

TASK ORDER TO THE AGREEMENT

In accordance with the Civil/Site Engineering for Miscellaneous Projects Agreement, approved by the Board of County Commissioners on June 6, 2023 (the "Agreement") for work within the scope of Solicitation 23Q-087-TO-49 Post Design Services Emerald Road Extension, this Task Order to the Agreement (this "Amendment") is made and entered into between Davis Dinkins Engineering, P.A. whose address 125 NE 1st Avenue, Ocala, FL 34470, and possessing FEIN# 26-2634858 ("FIRM") and Marion County, a political subdivision of the State of Florida, 601 SE 25th Avenue, Ocala, FL, 34471 ("COUNTY").

WITNESSETH

WHEREAS the parties wish to amend the Agreement as set forth below; and;

IN CONSIDERATION of the mutual covenants and conditions contained herein, the parties do hereby agree as follows:

1. This Amendment shall be deemed to amend and become a part of the Agreement in accordance with the original Solicitation and Agreement for Civil/Site Engineering for Miscellaneous Projects under 23Q-087.
2. FIRM's services and performance will be in accordance with Exhibit A – Scope of Work and Fee Structure hereto. The total cost for the Project will not exceed Two Hundred Four Thousand Eight Hundred Ninety-One Dollars and 19/100 (\$204,891.19). All Work shall proceed in a timely manner without delays. **TIME IS OF THE ESSENCE.** All limitations of time set forth in the Contract Documents are of the essence of this Contractor. The Work may be presumed abandoned after ninety (90) days if CONTRACTOR terminates the Work without just cause or without proper notification to COUNTY, including the reason for termination, or fails to perform Work without just cause for ninety (90) consecutive days.
3. All provisions of the Agreement not specifically amended herein shall remain in full force and effect.

[THIS AREA INTENTIONALLY BLANK SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF the parties have entered into this Amendment, as approved by the Marion County Board of County Commissioners, on the date of the last signature below.

ATTEST:

MARION COUNTY, A POLITICAL SUB-DIVISION OF THE STATE OF FLORIDA

GREGORY C. HARRELL, DATE
MARION COUNTY CLERK OF COURT

CARL ZALAK, III DATE
CHAIRMAN

**FOR USE AND RELIANCE OF MARION
COUNTY ONLY, APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

BCC APPROVED: December 2, 2025
25Q-087-TO-49 Post Design Services Emerald Road
Extension

MATTHEW G. MINTER, DATE
MARION COUNTY ATTORNEY

WITNESS:

Davis Dinkins Engineering, P.A.

SIGNATURE

BY: DATE

PRINTED NAME

PRINTED:

WITNESS:

ITS: (TITLE)

SIGNATURE

PRINTED NAME



125 NE 1st Avenue, Suite 2
Ocala, FL 34470
352.854.5961

November 18, 2025

~~October 1, 2025~~

~~July 22, 2025~~

Mr. Douglas Hinton, P.E., PSM
Assistant County Engineer for Road Design
Office of the County Engineer
412 SE 25th Ave.
Ocala, FL 34471

(via email: Douglas.Hinton@marionfl.org)

**RE: EMERALD ROAD EXTENSION – SCOPE ADDITION #3
ADDITIONAL SCOPE OF WORK AND FEE STRUCTURE FOR
POST-DESIGN AND CONSTRUCTION PHASE SERVICES**

Dear Mr. Hinton,

Thank you for the opportunity to provide professional engineering and support services in connection with the above-referenced project. We have updated the attached Scope Addition #3 (Exhibit A), and Fee Structure (Exhibit B), and have included the sub-consultant's scope of work as requested.

As requested, the fee structure indicates the allocation of effort. However, the monthly progress invoices will be prepared on a lump sum basis for the percentage of the project completed, and the fee structure is based on a total construction phase time period of no longer than sixteen (16) months.

This scope addition does not include any other service not specifically stated within the attached Scope and Time Allocation.

This scope of services and time allocation represents the entire understanding between us with respect to this project and may only be modified appropriately in writing.

We are looking forward to working together.

Sincerely,

A blue ink signature of Davis L. Dinkins, consisting of a stylized 'D' followed by a cursive 'L' and 'Dinkins'.

