designs will be presented as line drawings, drawn to scale. Drawings presented to City staff will be black and white or with colors, along with 3D images in support of design elements. Up to three concepts will be prepared for each element.
- Consultant will present concepts to City for feedback and direction. It is anticipated that meetings with City Manager's office and Council members will be required to determine conceptual design direction. Consultant will attend up to eight in-person meetings to present concepts.
- Concept designs will be revised based on feedback received and a final concept design package will be prepared, with plan views and supporting 3D renderings to support the designs.
- Consultant will present the final concept design package to City Manager's office, City staff, and City Council.

Deliverables for this task:

- **Conceptual design drawings for City presentation, as well as iterative PDFs for input between meetings. Rough draft renderings will be prepared for review during meeting.**
- **3D renderings, presented as PDFs or fly-through video.**
- **Final concept package of plan view renderings and supporting 3D renderings/images**

TASK 3 – PRELIMINARY PLANS AND DESIGN

Kimley-Horn will refine the conceptual design and prepare site plans with preliminary engineering design, architectural elevations and floorplans, preliminary site lighting, and landscape design. This Preliminary design will be based upon the Client approved conceptual design per Task 2. Approval of the conceptual design is assumed to be within the limits agreed upon in the project schedule. Any modifications to the conceptual design after Task 3 have been initiated will require a project amendment.

During this task, Kimley-Horn will perform the following:

- Contact utility owners and request readily available information depicting the locations and configuration of existing utilities within the project area.
- Attend one coordination meeting with each regulatory agency having jurisdiction over the project to discuss permitting requirements.
- Identify City design related ordinances.
- Prepare plans per the City's SPRC requirements, consisting of the following:

Site Plan will consist of the proposed improvements and begin to develop data tables for City submittals.

Preliminary Paving and Drainage Plans will show proposed improvements to the existing site drainage and will provide minimal grading for the parking area to show direction of flow. The plans will also provide grading for the proposed park amenities to include ADA requirements and will include drainage details.

Preliminary Utility Plans to show general locations of water and sewer service for the proposed building and bathroom facilities and proposed site water fountains.

Preliminary Signing and Marking Plans to show proposed site signage and striping for access to the parking lot. Typical details will be provided, as required for City submittals.

Tree Disposition plans showing trees to remain, protected and removed.

Planting plans for proposed improvement areas will delineate plant material, plant quantities, plant schedules, specifications and project-specific planting details, including code required planting calculations.

Irrigation plans showing schematic coverage and proposed source.

Hardscape plans based on Client design input gathered during the Conceptual Design Task. Kimley-Horn will prepare limited detailing for exterior elements, specialty pavement treatments, and finishes.

Preliminary Site Electrical Plans for proposed improvement areas will diagram the electrical service and lighting for the proposed parking lot and service to the proposed restroom building.

Architectural plans to show floor plans and elevations of the proposed buildings. Detailed scope as outlined in Task 7.

- Consultant will Submit the plans prepared under this task to the SPRC for review and attend one meeting with the Client to discuss. Refer to Permitting Services, Task 5.

Task 3.1: Traffic Study

Kimley-Horn will prepare a site-specific traffic impact study for the proposed plan of development. As part of this task, Kimley-Horn will perform the following services:

- Attendance at one traffic methodology meeting with City staff and/or the City's traffic consultant.
- Preparation of a methodology memorandum summarizing how the study will be performed.
- Utilize previously collected PM peak hour and Saturday peak hour turning movement counts to prepare volume development calculations at up to five intersections.
- Apply FDOT peak season adjustment factors to the raw count data.
- Apply historical growth rates in the area to adjust existing year counts to Future Background conditions without project traffic (Year 2029).
- Calculate the anticipated trip generation potential for the new proposed plan of development on a weekday PM peak hour and Saturday peak hour basis.
- Distribute the project trips based on the local roadway characteristics and complementary land uses in the area.
- Calculate Future Total (Year 2029) traffic volumes by adding project traffic to Future Background traffic.
- Conduct an operational analysis at up to five intersections for Existing, Future Background, and Future Total conditions using Synchro 12.0 software.
- Provide mitigation suggestions, if applicable, for roadways or intersections which are not projected to meet level of service (LOS) standards.
- Review existing and proposed pedestrian and bicycle facilities within one mile radius and two-mile radius of the project and make suggestions to improve multi-modal circulation, if needed.

