

TASK ORDER TO THE AGREEMENT

In accordance with the Civil/Site Engineers 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-14 Evaluation and Appraisal Report (EAR) and Planned Service Area (PSA) Study, this Project Amendment to the Agreement (this "Amendment") is made and entered into between Kimley-Horn and Associates, Inc. whose address 1823 SE Fort King Street, Suite 200, Raleigh, NC 27601, and possessing FEIN# 56-0885615 ("CONTRACTOR") 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 Engineers for Miscellaneous Projects under 23Q-087.
2. CONTRACTOR's services and performance will be in accordance with the scope of service and fee schedule, Exhibit A hereto. The total cost for the Project will not exceed Two Hundred Twenty Thousand, One Hundred- Fifty Dollars (\$220,150). The Project shall commence on April 9, 2024, through Friday, January 31, 2025. 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 for all performance obligations of 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.

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.

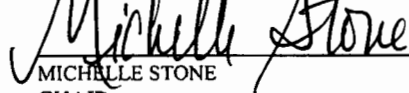
ATTEST:



GREGORY C. HARRELL,
MARION COUNTY CLERK OF COURT

4/2/2024
DATE

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



MICHELLE STONE
CHAIR

4/2/2024
DATE

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


BCC APPROVED: April 2, 2024
23Q-087-TO-14 Evaluation and Appraisal Report (EAR) and
Planned Service Area (PSA) Study

For: 

MATTHEW G. MINTER,
MARION COUNTY ATTORNEY

3/20/24
DATE


WITNESS:



SIGNATURE
NICHOLAS Mora

PRINTED NAME

Kimley-Horn and Associates, Inc.



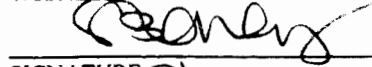
BY: AMBER GARTNER

PRINTED: Vice President

ITS: (TITLE)

4/3/2024
DATE

WITNESS:



SIGNATURE
Stacy Boney

PRINTED NAME

EXHIBIT A

Describing a specific agreement between Kimley-Horn and Associates, Inc. ("Kimley-Horn") and Marion County, a political subdivision of the State of Florida ("County" or "Client") in accordance with the terms of the Master Agreement for Civil/Site Engineering for Miscellaneous Projects #23Q-087, which is incorporated herein by reference.

Identification of Project:

Project: Evaluation and Appraisal Report (EAR) and Planned Service Area (PSA) Study

Project Manager: Blair Knighting, AICP

Project Understanding:

1. The County has requested that Kimley-Horn provide professional consulting services to prepare the Marion County Evaluation and Appraisal Report (EAR) as mandated by Florida State Statutes Chapter 163 and a Planned Service Area (PSA) Study.
2. The proposed EAR must be transmitted to the State no later than January 31, 2025.
3. The PSA Study must all be completed in the same time frame as the EAR.
4. The County will provide existing backup data for the current Comprehensive Plan in Word format.

Scope of Services:

The services to be performed by Kimley-Horn will include and be limited to the following:

Task 1 – Evaluation and Appraisal Report (EAR)

- A. *Project Kick-off and Progress Meetings.* Kimley-Horn will meet with County staff one time as a Project Kick-Off and secure readily available data. At this meeting, project organization and staff coordination guidelines/procedures will be established. Kimley-Horn will work with the County to define the project objectives and prepare the finalized schedule. Kimley-Horn will facilitate a project progress call weekly with County staff to review the work assignments, project status, data/analysis needs, and similar through the end of this assignment (January 2025). This task also includes working with County staff to obtain existing back-up data and other relevant documentation within the County's possession.
 - 1) Deliverables:
 - a. Project Kick-Off meeting and summary
 - b. Data needs
 - c. Project Schedule
 - d. Monthly update call with County staff, with a follow-up email summary of items discussed.
 - e. Weekly focused calls between Kimley Horn and Growth Services Directors to discuss the project. These calls will be brief and agendas and formal meeting minutes will not be produced.
- B. *Current Plan Analysis.* Kimley-Horn will assess the County's current Comprehensive Plan (Plan) as part of the evaluation and appraisal review (EAR) process. Kimley-Horn will deliver a first draft of the current plan analysis matrix for the Client to review and comment. Kimley-Horn will update the matrix and deliver a final draft to the Client. Specifically, the following tasks will be completed:

- 1) Review the current Plan for consistency with adopted State and regional requirements that have changed since adopting the current Plan EAR.
- 2) Identify policy conflicts between elements within the current Plan and identify out-of-date information.
- 3) Identify language in the current Plan that is regulatory in nature and may be better suited for the Land Development Code.
- 4) Deliverables:
 - a. Current Plan Analysis Matrix identifying required policy updates for each element.