Davis L. Dinkins

Enclosures (as noted)

EXHIBIT A
November 18, 2025 Revision

**AMENDMENT NO. 3 TO AGREEMENT BETWEEN COUNTY (MARION COUNTY) AND
ENGINEER DAVIS DINKINS ENGINEERING, P.A.)
DATED JANUARY 15, 2019 — PROJECT #18Q-197**

**EMERALD ROAD EXTENSION (SE 92 LOOP TO FL NORTHERN RR) — POST DESIGN ENGINEER
OF RECORD (EOR) SERVICES**

PROJECT UNDERSTANDING

The COUNTY has requested an Amendment to the Agreement with Davis Dinkins Engineering, P.A. (the ENGINEER) for the Emerald Road Extension Project.

INTRODUCTION

Under a separate Agreement, the ENGINEER provided design and permitting services for the Project. The COUNTY has requested the ENGINEER to provide Engineer of Record (EOR) services during the construction of the Project. Under this Agreement the ENGINEER will provide post design EOR services to the COUNTY as noted herein.

“POST DESIGN” EOR SCOPE OF SERVICES (ROADWAY)

Under this task, the ENGINEER will generally perform the following services to support the COUNTY's staff. The COUNTY will have direct day-to-day control and responsibility for the management of the construction activities.

- 1) Preparation for and attendance of preconstruction meeting(s) with County and Contractor staff.
- 2) Review utility locations after in-field location by contractor and prepare utility relocation exhibits and/or construction document modifications and document management. Time allocated includes periodic assistance during this phase which is based on up to 60 calendar days.
- 3) Coordination, construction plan incorporation, and document maintenance of sub-consultant for completion of Mast Arm Foundation Design (scope included), based on site specific soil analysis (geotechnical work by COUNTY).
- 4) Coordination, construction plan incorporation, and document maintenance of sub-consultant for completion of Gopher Tortoise & Burrowing Owl Survey (scope included) – survey and permitting only, any required relocations are NOT included and will be by COUNTY
- 5) Prepare and issue "Issued for Construction" plans and electronic files. Throughout the construction of the Project, the ENGINEER shall track revisions issued to the COUNTY.

- 6) Attendance at the construction progress meeting(s), up to sixteen (16) months of total construction time is included in this task with up to twelve (12) progress meetings. Additional construction time and/or meetings requested by the County are excluded from this basic scope.
- 7) Review of shop drawing submittals for structures and materials. Such review and approvals or other action will not extend to means, methods, (techniques, equipment choice and usage, schedules, or procedures of construction or to related safety programs.
- 8) Respond to Contractor requests for information (RFI), with appropriate verbal and/or written clarification along with construction document modification and/or maintenance as deemed appropriate by ENGINEER and will issue necessary interpretations and clarifications of the Plans and Specifications to the COUNTY as requested.
- 9) Construction Plan Modification and Document Maintenance:
 - a. Provide sketches, exhibits, and/or construction plan modification, and/or document management and maintenance as needed to address changed site conditions as requested or as deemed necessary by ENGINEER. This task may include conducting periodic site observations during construction. Such observations will be limited to selective spot checking and potential measurement, and similar methods of general observation. Based on information obtained during site visits, ENGINEER will evaluate whether Contractor's work is generally proceeding in accordance with the Contract Documents.
 - b. Changes to the plans or Requests for Information (RFI's) related to requests for modifications of approved design by the COUNTY, or by the contractor to address construction means and methods or convenience in construction, are NOT included and may be provided by separate agreement.
- 10) Review as-built survey information provided to ENGINEER for general conformance with the approved plans and permits.
- 11) Prepare construction certifications for the COUNTY and the SJRWMD upon project completion following completion of all work, and receipt of signed and sealed as-built surveys and testing reports.

SCHEDULE

The ENGINEER will provide these services to coincide with the roadway construction activity. For the purposes of this Amendment, ENGINEER has assumed an active construction duration of two (2) months for utility coordination, followed by fourteen (14) calendar months total for construction and close out activities by Contractor and COUNTY, sixteen (16) total months.

FEE

The ENGINEER will provide the services described in the Scope of Services for a lump sum amount of \$204,891.19 as detailed on attached EXHIBIT B.