The findings of this task will be summarized in a written traffic report. Relevant tables, figures and data summaries will be prepared and included in the report. Up to five hard copies and one digital copy of the report (PDF format) will be provided for Client use. Up to one round of reasonable comments will be included as part of this task.

Task 4 – FINAL PLANS AND DESIGN

Consultant will prepare Final Plans based on the approved site plan package prepared under Task 3. Plans prepared under this task shall be comprised of drawings that establish, in detail, the quality levels of the materials and systems required for the project.

This task assumes a progress submittal at approximately 60% design, and a formal submittal at 90% for the

CMAR's development of the GMP and for permit submittal. Up to two rounds of reasonable comments will be addressed at the 90% submittal. Revisions to plans based on CMAR input will be accounted for in progress submittals and milestone deliverables.

- **Drawings:** Kimley-Horn shall submit to the City for review and comment drawings from applicable disciplines. These shall include civil, architectural, electrical, structural, and landscape architectural, assuming the following:
 - **Cover Sheet**
 - **General Notes**
 - **Site Survey**
 - **Demolition Plans**
 - **Stormwater Pollution Prevention Plans (SWPPP)**
 - **Site Plan** for proposed improvement areas will delineate the site program elements as described in the Project Understanding.
 - **Paving and Drainage Plans** will show proposed improvements to the existing site drainage and will provide grading for the parking area. The plans will also provide grading for the proposed park amenities to include ADA requirements and will include drainage details.
 - **Utility Plans** to show water and sewer services for all buildings, and proposed site water fountains. Grease Trap design will be provided, as required. Coordinate and define easements if required as part of the project.
 - **Signing and Marking Plans** to show proposed site signage and striping for the proposed access to the parking lot. The plans will also provide signing and marking details.
 - **Hardscape plans**, details, and specifications for all recreation program elements
 - **Horizontal Control Plans** in support of the site design/hardscape design.
 - **Site Structural Plans**
 - **Site Structural Details**
 - **Splash Pad Engineering Plans** as described under Task 6.
 - **Splash Pad Engineering details** as described under Task 6.
 - **Planting Plans** details, and specifications
 - **Irrigation plans**, details and specifications to describe connection to the existing irrigation system, pipe sizes, equipment schedules,
 - **Site Electrical Plan** for main service to site, sub-services to buildings and all amenities, as well as conduit design for future on-property fiber optic network and security systems.
 - **Site Photometric Plan** for pedestrian and vehicular lighting
 - **Site Electrical Details**
 - **Site Electrical Diagrams**
 - **Site Electrical Panel Schedules**
 - **Architectural Plans** as described under Task 7.
 - **Architectural Elevations** as described under Task 7.
 - **Architectural Details** as described under Task 7.
 - **MEP** as described under Task 7.
 - **Electrical Plans**
 - **Mechanical Plans**
 - **Plumbing Plans**
 - **Building Structural plans** as described under Task 9
- Consultant will Submit the plans prepared under this task to the building department and other regulatory agencies as described in Permitting Services, Task 5.
- A site plan rendering will be prepared at this stage for the City's use.

TASK 5 – PERMITTING SERVICES

Permit Applications

Kimley-Horn will prepare and submit applications, calculations, supporting documents and plans for review by the following agencies:

- City of Port St. Lucie Site Plan Review Committee (SPRC).
- St. Lucie County Fire District.
- Port St. Lucie Final Construction Drawing approval by City staff.
 - City of Port St. Lucie Public Works.
 - City of Port St. Lucie Utility Systems Department (“PSLUSD”) for water and wastewater.
- SFWMD ERP (stormwater) Permit.
- SFWMD Consumptive Water Use for Irrigation.
- South Florida Consumptive Water Use Permit, dewatering.
- FDEP NPDES Notice of Intent.

No other agency approvals are anticipated or included in this scope of services other than those identified above or as identified in Tasks 6 and 7. The Consultant will respond to two rounds of comments generated by each agency listed above and will provide revisions to the plans and a response to comments letter. Additional comment responses will be considered an additional service.

