

**AMENDMENT 2 to ADDENDUM NO. 3
TO THE AGREEMENT DATED JANUARY 4, 2021
BETWEEN THE GREATER ORLANDO AVIATION AUTHORITY
AND LEA & ELLIOTT, INC.**

Project: Additional Design Criteria and Specialty APM Consulting Services for Airside 2 & 4 APM System Replacement Programming and Procurement, Orlando International Airport

THIS AMENDMENT is effective this 5th day of July, 2022, by and between the **GREATER ORLANDO AVIATION AUTHORITY** ("Authority"), and **LEA & ELLIOTT, INC.** ("Consultant").

WITNESSETH:

WHEREAS, by Agreement dated January 4, 2021, Authority and Consultant entered into an agreement for Consultant to provide Specialty Automated People Mover (APM) and Passenger Rail Systems Consulting Services; and

WHEREAS, under the Agreement, Consultant agreed to perform such additional services for the Authority as are contained in any additional scope of work established by the Authority in any addendum to the Agreement and accepted in writing by the Consultant; and

WHEREAS, the Authority and the Consultant desire to enter into this Amendment to the Agreement to provide for additional services to be rendered by the Consultant under the terms of said Agreement.

NOW, THEREFORE, in consideration of the premises and the mutual covenants herein contained, the Authority and the Consultant do hereby agree as follows:

1. Consultant shall perform additional services in accordance with the terms of the Agreement and the attached Exhibit "A." Consultant shall be paid for such additional services according to the payment terms set forth in the Agreement.
2. Consultant shall be compensated for such additional services in the **NOT TO EXCEED** amount of **ONE HUNDRED EIGHTY-EIGHT THOUSAND FOUR HUNDRED FIFTY-SIX AND NO/100 DOLLARS (\$188,456.00)**, broken down as follows:

Professional Fees:	NTE:	\$188,456.00
Professional Fees:	LS:	\$0.00
Reimbursable Expenses:	NTE:	<u>\$0.00</u>
Total:		\$188,456.00

3. Except as expressly modified in this Amendment, the Agreement dated January 4, 2021 and all prior addenda will remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto by their duly authorized representatives, have executed this Addendum this 4th day of August, 2022.

GREATER ORLANDO AVIATION AUTHORITY

By:



Davin D. Ruohomaki
Sr. Director Engineering & Construction

Approved as to Form and Legality
(for the benefit of GOAA only)

this 1st day of Aug, 2022

By:



NELSON MULLINS BROAD AND
CASSEL, Legal Counsel
Greater Orlando Aviation Authority

LEA & ELLIOTT, INC.

By:



Signature (Duly Authorized Rep.)

Daniel J. McFadden

Printed Name

Principal

Title



GREATER ORLANDO AVIATION AUTHORITY

Orlando International Airport
One Jeff Fuqua Boulevard
Orlando, Florida, 32827-4392
(407) 825-2001

Memorandum

To: Members of the Construction Committee

From: Scott Shedek, Director of Construction
(Prepared by Nils Johnson)

Date: July 5, 2022

Re: Request for Approval of an Amendment to Addendum No.3 to the Specialty Automated People Mover (APM) and Passenger Rail Systems Consultant Services Agreement with Lea + Elliot, Inc. to provide Additional Design Criteria and Specialty APM Consulting Services for Airside 2 & 4 APM System Replacement Programming and Procurement for W-00420 Specialty Automated People Mover (APM) and Passenger Rail Systems Consulting Services at Orlando International Airport

On January 19, 2022, the Aviation Authority Board approved Addendum No.3 in the amount of \$388,638.00 to the above-referenced agreement. On May 31, 2022, the Construction Committee approved Amendment No.1 to Addendum No.3 in the amount of \$147,674.00 to the above-referenced agreement. Since that time, it has been determined that additional Design Criteria and Specialty Automated People Mover (APM) and Passenger Rail Systems Consulting Services are required to support the Buy America(n) Waiver Request process as further described in the proposal dated June 24, 2022.

If approved, these services would be effective the date of July 5, 2022.

The MWBE/LDB participation has been reviewed by the Office of Small Business Development. Their findings and recommendation are attached.

Funding is from previously approved General Airport Revenue Bonds. Funding source verified by Not signed by CF pending of Construction Finance on ___/___/___ as correct and available.
CFOC 7/5/22

It is respectfully requested that the Construction Committee approve an Amendment to Addendum No.3 to the **Specialty Automated People Mover (APM) and Passenger Rail Systems Consulting Services Agreement** with Lea + Elliott, Inc. for the services contained herein and amount as shown below:

Not to Exceed Fees	\$188,456.00
Lump Sum Fees	\$0.00
Not to Exceed Expenses	\$0.00
TOTAL	\$188,456.00
AAC – Compliance Review Date	9.5.5 6/29/22
AAC – Funding Eligibility Review Date	6/28/22



