

## TASK ORDER APPROVAL FORM

CONTRACT #: C24-3969-PW

TASK ORDER #: 1

TASK ORDER AMOUNT: \$ 349,991.22

CONTRACT: C24-3969-PW  
KIMLEY-HORN & ASSOCIATES, INC.  
GENERAL ENG. SERVICES FOR PW  
EXPIRES: 09/30/2027 W/2 1 YR RENEWALS

OFFERED BY CONSULTANT:

KIMLEY-HORN ASSOCIATES INC.

FIRM'S NAME

Richard R. Barr

REPRESENTATIVE'S PRINTED NAME

Richard R. Barr

SIGNATURE

Sr. Vice President

TITLE

07/02/2024

DATE

### RECOMMENDED FOR APPROVAL (Department Director)

Jason T. Autrey, PE, Digitally signed by Jason T. Autrey,  
PE, CPM  
Date: 2024.10.03 16:51:02 -05'00'

SIGNATURE

Public Works Director

TITLE

10.03.2024

DATE

John Hofstad Digitally signed by John Hofstad  
Date: 2024.10.04 13:48:57  
-05'00'

COUNTY ADMINISTRATOR (if applicable)

10.04.2024

DATE

Revised January 21, 2020

### APPROVED BY OKALOOSA COUNTY (Per Purchasing Manual) Table 1

DeRita Mason

Digitally signed by DeRita  
Mason  
Date: 2024.10.04 09:40:17  
-05'00'

PURCHASING MANAGER

10.04.24

DATE

Faye Douglas

Digitally signed by Faye Douglas  
Date: 2024.10.04 11:16:08 -05'00'

OMB DIRECTOR

10.04.2024

DATE

R. D. Mason  
CHAIRMAN (if applicable)

11/4/2024

DATE



July 30, 2024

Mr. Scott Bitterman  
County Engineer  
Okaloosa County Public Works  
1759 S. Ferdon Boulevard  
Crestview, FL 32536

**RE: Echo Circle Stormwater Park**

Dear Scott:

Kimley-Horn and Associates, Inc. ("Kimley-Horn" or "Consultant") is pleased to submit this Letter Agreement (the "Agreement") to Okaloosa County ("Client") for providing a Design for a Canvas for a Stormwater Park in the Echo Circle Area in Okaloosa County.

## Project Understanding

Echo Circle is located in the Fort Walton Beach area in the southern portion of unincorporated Okaloosa County. The area is encompassed primarily with single family residences. The area is known to have flooding issues. The study area includes Gap Creek which is part of a separate Water Quality Improvement Project.



The County has requested a design for a canvas for a stormwater park to be located on the County owned property just to the south of the residential lots on Echo Circle. The design will include the design of a shallow detention pond, as well as the removal and replacement of a stormwater pipe to connect the new pond to the existing pond located adjacent to Poplar Ave. It is our understanding that parcels that will be utilized for the stormwater park are currently low-quality wetlands and that the County desires to restore the wetlands impacted by this project.

In addition to the design of the stormwater management facility (SWMF), Kimley-Horn will explore grant funding for the construction of the stormwater pond/park. A concept level park master plan is included in the Scope of Services below.

The proposed SWMF site is circled in red above. County owned parcels are shown in blue. The parcel with the yellow check mark is in process of purchase by the County. The parcel with the green check mark is available for use via easement. The red dashed line from the County parcels to the south is the location of a new pipe run to connect to the Poplar Ave Pond.

The following are assumptions that the scope of services below is based on:

1. It is assumed that all environmental work will be performed before any geotechnical or survey services since the park location is encompassed in low quality wetlands.
2. Geotechnical findings will dictate the type of treatment facility to be included in the park master plan.
3. Permitting will be required through the Northwest Florida Water Management District (NFWFMD) and the US Army Corp of Engineers (USACOE).
4. It is assumed that County permitting will not be required.
5. It is assumed that coordination with different departments within the County will be required. County staff will lead these coordination efforts.
6. Project area will be limited to the County owned parcels. The adjacent property is available via easement.
7. It is assumed that pumping facilities will not be required to convey stormwater to the proposed project area.
8. It is assumed that existing utilities will be flagged by owners prior to design work commencing.
9. Environmental permitting efforts may be delayed due to Section 404 permitting review times.
10. Construction of project is not currently funded and bid support will occur as a new task or supplemental agreement.