All permitting fees will be the responsibility of the Client.

TASK 6 – SPLASH PAD ENGINEERING SERVICES

A Subconsultant to Kimley-Horn, WET Engineering, Inc., will provide the following splashpad aquatics engineering design services:

- Subconsultant will work with Kimley-Horn design team for the design development and splash pad feature selection for a new ±2,500 sf Splash Pad with an assortment of overhead and ground sprays. Subconsultant will review proposed designs during design development to ensure compliance with state codes for Splash Pad. Subconsultant will coordinate with the project architect to ensure compliance with county and state codes relative to aquatics requirements (if necessary) for restroom facilities.
- Prepare construction drawings and specifications for the splash pad. Plans will include design of recirculation system including all equipment, piping, and appurtenances, including dichlorination devices, sand filters, etc. if needed. All pump and chemical feed equipment will be designed in above-grade enclosures. Sensitive equipment may require air-conditioned enclosures to be specified. Electrical design will consist of specification of low-voltage pool lighting, wiring to lighting equipment, and grounding and bonding plan and details for splash pad decks and equipment. Subconsultant will coordinate with project team with respect to equipment area layout, power requirements, potable and wastewater connections, etc. Specifications for splash pad equipment and materials will be on the aquatic drawings.
- Prepare structural design of standard splash pad shell along with complete concrete and steel specifications. Drawings will include necessary structural details for the splash pad. Should soil conditions warrant the use of grade beams, pilings or other special structures, the design fee will be revised accordingly.
- Splash Pad electrical engineering is limited to the design of low-voltage underwater lighting systems and wiring to subpanels in equipment vaults. Subconsultant will coordinate with the site electrical engineer and provide electrical load requirements for all pool and water feature equipment.
- Subconsultant will coordinate with site civil engineer for potable water and storm water connections to the Subconsultant-designed Splash Pad systems.
- Prepare construction drawings and associated materials for submittal to the local Building Department (BD) and the Florida Department of Health (FDOH) for review, approval and issuance of construction permits for Pool. Task includes response to BD and FDOH requests for additional information as needed. Task does not include onsite submittal to BD.
- Aquatics Engineering Limited Construction Phase Services:
 - Perform shop drawing review for Splash Pad prior to construction as necessary. Provide responses to requests for additional information throughout construction process.

- Perform steel inspection for Splash Pad prior to concrete installation and provide findings report to Client. Perform certification inspection for splash pad following construction. Subconsultant will inspect splash pad and equipment for compliance with state codes. Provide punch list to Client detailing deficient items. Provide assistance as necessary for approval of initial operating permit for splash pad from the FDOH
- Aquatics Engineering Meetings and Coordination: Participation in up to 40 conference calls/online meetings. Coordination with other disciplines.

TASK 7 – ARCHITECTURAL SERVICES

A Subconsultant to Kimley-Horn, Song + Associates, Inc. (Song), will provide Architectural design together with MEP Engineering Services. Structural Engineering will be provided by Kimley-Horn. The following architectural services will be provided:

Architectural Design Development

- Prepare floor plans, preliminary elevations and roof plan showing relationship and location of the building components on site.
- Prepare outline specifications.
- Participate in progress meetings with client as needed to show design approach.

Architectural Construction Documents

- Prepare roof plans, selective elevations, sections, and critical details showing the relationship of project components for Owner review and approval.
- Initiate Building Department discussions to receive their input regarding design review and necessary documentation
- Prepare contract documents inclusive of drawings and specifications describing in technical detail the construction work to be done inclusive of materials, equipment, workmanship and finishes.
- Coordinate with Kimley Horn the requirements for front end specifications pertaining to the project.
- Participate in progress meetings with Kimley Horn and any preferred manufacturer/ installer.
- Provide a final coordinated set for Owner review.

Permit services and GMP Assistance

- Provide signed and sealed drawings as required by the permitting agency.
- Respond to permit review comments and provide revised drawings
- Respond to CMAR/ Subcontractor questions and RFIs.
- Issue revised documents required by in responses to CMAR questions and RFIs.
- Provide a conformed set of documents incorporating all pertinent revisions including Building Department permit review comments, addenda and responses to RFIs.