June 24, 2022

LE-GOAA-NCP-1344-0015

Nils Johnson
Chace Construction Services
Owner Authorized Representative (OAR)
Orlando International Airport
11308 Terminal C Service Road
Orlando, FL 32824

SUBJECT: Lea+Elliott Proposal for Specialty Automated People Mover (APM) and Passenger Rail Systems Consulting Services - Airside 2 & 4 APM System Replacement Programming and Procurement - (Buy America Waiver Request)

Dear Mr. Johnson,

With respect to the Airside 2 & 4 APM System Replacement Programming and Procurement Project at Orlando International Airport, Lea+Elliott has been tasked to support the Buy America Waiver Request process by providing APM specific technical information necessary to include in the Buy America Waiver request. Although it is difficult to predict what level of support will be needed due to the uncertainty of the Buy America Waiver process, Lea+Elliott has assumed that, at a minimum, the following tasks must be performed to some reasonable level:

- Tasks 1.0 – Technical Data Development: For this task, Lea+Elliott would gather the required technical data for the Waiver process, including but not limited to, collecting a breakout of project components/subcomponents sourcing, potential domestic availability, potential pricing premiums, etc. with the goal to demonstrate that this aspect was evaluated in great detail.
- Task 2.0 – FAA Waiver Completion Support: For this task, Lea+Elliott would support the completion of the FAA Waiver request forms and provide relevant project and technical details required to complete the required FAA Waiver forms.
- Task 3.0 – FAA Waiver Review Support.: For this task, Lea+Elliott would support the FAA review period including response to questions and requests for additional information.

The anticipated additional budget required to complete the above tasks is attached herewith. The proposed budget to support the above work is identified in Attachment-1a. If the Buy America Waiver process requires an effort above and beyond those required above, Lea+Elliott will kindly advise GOAA to receive approval before proceeding. This

5200 Blue Lagoon Drive, Ste. 250 | Miami, Florida 33126 Phone 305.500.9390 Fax 305.500.9391



task will be led by Mr. Daniel McFadden and Mr. Gregory Love with support from other Lea+Elliott APM Specialist. Due to the specialized nature of this work and the limited scope associate with this task, we are unable to utilize any MWBE/LDB participation.

As always, we appreciate the opportunity to be of service to GOAA on this very important Project and look forward to continued success in working together with you. Should you have any questions or comments please contact me.

Sincerely,

LEA+ELLIOTT, INC.

A handwritten signature in blue ink, appearing to read "G. Love", written over a light blue horizontal line.

Gregory W. Love
Senior Associate

Attachments

ATTACHMENT-1a
SPECIALTY APM AND PASSENGER RAIL SYSTEMS CONSULTANT SERVICES - ADDITIONAL BUDGET REQUEST
AIRSIDE 2 & 4 APM SYSTEMS REPLACEMENT PROJECT - PROGRAMMING AND PROCUREMENT (BUY AMERICAN)
ORLANDO INTERNATIONAL AIRPORT

DATE: June 24, 2022

Subtask Description	Senior Project Manager	Senior Consultant / Project Manager	Engineer 3	Engineer 2	Engineer / CAD	Senior Administrative Asst	Hours	Dollars
	\$306.00	\$264.00	\$208.00	\$152.00	\$117.00	\$79.00		
Organization	L+E	L+E	L+E	L+E	L+E	L+E		
Specialty APM Consultant's Tasks								
Task 1.0 Technical Data Development	32	128	0	120	0	6	286	\$62,298.00
Task 2.0 FAA Waiver Completion Support	76	64	0	32	0	2	174	\$45,174.00
Task 3.0 FAA Waiver Review Support	128	156	0	0	0	8	292	\$80,984.00
TOTAL HOURS	236	348	0	152	0	16	752	
TOTAL LABOR COST	\$72,216	\$91,872	\$0	\$23,104	\$0	\$1,264		\$188,456.00
DBE Participation								
Organization	Certification						Participation	Dollars
N/A	DBE						0.0%	\$0.00
PROPOSAL TOTAL								\$188,456.00

Note:
1. Each job classification may include multiple/varying personnel

TRUTH IN NEGOTIATION CERTIFICATION

The Consultant hereby certifies, covenants, and warrants that wage rates and other factual unit costs supporting the compensation for this project's agreement are accurate, complete, and current at the time of contracting.

The Consultant further agrees that the original agreement price and any additions thereto shall be adjusted to exclude any significant sums by which the Greater Orlando Aviation Authority determines the agreement price was increased due to inaccurate, incomplete, or noncurrent wage rates and other factual unit costs. All such agreement adjustments shall be made within one (1) year following the end of the contract. For purposes of this certificate, the end of the agreement shall be deemed to be the date of final billing or acceptance of the work by the Greater Orlando Aviation Authority, whichever is later.

Consultant/ Lea+Elliott, Inc.