It is anticipated the project will proceed generally as follows:

1. Kick off meeting with County staff.
2. Issue NTP to Environmental staff.

3. Wetland and environmental survey and study, including wetland flagging.
4. Issue NTP to surveyor to mobilize.
5. Explore grant funding for construction.
6. Prepare concept level Park Master Plan.
7. Survey of project area including wetland flagging and tree survey.
8. Perform a site visit to note any specific items that may impede stormwater conveyance or design.
9. Drainage Basin delineation and definition.
10. Stormwater pond delineation based on wetland inventory and topo survey.
11. Issue NTP to geotechnical engineer for soil borings to determine appropriate pond type.
12. Prepare preliminary stormwater conveyance and pond layout.
13. Meet with County staff to review findings and approach.
14. Schedule a pre-application meeting with NFWFMD.
15. Receive final survey and geotechnical reports.
16. Preparation of 30% plan set. Submit to County for review.
17. Prepare OPC based on 30% plan set.
18. Prepare 90% plan set. County comments on 30% set to be incorporated.
19. Prepare and submit ERP permit package and USACOE permit package.
20. Prepare Bid Set of Drawings and Specifications Book.

## Scope of Services

Kimley-Horn will provide the services specifically set forth below:

### **Task 1 – Natural Resource Assessment**

Kimley-Horn will conduct a Natural Resource Assessment (NRA) to identify the limits of wetlands, surface waters, and upland habitats on-site and will evaluate their potential for usage by listed species. Kimley-Horn will review previously prepared environmental documentation, if available, and conduct field reconnaissance on-site. In preparing the NRA, Kimley-Horn will conduct the following tasks:

- Review readily available natural resource documentation, previous environmental studies (provided by client), readily available permits and listed species information.
- Review existing GIS information including the Florida Natural Areas Inventory (FNAI), Florida Fish and Wildlife Conservation Commission (FWC), and the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) databases regarding known occurrences of listed species on and near the subject property.
- Review aerial photography, soils maps, and mapping of existing wetland and surface water features on-site.

- Review of FEMA FIRM map.
- Review of Florida Master Site File data for known historic or archaeological resources.
- Conduct site reconnaissance to review the site and ground-truth the findings from the database searches.
- Conduct a 15% gopher tortoise survey.
- Delineate the wetland limits in accordance with the State unified wetland delineation methodologies described in Chapter 62-340, Florida Administrative Code, and the US Army Corps of Engineers (USACE) 1987 Wetland Delineation Manual.

Following site reconnaissance and database review, a Technical Memorandum will be prepared summarizing the results of the data collection efforts as well as additional surveys required, if applicable, such as detailed listed species surveys. A summary of federal, state, and local environmental permitting requirements will be prepared as well as a discussion of federal, state, and local jurisdiction of environmental features and a brief discussion of potential mitigation requirements. A Cultural Resource Assessment Survey is not a part of this scope. The following exhibits will be prepared:

- Location Map
- USGS 7.5 Minute Quadrangle Map
- Soils Map
- A land cover map classifying the habitats on-site based on the Florida Land Use, Cover, and Forms Classification System (FLUCCS) and showing approximate acreage of each land cover. The acreage of habitats shown will be approximate based on aerial interpretation.
- Wetland/Surface Water Map, if applicable
- Listed species Map(s), if applicable
- FEMA FIRM Map

Please note, this task does not include specific listed species surveys (i.e., gopher tortoise, etc.) that may be required following the initial site visit. Scope for additional listed species can be prepared following this initial site visit, if necessary.