Limited Construction Phase Services (Architectural)

- Provide responses to Contractor construction RFI's
- Review and process shop drawings and samples.
- Attendance at monthly OAC (Owner/ Architect/ Contractor) meetings. Maximum 1 per month.
- Conduct periodic site observation visits that coincide with OAC meetings to evaluate construction relative to the intent of the documents. Site Observations are limited to one (1) per month with observation reports issued.
- Issue Certificates for Substantial Completion with punch list items.

Architectural plan submittals will be prepared coinciding with overall project submittals.

TASK 8 – SKATE PARK DESIGN SERVICES

The following services will be provided by a subconsultant to Kimley-Horn, Action Sports Design:

Task 8.1 – Programming & Conceptual Design

- Subconsultant will host a virtual skate park design kick-off meeting to verify work program, schedule, budget, and channels of communication. Subconsultant will issue a data sheet/questionnaire for the Client and Consultant to complete prior to the first project meeting to assist Subconsultant in the programming and design of the Skate Park.
- Data will be collected as it relates to the existing site and proposed development to ensure an understanding of the site and park program. Consultant will provide available project data for Subconsultant's use, such as geotechnical report and site survey.
- Subconsultant will coordinate with City staff to determine:
 - Operational or maintenance concerns that may pertain to the skate park. Subconsultant will use this information in the development of the skate park design.
 - Design themes and local context elements that may be incorporated into the design
- Subconsultant will prepare up to two initial concept designs, displaying skate park flow and skill level diagrams
 - Concept designs will be furnished in the form of bubble diagrams illustrating the layout and program relationships of the skate park to the adjacent site amenities.
 - Diagram activity zones, approximate size of amenities and circulation throughout each transition zone.

In-person Coordination and Public Meeting #1

- Subconsultant will conduct three separate meetings, assumed to occur on the same date:
 - Subconsultant/ Consultant coordination meeting
 - Meeting with City staff
 - Skate Park Public Meeting (#1), typically starting between 6:00 – 7:00 PM, will be a design workshop session to present the Skate Park bubble diagrams and develop consensus. Subconsultant will also present various skate park styles and elements for public feedback.

Task 8.1 Deliverables

- Documentation of kick-off meeting and subsequent coordination with City and Consultant
- Diagrammatic sketches of proposed site layout concepts.
- Public Meeting materials/ results: sign in sheet, meeting agenda, questionnaires, pros and cons exercise sheets, power point presentation, group sketches and online results.
- Deliverables will be provided in digital format, printable to 8 ½" x 11", 11"x17" and 24"x36".

Task 8.1 Schematic Design Phase

Based upon specific design criteria gathered from the Client/City and public input obtained from the first public meeting, Subconsultant will provide the following Schematic Design services:

- **Prepare up to two skate park conceptual** design plans that will depict site facilities and relationships. Specific concept to be reviewed under this contract shall be limited to the following items:
 - Develop a maximum of two (2) conceptual Skate Park designs identifying horizontal layout of the park based on the conceptual bubble diagram layout and client approval.
 - Pedestrian access and circulation system.
 - Relationship between Skate Park elements and existing/proposed recreation areas.
 - Landforms and grading concept (Skate Park limit of work only).
- **Attend up to three virtual meetings with Client and/or Consultant**
- Provide project website for the skate park design that will provide the following:
 - Concept photos/drawings will be displayed on the website.
 - Community will be able to interact with Subconsultant and provide design feedback.

- Develop up to two draft skate park designs based on conceptual layouts, design team input, City input, client input, and public design workshop comments.
- Work with CMAR to determine preliminary opinion of probable cost for the Skate Park elements.

In-person Coordination and Public Meeting #2

- Subconsultant will conduct two separate meetings, assumed to occur on the same date:
 - Client and Consultant coordination meeting
 - Public-Skate Park Meeting (#2), typically starting between 6:00 – 7:00 pm, will be held to facilitate a work session to develop consensus and present the refined concept based on workshop #1 feedback.