C. *Data Inventory and Analysis (DIA) and Planned Service Areas (PSA) Study.*

- 1) Kimley-Horn will identify and review available data sources, including related plans, programs, or initiatives undertaken since the prior Plan update, the County Strategic Plan, Management Plans, and other related documents specifically identifying those areas to be addressed as part of the update. Kimley-Horn will rely on information provided by the County to evaluate the plan (including adopted master plans). Kimley-Horn will also utilize readily available data from the Florida Commerce (previously known as DEO), Florida Department of Transportation (FDOT), East Central Florida Regional Council (ECFRC), the University of Florida Bureau of Economic and Business Research, U.S. Census, and the Florida Office of Economic and Demographic Research.
- 2) Data will be presented, where possible, to portray current and future trends in land use, demographics, economic development, housing, and employment. The trends will lead to policy recommendations for the Comprehensive Plan. Kimley-Horn will provide recommendations to address the organization of the Plan to ensure a more streamlined and reader-friendly document. Kimley-Horn will deliver a first draft of the DIA document for the Client to review and comment. Kimley-Horn will update the DIA and deliver a final draft to the Client.
- 3) The GIS map series required for the DIA will be completed in this task. Kimley-Horn will deliver a first draft of the map series for the Client to review and comment. Kimley-Horn will update the map series and deliver a final draft to the Client.
- 4) For the PSA Study work: Kimley-Horn will attend one in-person needs assessment meeting with the County. This meeting is intended to define appropriate boundaries for the proposed PSAs and will help guide the determination of appropriate study area boundaries and analyses.
- 5) Based on the data collected and analyzed in this task, Kimley-Horn will work with County staff to determine criteria for locating the PSAs in specific areas throughout the County. This may also include further analyzing GIS data, infrastructure master plans, and other studies the County may have completed. Kimley-Horn will develop a Matrix-style list of criteria to help determine the location of potential PSAs. Kimley-Horn will provide County staff with one draft of the proposed criteria for review and comment and will respond to up to one round of revisions to the draft based on this review.
- 6) Kimley-Horn will conduct summary field observations and analysis of the existing development patterns within the proposed PSAs and identify recommended PSA boundaries based on the observed conditions within the proposed areas. Kimley-Horn will identify potential sub-areas for consideration, including “ranking” the area(s) for inclusion.

Kimley-Horn will attend one meeting with the County to review and discuss the summary field observations and analysis and the potential PSAs.

- 7) Based on the information derived in above tasks, Kimley-Horn will determine and develop recommended Comprehensive Plan policy changes to be added to the EAR in Task E and any potential changes to the Land Development Code. The actual changes to the land development regulations and comprehensive plan will be completed after the EAR process.
 - 8) Deliverables:
 - a. Data Inventory and Analysis (DIA) Update
 - b. GIS maps series
 - c. PSA Location Criteria
 - d. Summary of and Recommendations for PSA locations
 - e. Kimley-Horn will provide a list of recommendations to be included with the EAR.
- D. *Public Engagement Workshops (EAR and PSA).* A targeted outreach strategy will be required to help solicit information that is most meaningful to the planning process, including the EAR and the Planned Service Areas (PSAs), and to understand gaps in the data analysis and recommendations. In partnership with the County, Kimley-Horn will provide a timeline for public participation, timing of involvement, and materials for the County's use on social media and the County's website.
- 1) Kimley-Horn will prepare one agenda and PowerPoint presentation, including the recommendations related to the EAR and the PSAs, for use at each workshop. The presentation will be shared with the County for their review and comment. Kimley-Horn will update the presentation and deliver a final draft to the County for use during the workshops.
 - 2) This task includes seven County facilitated workshops to gather input on recurring/pressing issues related to the Comprehensive Plan and the PSAs. Each workshop will be scheduled for two hours in length, with an additional hour for Kimley-Horn to prepare with the County. Kimley-Horn will send two professionals to attend each workshop. The County will be responsible for securing the location of each workshop and for publicly noticing the workshops. The County will be responsible for updating the Project Website with the workshop information. Kimley-Horn will provide materials prepared for the workshop for the County to upload. The workshops will be organized as follows:
 - a. Workshop #1: County Staff (all departments)
 - b. Workshop #2: Business and Development Community
 - c. Workshop #3: County Quad #1 with Citizens
 - d. Workshop #4: County Quad #2 with Citizens
 - e. Workshop #5: County Quad #3 with Citizens
 - f. Workshop #6: County Quad #4 with Citizens
 - g. Workshop #7: Board of County Commissioners
 - 3) Kimley-Horn will develop a Public Engagement Input "Matrix" that will include stakeholder comments at each workshop. The matrix will be updated one time after each workshop.