EXHIBIT 'B'

TIME/COST ALLOCATION

REVISION DATE 11-18-2025

PROJECT: EMERALD RD EXTENSION

CLIENT: MARION COUNTY OFFICE OF THE COUNTY ENGINEER

TASK ID	TASK DESCRIPTION	PRINCIPAL ENGINEER \$245	PROJECT MANAGER (REGISTERED) \$210	PROJECT ENGINEER (REGISTERED) \$170	STAFF ENGINEER \$125	CADD DESIGNER \$110	CLERICAL \$60	SUB(S)	LABOR TOTAL
1	PRE-CONSTRUCTION CONFERENCE	2	4	4	4		2		\$2,630.00
2	ASSISTANCE WITH UTILITY CONFLICT/COORDINATION SKETCHES, EXHIBITS, AND/OR PLAN MODIFICATIONS AND MAINTENANCE (2-MONTHS TIME PERIOD)	16	24		32	60	8		\$20,040.00
3	TRAFFIC CONSULTANT FOR SIGNAL DESIGN (SCOPE OF SERVICES INCLUDED) A) MAST ARM FOUNDATION DESIGN B) POST DESIGN SERVICES C) ENGINEER'S COORDINATION/REVIEW	8	16	24			8	\$10,000 \$6,000	\$10,000.00 \$6,000.00 \$9,880.00
4	ENVIRONMENTAL CONSULTANT (SCOPE OF SERVICES INCLUDED) A) GOPHER TORTOISE & BURROWING OWL SURVEY & PERMITTING E) PROJECT COORDINATION/REVIEW	5	10	16			8	\$21,931	\$21,931.19 \$6,525.00
5	PROVIDE CONSTRUCTION ISSUE PLANS AND CAD FILE	2	2	4		20	8		\$4,270.00
6	ATTEND UP TO TWELVE (12) PROGRESS MEETINGS	24	48		36		18		\$21,540.00
7	SHOP DRAWING REVIEW	8	16		32	32	8		\$13,320.00
8	CONTRACTOR RFIS	40	70		80	80	20		\$44,500.00
9	CONSTRUCTION PLAN MODIFICATION(S) AND DOCUMENT MAINTENANCE	25	40		90	40	30		\$31,975.00
10	AS-BUILT REVIEW	4	8		32	16	4		\$8,660.00
11	AGENCY CERTIFICATIONS	4	8				16		\$3,620.00
Totals		138	246	48	306	248	130	\$37,931	\$204,891.19
Total									\$204,891.19

November 7th, 2025

Davis Dinkins, PE
 Davis Dinkins Engineering, P.A.
 2201 SE 30th Avenue
 #302-1
 Ocala, FL 34471

Re: Professional Consulting Services – Signal Design, Post Design Phase
 Emerald Road Extension (from SE 92nd Loop to Florida Northern RR)
 Marion County

Dear Davis:

We appreciate the opportunity to provide you with professional consulting services for Emerald Road in Marion County. As you know, we have already provided signal design services on Emerald Road at the intersection of SE 92nd Loop and Emerald Road. The purpose of this new scope of services is to provide mast arm foundation design services and post design services related to the signal design for the referenced intersection.

With the above information in mind, the following describes our full scope of services.

A. Mast Arm Foundation Design

Once NV5 receives an approved Signalization Plan and Mast Arm Tabulation Sheet along with the final Geotechnical Engineering Report, we can begin the design services for the mast arm foundation.

During this phase, NV5's scope of services for the mast arm foundation design includes:

- Review the geotechnical report, signalization plan, and related subsurface information
- Evaluate applicable FDOT and local agency design requirements
- Perform structural calculations for moment, shear, axial, and torsional loads
- Design the foundation size, type, and required embedment depth
- Provide Mast Arm Assemblies Data Table

These services do not include re-evaluation or design of differing design parameters once the design has been completed. An addendum to this proposal will be required for re-evaluation of differing configurations.

B. Post Design Services

Our scope of services for signal-related post design activities includes but is not limited to the following:

- Response to questions from bidders during the bidding process
- Shop drawing review (if needed)
- Response to Requests for Information (RFIs) during construction
- Coordination and communication related to these activities

Fees

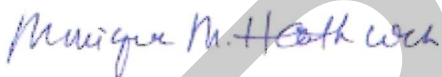
The fees for the above-listed services are detailed below. Task B will be billed hourly as needed, and the maximum total is shown in parentheses to assist you with budgeting.