Task 8.1 Deliverables

- Conceptual site plans and improvement sketches to be used as a basis for the future construction documents.
- Final Skate Park schematic master plan.
- Preliminary costs for Skate Park based on current market conditions.
- Final Skate Park Design graphics in 3-D Format.
- Deliverables will be provided in digital format, printable to 8 ½" x 11", 11"x17" and 24"x36".

Task 8.2 -Design Development Phase

Upon Client approval of the schematic designs plans prepared under Task 8.1, Subconsultant will provide the following design development drawings services:

- Host a virtual project meeting with Client and Consultant to review the following:
 - ASD will make available to the Client a copy of the final plan prior to project meeting #3.
 - Evaluate Skate Park plan for security, access and code compliance.
 - Review plan for innovation, value engineering, and review design schedule.
- Provide exhibits for presentation to the Client for proposed materials and skate park components.
- Prepare site plan base information for use in developing design documents. Consultant will provide CAD file of site design for Subconsultant use.
- Prepare preliminary skate park material reference plan that identifies all major amenities, keyed to a description and referencing details, enlargements and sections.
- Prepare preliminary layout plan, identifying location of skate park elements using horizontal coordinates, curve data & vertical elevations for surface areas only.
 - Enlargements of detail areas may also be prepared as a part of this task.
- Prepare 3-D rendering of the skate park elements.
- Prepare preliminary grading and drainage plan that displays surface spot grades at necessary points to convey intended elevations and direction of flow, as well as preliminary location and sizing of drainage structures.
 - Drainage design will be provided by Consultant. Subconsultant's drainage design services are limited to identifying surface elevations from edge of concrete inward and rim elevations for drain locations.
- Prepare sections and/or profiles at appropriate scale(s) to convey the overall Skate Park design intent.
- Prepare Construction Details for elements within the skate park that fall under this scope of work within the project limit of work lines.
- Prepare preliminary Specifications in support of the design development drawings
- Work with CMAR to confirm skate park budget for the Skate Park elements.
- Prepare preliminary skate park lighting layout plan and photometrics, identifying lighting type, manufacturer, power requirements. Subconsultant will coordinate with Consultant for electrical service and conductor routing to lighting elements.
- Attend one virtual design development review meeting.

Task 8.2 Deliverables

- Preferred Master Plan rendered on 24" x 36" sheet at an appropriate scale and revised sketches of any amenity revisions in digital format.
- Materials and specified element exhibits and/or product samples for review and approval.
- Preliminary plans and progress drawings as described above.
- Deliverables will be provided in digital format, printable to 8 ½" x 11", 11"x17" and 24"x36".

Task 8.3 - Construction Documents

Upon Client approval of the design development package submitted under Task 8.2, the following services will be provided to prepare construction documents for the skate park:

- Review approved Design Development drawings and Master Schedule.
- Prepare 90% Construction Documents for GMP development by the CMAR. The following will be produced:
 - Skate Park Features Plan
 - Skate Park Materials Plan
 - Skate Park Jointing Plan
 - Skate Park Concrete Plan
 - Skate Park Layout Plan
 - Skate Park Surface Grading and Drainage Plan
 - Skate Park Sections and Profiles Plan
 - Skate Park Construction Details, with structural engineering prepared by a Florida licensed structural engineer.
 - Structural design and calculations will be required for City permit reviews
 - Skate Park Specifications in CSI Format
 - Site grading plan-Surface only from edge of deck inward.
 - Skate Park drainage design - Surface only from edge of deck inward.
 - 90% Specifications
- Subconsultant will submit 90% plans for Client and Consultant review and comment and provide input and coordination with the CMAR during development of the GMP.
 - 90% plans will be revised during this stage to address comments.
- Upon Client acceptance of the CMAR's GMP, 100% construction documents will be prepared, incorporating input provided by Client, Consultant and CMAR

Task 8.3 Deliverables

- Full signed and sealed construction documents, prepared by Florida licensed professional engineer(s) and landscape architect.
- Technical specifications and table of contents in either PDF or Word format.
- Subconsultant can provide the AutoCAD files, if requested. Construction shall be based on signed and sealed hard copy plans only.
- Deliverables will be provided in digital format, printable to 8 ½" x 11", 11"x17" and 24"x36".