- 4) Kimley-Horn will attend up to three stakeholder meetings with specific groups identified by the County. These meetings will be less formal than the facilitated workshops and will generally focus on areas specific to the stakeholder interests.
 - 5) Deliverables:
 - a. PowerPoint Presentation
 - b. Participation in six community workshops and one workshop with the BOCC.
 - c. Participation in up to three specific stakeholder meetings.
 - d. Public Engagement Input Matrix
- E. *Evaluation and Appraisal Report.* The Evaluation and Appraisal Report will be drafted based on the data, analysis and public input received in the prior tasks. The EAR will include recommendations to update the goals, objectives, and policies of the Marion County Comprehensive Plan. The EAR will be formatted with a summary of recommendations for each element and will include a matrix exhibit with more detailed recommendations for each policy. Kimley-Horn will provide County staff with the draft EAR for review and comment and will respond to up to one round of revisions to the draft based upon this review.
- 1) Deliverables:
 - a. Evaluation and Appraisal Report
- F. *Countywide Outreach Meetings.* Kimley-Horn will present the draft EAR and recommendations to the BOCC at a Board Workshop. In addition, Kimley-Horn will present at two Community Wide Outreach Meetings for two hours, with a virtual option if preferred. This task also includes preparing the presentation material, including the meeting agenda, PowerPoint, and visual exhibits. Kimley-Horn will arrive one hour early to set up for the agreed-upon format of the meeting. The County will be responsible for the meeting location arrangements and legal advertisements/public notices for all meetings, as well as any virtual attendance option, recording, and transcription.
- 1) Deliverables:
 - a. PowerPoint Presentation
 - b. Participation in two meetings Community Outreach Meetings
 - c. Participation in one BOCC (in-person) workshop
 - d. Public Engagement Input Matrix Update
- G. *Final Draft EAR.* Based on the input received from prior tasks, the final draft of the EAR will be updated and submitted to the County. Kimley-Horn will provide County staff with the draft for review and comment and will respond to up to one round of revisions to the draft based upon this review.
- 1) Deliverables:
 - a. Final EAR
- H. *Public Hearings.* In cooperation with County staff, Kimley-Horn will present the findings of the DIA and the recommendations to update the Comprehensive Plan in the EAR. Kimley-Horn will prepare a PowerPoint presentation for the purpose of the public hearings. The public hearings will be conducted as regularly scheduled agenda items at standing agency meetings (i.e. not separate

workshops). Kimley-Horn will then prepare the submittal of the EAR letter to Florida Commerce (previously known as DEO).

- 1) Deliverables
 - a. PowerPoint Presentation
 - b. Attend and present one time to the Planning and Zoning Commission
 - c. Attend and present one time to the County Commission

Additional Services

Any service not specifically identified in the above Scope of Services is not included in this Task Order but can be provided as additional services if authorized by the County. Compensation for additional services will be agreed to prior to their performance.

Schedule

Kimley-Horn will provide the above Scope of Services provided above as expeditiously as possible to meet a mutually agreeable schedule. A schedule will be established upon Notice to Proceed and maintained through the duration of the Project. The project schedule may be modified due to circumstances that arise during the execution of the Work if mutually agreed to by Kimley-Horn and the County.

Fee

Kimley-Horn will provide the Scope of Services described above for the lump sum fee of \$220,150.00. A breakdown of fees is provided in the attached TABLE A.

Attachments: TABLE A, Project Schedule

TABLE A
COST ESTIMATE FOR SERVICES

PROJECT: TASK ORDER 12_EAR AND PSA STUDY
CLIENT: MARION COUNTY OFFICE OF THE COUNTY ENGINEER
KH PM: BLAIR KNIGHTING, AICP

DATE: MARCH 2024

BASIS FOR ESTIMATE: RFQ 23Q-087 COUNTY-APPROVED HOURLY RATES; CIVIL/SITE ENGINEERS FOR MISC PROJECTS

		DIRECT LABOR (MAN-HOURS)								SUB (\$)	Labor Total
		Principal Engineer	Project Manager (Registered)	CADD Designer	GIS Technician	Senior Planner	Planner	Clerical	Labor Hours		
TASK ID	TASK DESCRIPTION	\$245.00	\$210.00	\$110.00	\$90.00	\$130.00	\$100.00	\$60.00			
	EVALUATION AND APPRAISAL REPORT (EAR)										
1A	PROJECT KICK-OFF AND DATA COLLECTION	4	45	5		50	60	5	169		\$ 23,780
1B	CURRENT PLAN ANALYSIS AND MAP SERIES	4	16		40	50	70		180		\$ 21,440
1C	DIA UPDATE AND PSA STUDY	10	60	15	80	140	195	5	505		\$ 61,900
1D	PUBLIC ENGAGEMENT WORKSHOPS	10	90	10		40	90	40	280		\$ 39,050
1E	EVALUATION AND APPRAISAL REPORT (EAR)	4	30	7	15	40	80	5	181		\$ 22,900
1F	COUNTYWIDE OUTREACH MEETINGS	10	40			30	60	20	160		\$ 21,950
1G	FINAL DRAFT EAR	4	20	10	10	30	60	10	144		\$ 17,680
1H	PUBLIC HEARINGS	4	15		10	24	30	5	88		\$ 11,450
	TOTALS:	50	316	47	155	404	645	90	1707		\$ 220,150
Grand Total:										\$	220,150.00