Task	Fee
A. Mast Arm Foundation Design	\$ 10,000.00 (lump sum)
B. Post Design Services	Hourly (max. \$6,000.00)
Total	\$ 10,000.00 + Hourly (max. total = \$16,000.00)

The above-described services will be provided for the maximum fee of **\$ 16,000.00** (lump sum plus hourly). Please see our **attached standard hourly rates**. Invoices will be submitted on a periodic basis, based on the services completed to date.

We trust this proposal meets with your acceptance and approval. If so, please sign and return the enclosed Proposal Acceptance Agreement and retain a copy for your file. The Scope of Services and Fees outlined in this proposal are valid for 60 days from this date. If the Standard Agreement is not fully executed within that time, we reserve the right to provide you with an updated proposal and agreement. Should you have any questions, please feel free to contact me at (352) 538-1756 or Monique.Heathcock@NV5.com. We look forward to working with you on this project.

Sincerely,
NV5



Monique M. Heathcock, PE
Vice President Infrastructure Florida

Via Email: davis@dinkinsengineering.com

November 10, 2025

Davis Dinkins, P.E.
Davis Dinkins Engineering, P.A.
2201 SE 30th Avenue #302-1
Ocala, FL 34471



ENVIRONMENTAL
PLANNING
DESIGN &
PERMITTING

**RE: Emerald Road Extension – Marion County RFQ 18Q-197
Proposal for Gopher Tortoise & Burrowing Owl Survey**

Dear Davis,

Modica & Associates previously provided preliminary ecological services for Marion County's request for a Preliminary Engineering Report (PER) for the Emerald Road Extension (RFQ 18Q-197). During the survey conducted in 2021, a burrowing owl burrow was documented within the project corridor. Although no gopher tortoise burrows were identified during the 2021 survey, there is suitable habitat present within the project corridor, and regulations require a survey to be conducted prior to start of construction.

The attached Scope of Services outlines the survey requirements for the burrowing owl and gopher tortoise. Because it is not known how many owls and/or tortoises may be present, if at all, a proposal for the physical relocation, recipient site fees, etc. can be provided as Additional Services.

Modica & Associates appreciates the opportunity to work with you on this project. Please contact me directly if you have any questions about the proposal, or if you require any modifications to the scope of services.

Sincerely,


Elaine Imbruglia
President

PHONE 352.394.2000 FAX 352.394.1159
302 MOHAWK ROAD, CLERMONT, FLORIDA 34715
WWW.MODICAANDASSOCIATES.COM

**PROPOSAL FOR GOPHER TORTOISE & BURROWING OWL SURVEY
EMERALD ROAD EXTENSION (from SE 92nd Loop to Florida Northern RR)
MARION COUNTY, FLORIDA**

November 10, 2025

SCOPE OF SERVICES

The Scope of Services includes conducting a comprehensive (100%) survey for the gopher tortoise and burrowing owl within the chosen alignment of the 2.30 mile Emerald Road Extension, and associated stormwater pond(s) estimated to be 5± acres. The Project Engineer (Davis Dinkins Engineering) will need to provide the final boundaries of the chosen alignment and pond locations to ensure the survey is conducted within the correct areas.

The budgets provided below are based on the assumed roadway length of 2.30 miles by 100-foot wide (27.88± acres) plus about 5± acres of pond areas. Because it is not known how many owls and/or tortoises may be present, if at all, a proposal for Additional Services to include the costs of physical relocation, recipient site fees, etc. can be provided after the surveys are complete.

Task 1: Gopher Tortoise & Burrowing Owl Survey

Modica & Associates (“M&A”) previously provided preliminary ecological services for the Emerald Road Extension and documented a burrowing owl burrow within the project corridor. Although no gopher tortoise burrows were identified during the 2021 survey, there is suitable habitat present within the project corridor, and regulations require a survey to be conducted prior to start of construction. The survey below will be conducted within the estimated 32.88± acre project area.