Task 8.4 – Limited Construction Phase Services – Skate Park

- Subconsultant will attend a virtual Pre-Construction Conference before the start of construction.
- Subconsultant will make up to four in-person visits to observe the progress of the work. Observations will not be exhaustive or extend to every aspect of Contractor's work, but will be limited to spot checking, and similar methods of general observation. Based on the site visits, Consultant will evaluate whether Contractor's work is generally proceeding in accordance with the Contract Document and keep Client informed of the general progress of the work.

The following in-person visits are recommended:

- Site Layout and Excavation Review-Forms
 - Rebar layout/ metal fabrications review
 - Concrete Walls, Ledges & Stair Review
 - Shotcrete work review
 - Project Close-out (described below)
- Subconsultant will not supervise, direct, or control Contractor's work, and will not have authority to stop the Work or responsibility for the means, methods, techniques, equipment choice and use, schedules, or procedures of construction selected by Contractor, for safety programs incident to Contractor's work, or for failure of Contractor to comply with laws. Subconsultant does not guarantee Contractor's performance and has no responsibility for Contractor's failure to perform in accordance with the Contract Documents.
 - Subconsultant is not responsible for any duties assigned to it in the construction contract that are not expressly provided for in this Agreement.
 - Subconsultant will review Shop Drawings and Samples and other data which Contractor is required to submit, but only for general conformance with the Contract Documents. Such review and any action taken in response will not extend to means, methods, techniques, equipment choice and usage, schedules, or procedures of construction or to related safety programs. Any action in response to a shop drawing will not constitute a change in the Contract Documents, which can be changed only through the Change Orders.
 - Project close-out: Subconsultant will conduct a final site visit to evaluate whether the completed Work of Contractor is generally in accordance with the Contract Documents and the final punch list so that Consultant may recommend final payment to Contractor.

TASK 9 – STRUCTURAL ENGINEERING SERVICES

The Consultant will provide the following structural engineering services:

- Boardwalk design through wetland with foundation and superstructure design in wood and/or heavy timber. Consultant will prepare a performance specification and design criteria for the railing system. Scope also considers the preparation of a performance spec and design criteria for the use of a composite deck system if selected by Client prior to starting Task 4.
- Full building structural design for the following buildings. These buildings are assumed to be framed in CMU with pre-engineered truss roof system:
 - Approximately 2000 SF restroom/storage building
 - Two identical approximately 1200 SF restroom/ shelter building (one at trailhead and one at skate park)
- Foundation design for one small maintenance building approximately 1500 SF and the preparation of a performance spec and design criteria for pre-engineered metal shell structure which will rest on the consultant designed foundation.
- Foundations for up to three light pole types, assuming a precast foundation type. Design will indicate foundation depths and reinforcing.
- Kayak Launch layout and performance spec preparation inclusive of design criteria for use by a vendor to develop detailed drawings.
- Fishing pier design over the lake inclusive of foundation design and superstructure design in wood and/or heavy timber. Consultant will prepare a performance specification and design criteria for the railing system. Scope also considers the preparation of a performance spec and design criteria for the use of a composite decking system if selected by Client prior to starting Task 4.

The Consultant will provide the following more specific structural design services for the above elements:

- Design Development Conceptual Design Support
- Construction Drawings Preparation: Structural drawings that show the design and construction requirements for the Project once the final concept is established and approved.

- Technical Specifications Preparation: Written Technical specifications for the work will be applied to the drawings only, where applicable and required.
- Design Meetings and Coordination: Consultant will meet with the Client during construction document development to discuss progress and general layout of the Project. Up to two on site in person meetings and up to twenty virtual meetings are assumed as part of this task.

Structural engineering plan submittals will be prepared coinciding with overall project submittals.

TASK 10 – SECURITY SYSTEM DESIGN SERVICES

The Consultant will prepare a security system design for Phase 1, designed to be extended to future phases. The security system will feature cameras, blue phone(s), license plate readers, controls, and data/conductor/conduit routing. The following services will be provided:

- Coordination with City staff, assumed to include the City's security specialist and security system supply vendor, to confirm scope and equipment preferences, and locations for equipment.
- Prepare concept routing diagram and equipment layout for City approval.
- Prepare security system plans, details, and specifications for permitting and construction

Security system plan submittals will be prepared coinciding with overall project submittals.