By: Gregory W. Love

Print Name: Gregory W. Love

Date: 6/24/2022



GREATER OR

INFORMATION ITEM

Original CCM

7/5/2022

Item No. 8

MEMORANDUM

To: Members of the Construction Committee

From: Edelis Molina, Sr. Small Business Administrator

Date: July 05, 2022

Re: Request for Approval of an Amendment to Addendum No.3 to the Specialty Automated People Mover (APM) and Passenger Rail Systems Consultanting Services Agreement with Lea + Elliot, Inc. to provide Additional Design Criteria and Specialty APM Consulting Services for W-00420 Airside 2 & 4 APM System Replacement Programming and Procurement at Orlando International Airport

The Small Business Development Department has reviewed the qualifications of the subject contract's MWBE/LDB/VE specifications and determined that, due to the limited and specialized nature of the services to be provided, Lea + Elliot, Inc. does not propose small business participation in this Amendment to Addendum No. 3.

INFORMATION
ORIGINAL CCM: 07/05/2022

CC
ITEM 11-C
7/26/2022

amount of \$797,985.00, with funding from General Airport Revenue Bonds; subject to funding consensus by the CFOC. *[Subsequent to the Construction Committee meeting, the CFOC consensed funding for this item, as outlined above.]*

REQUEST FOR APPROVAL OF MOVEMENT OF PURCHASE ORDER EXPENDITURES FROM W-S00145, SOUTH TERMINAL C, PHASE 1 - OWNER FURNISHED FF&E AND IT ITEMS TO BP-S00193, SOUTH EMPLOYEE LOT, AT THE ORLANDO INTERNATIONAL AIRPORT.

6. *[A handout was presented, which includes a revised memorandum.]* Ms. Merck presented the memorandum, dated July 5, 2022. Discussion ensued.

Upon motion of Mr. Hunt, second by Mr. Pelletier, vote carried to approve of movement of Purchase Order expenditures from W-S00145 South Terminal C, Phase 1-Owner Furnished FF&E and IT Items to BP-S00193, South Employee Lot, for the total amount of \$46,623.19, with funding from previously approved Capital Expenditure Funds and General Airport Revenue Bonds.

GENERAL

REQUEST FOR APPROVAL OF AN ADDENDUM TO THE CONTINUING CIVIL ENGINEERING SERVICES AGREEMENT WITH AVCON. INC. FOR DESIGN, BID, AND AWARD PHASE SERVICES FOR E-00283, RUNWAY 18L VAULT WORK, AT THE ORLANDO INTERNATIONAL AIRPORT.

7. Ms. Watson presented the memorandum, dated July 5, 2022. Discussion ensued.

Upon motion of Mr. Pelletier, second by Mr. Hunt, vote carried to approve of an Addendum to the Continuing Civil Engineering Services Agreement with Avcon. Inc. for Design, Bid and Award Phase Services for E-00283, Runway 18L Vault Work, for the total lump sum amount of \$34,484.00, with funding from previously approved Capital Expenditure Funds.

REQUEST FOR APPROVAL OF AN AMENDMENT TO ADDENDUM NO. 3 TO THE SPECIALTY AUTOMATED PEOPLE MOVER (APM) AND PASSENGER RAIL SYSTEMS CONSULTANT SERVICES AGREEMENT WITH LEA + ELLIOT, INC. TO PROVIDE ADDITIONAL DESIGN CRITERIA AND SPECIALTY APM CONSULTING SERVICES FOR AIRSIDE 2 AND 4 APM SYSTEM REPLACEMENT PROGRAMMING AND PROCUREMENT FOR W-00420 SPECIALTY AUTOMATED PEOPLE MOVER (APM) AND PASSENGER RAIL SYSTEMS CONSULTING SERVICES, AT THE ORLANDO INTERNATIONAL AIRPORT.

8. Mr. Johnson presented the memorandum, dated July 5, 2022. Discussion ensued.

Upon motion of Mr. Hunt, second by Mr. Pelletier, vote carried to approve of an Amendment to Addendum No. 3 to the Specialty Automated People Mover (APM) and Passenger Rail Systems Consultant Services Agreement with Lea + Elliot, Inc. to provide Additional Design Criteria and Specialty APM Consulting Services for Airside 2 and 4 APM System Replacement Programming and Procurement for W-00420 Specialty Automated People Mover (APM) and Passenger Rail Systems Consulting Services, for the total not-to-exceed fee amount of \$188,456.00, with funding from previously approved General Airport Revenue Bonds; subject to funding consensus by the CFOC. *[Subsequent to the Construction Committee meeting, the CFOC consensed funding for this item, as outlined above.]* ✓

INFORMATION ITEMS

9. The following items were presented for information only:

- A. Field Change Order (FCO) Log
- B. COVID-19 CCM Item Log
- C. Revised GMP Budget, Buyout & Contingency Form for Subcontract Modification on BP-S00148 (GMP 7-S.2) South Terminal C, Phase 1 –Landside Terminal Finishes with Turner Kiewit Joint Venture, at the Orlando International Airport. *[From the Construction Committee on June 28, 2022, Item No. 2-B].*