1. M&A will conduct a comprehensive (100%) gopher tortoise survey over the project corridor. This survey will be conducted in strict accordance with the Florida Fish & Wildlife Conservation Commission’s (FWC) *Gopher Tortoise Permitting Guidelines* (“GT Guidelines,” April 2008, rev. July 2023). The GT Guidelines require that a tortoise survey be conducted on foot along pre-determined transects that are spaces no more than 33-feet apart in open habitats.

The location of any documented tortoise burrows will be recorded using a hand-held GPS unit and will also be marked in the field with a wooden lathe and flagging tape. Note that FWC considers a gopher tortoise survey to be valid for a period of 90 days. If relocation activities cannot be initiated prior to the expiration of the survey, the survey will need to be repeated. FWC requires construction level development approval from local government before relocation activities can be initiated.

2. The initial comprehensive survey conducted for the gopher tortoise will also be comprehensive for the burrowing owl. The survey will include a 33-foot buffer around the project limits as required by FWC's *Species Conservation Measures and Permitting Guidelines, Florida Burrowing Owl (Athene cunicularia floridana)* ("BO Guidelines;" 2025). The location of any documented owl burrows will be recorded using a hand-held GPS unit and will also be marked in the field with a wooden lathe and flagging tape. A photograph of each documented owl burrow will be collected, as a photograph is required for permitting purposes.
3. Upon completion of the survey, M&A will prepare a map depicting the location(s) of any documented tortoise and/or owl burrows. A proposal will be provided for permitting and relocation if any burrows are documented.
4. The FWC's BO Guidelines require a survey to be conducted no more than 90 days prior to submission of a permit application, and a follow up survey at least 30 days after permit application submission.

Cost: \$6,500.00*

**If relocation for either species cannot commence within 90 days of conducting the survey, the survey will need to be repeated and Additional Services will apply.*

Task 2: Gopher Tortoise Permitting

For budgeting purposes, it is assumed that no more than 10 gopher tortoise burrows will be documented within the project corridor. These fees will need to be adjusted if more than 10 burrows are documented during the survey.

1. M&A will prepare and submit a "10 or Fewer Burrows Permit" application to the FWC for relocation of documented tortoises. This task includes preparation of all required supporting documentation for the application, which includes a map series of the project site prepared using ArcGIS® software including a recent aerial, soils map, land use map and a map depicting the location of our survey transects and any documented gopher tortoise burrows. A report with the burrow location with lat/long coordinates is also required. This task also includes responding to any Requests for Additional Information (RAI's) issued by the FWC.

Cost: \$2,500.00

2. The FWC may conduct a site inspection prior to permit issuance. *If requested by FWC*, M&A will accompany FWC staff on-site to review project conditions and tortoise burrow locations. This task will only be billed if the site inspection is requested by FWC.

Cost: \$750.00*

**This task will only be billed if inspection is requested by FWC.*

3. Mitigation Contribution Fee: The FWC has a flat fee for the Mitigation Contribution required for a 10 or Fewer Burrows Permit. If a Conservation Permit is required, this cost will need to be adjusted accordingly.

Cost: \$273.00 + 3% Fee* = \$281.19

**This FWC charges a 3% convenience fee for online payments.*

Task 3: Burrowing Owl Services

The Florida burrowing owl was reclassified to a threatened species under rule (68A-27.003) on January 11, 2017. According to Rule 68A-27.001, incidental take is a take that is incidental to, and not the purpose of, carrying out an otherwise lawful activity. Activities that result in impacts to burrowing owls and their nest burrows require an Incidental Take Permit (ITP) from the FWC. The FWC typically issues permits only for excavation and filling of inactive burrows (i.e., burrows that do not contain eggs or flightless young). Please note that although the typical nesting season is from February 15 to July 10, nesting may occur year-round.

M&A conducted a survey of the site in 2021 and documented one (1) potentially occupied owl burrow within the project corridor. The tasks outlined below assume the presence of 1 owl cluster in or near the project corridor. These fees will need to be revised if additional owl clusters are identified during the survey.

Task 3a: Updated Burrowing Owl Survey

The FWC's BO Guidelines state that two surveys for burrowing owls should be conducted: " the first survey should be conducted no more than 90 days prior to submission of a permit application, and a follow-up survey should be conducted at least 30 days after permit application submission to account for the potential for owls to leave from or move within the project boundary.