TASK 11 – CMAR COORDINATION AND PROJECT MANAGEMENT

The Consultant will provide the following CMAR coordination and project management services related to initiating, planning, executing, controlling, and closing the Project:

- Up to ten (10) meetings with CMAR and Client during design
- Review of GMP on behalf of the Client, limited to confirming quantities and completeness of the GMP.
- Contract management and sub-contract management
- Accounting and monthly invoicing
- Project schedule management
- Deliverables and submittals coordination
- Client service coordination

TASK 12 – LIMITED CONSTRUCTION PHASE SERVICES

Consultant will provide the following limited construction phase services:

Pre-Construction Conference. Consultant will attend a Pre-Construction Conference before the start of construction.

Site Visits and Construction Observation. Consultant will make visits twice per month to observe the progress of the work for a total of up to 30 visits. Observations will not be exhaustive or extend to every aspect of Contractor's work, but will be limited to spot checking, and similar methods of general observation. Based on the site visits, Consultant will evaluate whether Contractor's work is generally proceeding in accordance with the Contract Document and keep Client informed of the general progress of the work. Consultant will not supervise, direct, or control Contractor's work, and will not have authority to stop the Work or responsibility for the means, methods, techniques, equipment choice and use, schedules, or procedures of construction selected by Contractor, for safety programs incident to Contractor's work, or for failure of Contractor to comply with laws. Consultant does not guarantee Contractor's performance and has no responsibility for Contractor's failure to perform in accordance with the Contract Documents. Consultant is not responsible for any duties assigned to it in the construction contract that are not expressly provided for in this Agreement.

Construction Meetings. Consultant will attend construction meetings on site or virtually up to four times per month. It is our understanding that the Contractor will prepare the meeting record.

Recommendations with Respect to Defective Work. Consultant will recommend to Client that Contractor's work be disapproved and rejected while it is in progress if Consultant believes that such work will not produce a completed Project that generally conforms to the Contract Documents.

Clarifications and Interpretations. Consultant will respond to reasonable and appropriate Contractor requests for information made in accordance with the Contract Documents and issue necessary clarifications and interpretations. Any orders authorizing variations from the Contract Documents will be made only by Client.

Change Orders. Consultant may recommend Change Orders to the Client and will review and make recommendations related to Change Orders submitted or proposed by the Contractor.

Shop Drawings and Samples. Consultant will review Shop Drawings and Samples and other data which Contractor is required to submit, but only for general conformance with the Contract Documents. Such review and any action taken in response will not extend to means, methods, techniques, equipment choice and usage, schedules, or procedures of construction or to related safety programs. Any action in response to a shop drawing will not constitute a change in the Contract Documents, which can be changed only through the Change Orders.

Substitutes and "or-equal/equivalent." Consultant will evaluate the acceptability of substitute or "or-equal/equivalent" materials and equipment proposed by Contractor in accordance with the Contract Documents.

Inspections and Tests. Consultant may require special inspections or tests of Contractor's work and may receive and review certificates of inspections within Consultant's area of responsibility. Consultant's review will be solely to determine that the results indicate compliance with the Contract Documents and will not be an independent evaluation that the content or procedures of such inspections, tests, or approvals comply with the Contract Documents. Consultant is entitled to rely on the results of such tests.

Disputes between Client and Contractor. Consultant will, if requested by Client, render written decision on all claims of Client and Contractor relating to the acceptability of Contractor's work or the interpretation of the requirements of the Contract Documents. In rendering decisions, Consultant shall be fair and not show partiality to Client or Contractor and shall not be liable in connection with any decision.

Applications for Payment. Based on its observations and on review of applications for payment and supporting documentation, Consultant will recommend amounts that Contractor be paid. Recommendations will be based on Consultant's knowledge, information, and belief, and will state whether in Consultant's opinion Contractor's work has progressed to the point indicated, subject to any qualifications stated in the recommendation. Consultant's recommendations will not be a representation that its observations to check Contractor's work have been exhaustive, extended to every aspect of Contractor's work, or involved detailed inspections.