## ***Additional Services***

Any services not specifically provided for in the above scope will be billed as additional services and performed at our then current hourly rates. Additional services we can provide include, but are not limited to, the following:

- FWC Listed Species Surveys and Permitting:
- Environmental Resource Permitting

## ***Task 2- Grant Funding Exploration***

Kimley Horn will explore grant funding for the construction of the stormwater pond/park. Grant funding exploration will include the Challenge Grant. Grant application is not a part of this scope. If desired, grant application writing can be performed as an additional service.

## ***Task 3 – Conceptual Site Planning***

1. Based upon the information received during the project kick-off meeting and information discovered during the survey and environmental reviews, Kimley-Horn will prepare one (1) conceptual site plan (black and white hand drawn) for the stormwater park. It will depict the location of the storm pond, pedestrian and vehicular areas, site amenities and landscape areas.
2. Meet with Client (one meeting in Tallahassee or via teleconference) to present the conceptual site plan.
3. Based upon feedback collected in the above task, provide one (1) round of refinement to the conceptual site plan (black and white, hand drawn) and issue to Client.
4. Prepare an Opinion of Probable Construction Cost for the refined conceptual site plan.
  - a. Because Kimley-Horn does not control the cost of labor, materials, equipment or services furnished by others, methods of determining prices, or competitive bidding or market conditions, any opinions rendered as to costs, including but not limited to the costs of construction and materials, are made solely based on its judgment as a professional familiar with the industry. Kimley-Horn cannot and does not guarantee that proposals, bids or actual costs will not vary from its opinions of cost. If the Client wishes greater assurance as to the amount of any cost, it shall employ an independent cost estimator. Kimley-Horn's services required to bring costs within any limitation established by the Client will be paid for as Additional Services.
5. Deliverables to include: Electronic files of conceptual site plan (black and white, hand drawn) and opinion of probable construction cost.

## ***Additional Services***

Any services not specifically provided for in the above conceptual site planning scope will be billed as additional services and performed at our then current hourly rates. Additional services we can provide include, but are not limited to, the following:

- Hand drawn color schematic plan
- Schematic plan in AutoCAD
- Community Involvement
- Construction Documents

## ***Task 4 – Survey Services***

Kimley-Horn will subcontract with a Professionally Licensed Surveyor to collect existing field data and prepare survey drawings depicting the existing conditions in the rights-of-way within the study area. Specifically, the surveyor will:

- Set/establish (or reference to provided) horizontal and vertical survey control at the project sites, based on the Florida North Zone State Plane Coordinate System, North American Datum of 1983 and vertically on the North American Vertical Datum of 1988.
- Prepare Topographic Survey and full Digital Terrain Model (DTM) of Okaloosa County Parcel ID Numbers: 09-2S-24-0000-0062-0270, 09-2S-24-0000-0062-0060, 09-2S-24-0000-0101-0000, 09-2S-24-0000-0042-0010, 09-2S-24-0000-0042-0000, 09-2S-24-0000-0044-0000, a portion of 09-2S-24-0000-0039-0000 and approximately 620 linear feet of the following roadways:
  - Poplar Avenue NW from 310 Poplar Avenue NW to the intersection with 3rd Street (as shown on the plat of John Bishop Subdivision).
  - 3rd Street from the intersection with Poplar Avenue NW to Okaloosa County Parcel ID: 09-2S-24-1330-0003-0030.
- Topographic information to be collected within the full right of way limits and include all aboveground visible improvements, edges of pavement, driveways, buildings, storm sewer and structures (with elevations where accessible), sanitary sewer and structures (with invert elevations where accessible), 12" and greater DBH trees (excluding pine trees), and encroachments into the calculated rights of way.
- Locate and depict aboveground visible evidence of underground utilities as evidenced by above ground features marked by others, at the time of the field survey. The surveyor will submit an 811 Sunshine One Call Design Ticket.
- Locate wetland flags, delineated by others.