1. M&A will conduct an updated comprehensive (100%) survey for burrowing owls within the project corridor. The timing of this survey will be coordinated with the Client and FWC to ensure that the survey is conducted appropriately. Because this survey is being conducted specifically for owls and not gopher tortoises, the survey can be conducted on 50-foot transects.

Cost: \$4,000.00

Task 3b: Burrowing Owl Permitting

1. M&A will compile the online application for the incidental take of 1 burrowing owl cluster. The application must include photos of each burrow to be affected by the development. The application also requires a map series, project-specific data including soils and land use information, and the lat/long coordinates for each burrow to be included in the permit.

2. As part of the permit application, the FWC requires a description of methods to be used to reduce or minimize take of the species and lessen the mitigation necessary to counterbalance take. It is assumed that any documented burrows within the cluster cannot be avoided. M&A will work with the Client to determine if any of the minimization methods can be employed to reduce the mitigation cost for this project.
3. M&A will create training material and signage that can be provided to the contractor and used as pre-construction training about burrowing owl protections to minimize take of the offsite burrowing owls. M&A will provide the Client with the training materials, and they will be responsible for the pre-construction training.
4. M&A will provide signage that can be used to notify the contractor that the burrows occur on the adjacent site. This posting of information during construction activities can minimize take by making project personnel aware of burrow locations. Posting of the signage will be the responsibility of the Client or contractor. After construction, posts and signage can be removed if it is no longer necessary to address disturbance issues.
5. It is anticipated that mitigation for impacts to the burrows, for this project, will be considered a Category 3 (Mitigation for project activities that result in significant habitat modification). The amount of the mitigation contribution is negotiated with the FWC on a case-by-case basis and minimization efforts will be taken into consideration when determining the amount of mitigation contribution.

M&A will coordinate with the Client to develop an appropriate mitigation plan to obtain the ITP.

6. The Client will coordinate with the property owner for authorization for M&A to obtain the ITP. This will include any burrows located outside the project area, which may be affected by the construction activities.

Cost (permitting): \$5,000.00
Cost (mitigation): \$1,900.00

Task 4: Project Coordination & Client Meetings

1. If requested by Client, M&A will participate in meetings and/or conference calls. This task will be billed hourly as approved by Client.

Cost: Hourly @ \$125.00 not to exceed \$1,000.00

**PROPOSAL FOR GOPHER TORTOISE & BURROWING OWL SURVEY
EMERALD ROAD EXTENSION (from SE 92nd Loop to Florida Northern RR)
MARION COUNTY, FLORIDA**

November 10, 2025

BILLING

Any work not described in the Scope of Services will only be undertaken after being approved by the Client. Reimbursable expenses including overnight or courier delivery services, out of office reproductions, etc. will be billed to the Client at cost. Any work performed and billed on this project which remains unpaid after 60 days from initial billing shall be charged 1.5% interest per month. Any balance remaining unpaid after 90 days from the date of the initial billing shall be deemed in default with reasonable collection and attorney's fees due and payable.

AUTHORIZATION TO PROCEED

Accepted by: N/A

<u>Signature</u>	<u>Date</u>
<u>Name (Please Print)</u>	<u>Title</u>

Billing contact: _____

Billing phone: _____

Billing fax: _____

Billing e-mail: _____



EMERALD ROAD EXTENSION			
GT & BO Services			
Task	Quantity	Fee	Cost
Scope of Services			
GT & BO Survey	1	\$6,500.00	\$6,500.00
GT Permitting	1	\$2,500.00	\$2,500.00
Site Inspection with FWC	1	\$750.00	\$750.00
Third Party Fees			
FWC Mitigation Contribution Fee*	1	\$281.19	\$281.19
Burrowing Owl Services			
Updated BO Survey	1	\$4,000.00	\$4,000.00
BO Permitting	1	\$5,000.00	\$5,000.00
FWC BO Mitigation	1	\$1,900.00	\$1,900.00
Project Coordination & Meetings	8	\$125.00	\$1,000.00
TOTAL EXPENSE			\$21,931.19
*Total cost of FWC Mitigation Contribution Fee adjusted to include FWC's 3% convenience fee for online payment.			