Substantial Completion. When requested by Contractor and Client, Consultant will conduct a site visit to determine if the Work is substantially complete. Work will be considered substantially complete following satisfactory completion of all items with the exception of those identified on a final punch list.

Final Notice of Acceptability of the Work. Consultant will conduct a final site visit to evaluate whether the completed Work of Contractor is generally in accordance with the Contract Documents and the final punch list so that Consultant may recommend final payment to Contractor.

Record Drawings. As an additional service if required, Consultant will prepare a record drawing showing significant changes reported by the Contractor or made to the design by Consultant. Record drawings are not guaranteed to be as-built but will be based on information made available.

additional services

Any services not specifically provided for in the above scope will require a project amendment. Additional services we can provide include, but are not limited to, the following:

- LEED related design and certification services
- Major redesign effort due to change in overall project scope, budget, or programming after completion of Task 2
- Repair details or as-builts due to contractor's error or unauthorized deviation
- Full time construction administration or on-site project representative
- Value engineering drawing revisions after completion of Task 3
- Preparation of as-built drawings.

Information Supplied by the Client

The following information, upon which the Kimley-Horn may rely, will be provided to Kimley-Horn and Associates, Inc. by the Client or its representatives:

- Legal documentation including warranty deed, lease, legal description of parcel(s)
- Access to the site

Fee and Expenses

Kimley-Horn will perform the services in **Tasks 1-12** for the total lump sum labor fee below, inclusive of expenses (see below). Individual task amounts are informational only. All permitting, application, and similar project fees will be paid directly by the Client.

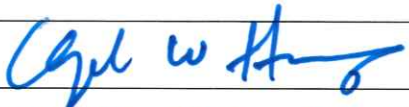
Task 1.1	Site Topographic Survey Services	\$ 82,070
Task 1.2	Bathymetric Survey Services	\$ 3,000
Task 1.3	Geotechnical Services	\$ 20,880
Task 1.4	Professional Environmental Services	\$ 82,700
Task 2	Design Development	\$ 135,360
Task 3	Preliminary Plans and Design	\$ 157,095
Task 3.1	Traffic Study	\$ 14,500
Task 4	Final Plans and Design	\$ 511,010
Task 5	Permitting Services	\$ 51,200
Task 6	Splash Pad Engineering Services	\$ 32,000
Task 7	Architectural Design Services	\$ 147,135
Task 8	Skate Park Design Services	\$ 180,000
Task 9	Structural Engineering Services	\$ 98,770
Task 10	Security System Design Services	\$ 17,980
Task 11	Project Management and CMAR Coordination	\$ 57,500
Task 12	Limited Construction Phase Services	\$ 226,100
Total Lump Sum Labor Fee		\$ 1,816,700

2. SUCCESSORS AND ASSIGNS. This Amendment #5 shall be binding upon and inure to the benefit of the successors and permitted assigns of the parties hereto.

3. ENTIRE AGREEMENT. Except as expressly modified by this Amendment #5, the Contract, including any written amendments thereto, shall be and remain in full force and effect in accordance with its terms and shall constitute the legal, valid, binding, and enforceable obligations to the parties. This Amendment #5 and the Contract, including any written amendments thereto, collectively, are the complete agreement of the parties and supersede any prior agreements or representations, whether oral or written, with respect thereto.

IN WITNESS WHEREOF, the parties have caused this Amendment #5 to be duly executed by their authorized representatives.

CONSULTANT

Consultant's Full Legal Name: (PLEASE TYPE OR PRINT)	Christopher W. Heggen, P.E.
Authorized Signature:	
Printed Name and Title of Person Signing:	CHRISTOPHER W. HEGGEN SENIOR VICE PRESIDENT
Date:	10/7/24
Company Address:	477 South Rosemary Ave, Suite 215 West Palm Beach FL 33401

THE CITY OF PORT ST. LUCIE

Authorized Signature:	
Printed Name and Title of Person Signing:	Caroline Sturgis, Director, Office of Management & Budget, and Procurement
Date:	
City Address:	121 S.W. Port St. Lucie Blvd., Port St. Lucie, FL 34984