- Prepare a Boundary Survey of Okaloosa County Parcel ID: 09-2S-24-0000-0062-0270, 09-2S-24-0000-0062-0060, 09-2S-24-0000-0101-0000, 09-2S-24-0000-0042-0010, 09-2S-24-0000-0042-0000, 09-2S-24-0000-0044-0000, and 09-2S-24-0000-0039-0000.
- Based on limited boundary monumentation collected, depict:
  - Calculated right of way lines of Poplar Avenue NW and 3rd Street.

## *Survey Assumptions*

The following assumptions were made during the preparation of this Scope of Services. If these assumptions do not prove correct, an additional services change order may be warranted:

- All surveying services will be performed under the direct supervision of a Florida Licensed Professional Surveyor and Mapper (PSM).
- Client will coordinate right-of-entry for any areas requiring access, prior to deployment of Surveyor field crew(s).
- If stormwater sewer structures contain silting/obstructions, cleaning the structures may be required. Surveyor will not be responsible for cleaning structures. If stormwater sewer structures are holding water, Surveyor will obtain approximate invert elevations and pipe sizes. If pumping is required to determine precise measurements and pipe materials, SAM will not be responsible for pumping. If cleaning or pumping is performed after the initial field work is complete, fees for additional mobilization may be required. If pipes are not visible, elevations will be understood to be approximate.
- Additional fees may be necessary if existing conditions dictate that OSHA requirements for confined space entry be met. This would include if invert measurements in stormwater sewer structures cannot be obtained from the surface and require entry.
- This scope assumes that no more than 100 trees to be located.
- This scope assumes no more than 40 wetland flags to be located. SAM is assuming approximately 2,000 linear feet of wetland delineation. Additional wetland flagging will be included as a supplemental service.
- SAM is not required to resolve any boundary conflicts, title conflicts, ownership issues, or legal interpretations of record documents found during the course of the survey.
- Client will provide access into any access gates or property gates that are present.
- Fees do not include any Maintenance of Traffic fees that may be necessary.

## *Project Deliverables*

- Digital files in AutoCAD Civil 3D format (Version 2018) of the survey with surface and point file.
- 2 Signed/sealed copies and .pdf files of the survey.



## ***Task 5 – Stormwater Design and Modeling***

- Drainage basin definition – Kimley-Horn will download publicly available LiDAR Topographic Data for review to determine the approximate limits of the drainage basin for the study area. The stormwater characteristics of the basin will be identified to calculate stormwater runoff rates and volumes discharging from the basin.
- Site visit – After Kimley-Horn has delineated basins, a site visit will be performed to review field conditions and attempt to identify locations for the new stormwater facility.
- Based on the site visit and data received from the environmental review and survey, Kimley-Horn will prepare a preliminary drainage plan.
- Based on client approval of the preliminary drainage plan, Kimley-Horn will perform drainage calculations to prepare a model for the proposed stormwater facility. A drainage report will be prepared. The Drainage Report will include a narrative summarizing the approach, existing conditions, assumptions made, calculations and results.

## ***Task 6 – Geotechnical Services***

Kimley-Horn will subcontract with a Licensed Professional Geotechnical Engineer for Geotechnical engineering services.

The proposed scope of services is based on the information supplied and our Geotechnical subcontractor's experience in the area with similar projects and includes the following:

- Locate the borings at the site.
  - Clear registered utilities at the site with the Florida Sunshine Network. Non-registered or private utilities are the responsibility of the client to clear.
    - If required, clearing paths to the proposed boring locations using a forestry mulcher will be included as an additional service.
  - Mobilize a truck-mounted drill rig, support truck, and drill team to the site.
  - Drill seven Standard Penetration Test (SPT) borings to a depth of 20-25 feet.
  - Attempt to obtain up to four Shelby tube samples for laboratory permeability testing.
  - Visual classification of the soil obtained in the borings by our engineering staff.
  - Perform basic laboratory testing including moisture content tests and wash #200 sieve tests to check visual classification and evaluate basic soil properties.
  - Perform up to four falling head permeability tests with grainsize analysis on the Shelby tube samples.
  - Analyze the test data to develop geotechnical engineering recommendations for the project.
- A qualified, professional geotechnical engineer licensed in the state of Florida will manage the project, and the results of the exploration will be presented in a report that will address the following:

- Existing site characteristics.
- Exploration, testing, and sampling methods.
- Subsurface soils encountered and soil classifications.
- Depth to groundwater at the time of drilling.
- A discussion of laboratory test results.
- Recommendations for stormwater pond design including vertical and horizontal saturated hydraulic conductivities, estimated seasonal high groundwater level, and fillable porosity.

## **Task 7 – 30% Design Plans**

Based on the client approved preliminary drainage plan, Kimley-Horn will prepare 30% Design plans in accordance with industry standards to depict and specify the required improvements needed for the construction of the project. The 30% Design Plans are expected to include:

- Cover Sheet
- General Notes
- Existing Conditions and Erosion Control
- Stormwater Pollution Prevention Plan (SWPPP)
- Overall Site Plan
- Grading Plan
- Preliminary Stormwater Detail Sheet
- Construction Details

Deliverables for this task include a digital .pdf copy of the plan set. Hard copies will be available upon request.

## **Task 8 – 90% Design Plans**

Based on the client approved 30% plan set, Kimley-Horn will prepare 90% Design plans in accordance with industry standards to depict and specify the required improvements needed for the construction of the project. The 90% Design Plans are expected to include:

- Cover Sheet
- General Notes
- Existing Conditions and Erosion Control
- Stormwater Pollution Prevention Plan (SWPPP)
- Overall Site Plan
- Grading Plan
- Stormwater Facility Plan Sheet
- Stormwater Facility Cross Sections

- Stormwater Detail Sheet
- Construction Details

Deliverables for this task include a digital .pdf copy of the plan set. Hard copies will be available upon request.

## **Task 9 – Permitting Services**

Prior to commencing construction activities, permit application reviews through the following agencies will be required:

- Northwest Florida Water Management District (NFWMD)
- US Army Corp of Engineers (USACE)

Kimley-Horn will prepare the permit applications and supporting documentation for submittal to the agencies listed above. Responses to up to two (2) rounds of agency comments are included in the scope.

Kimley-Horn will assist the Client in applying for those permits and approvals stated about in the scope of services. This assistance will consist of completing and submitting forms to the appropriate regulatory agencies. The Consultant makes no warranty that regulatory agencies will issue the permits and approvals desired by the Client.

These services will be billed as hourly services and performed per the hourly rates in the master contract.

## **Task 10 – Plans - Bid Set**

Kimley-Horn will prepare a Bid Set of Drawings in accordance with industry standards to depict and specify the required improvements needed for the construction of the project. The Bid Set will capture changes to the plans that occur during permitting activities and include additional drawing details. The Construction Plan Set is expected to include:

- Cover Sheet
- General Notes
- Existing Conditions and Erosion Control
- Stormwater Pollution Prevention Plan (SWPPP)
- Overall Site Plan
- Grading Plan
- Stormwater Facility Plan Sheet
- Stormwater Facility Cross Sections
- Stormwater Detail Sheet
- Construction Details

Deliverables for this task include a digital .pdf copy of the plan set. The pdf copy will be digitally signed and sealed by a Professional Engineer licensed in the State of Florida. Hard copies will be available upon request.

## ***Task 11 – Project Specifications***

Kimley-Horn will prepare a project specifications package to support the drawings. Project Specifications will be signed and sealed by a Professional Engineer licensed in the State of Florida. Project Specifications package will include applicable Okaloosa County, FDOT specifications and manufacturer specification references.

Deliverable will be a digital copy in .pdf format.

## ***Task 12 – Release for Construction (RFC) Plans***

After the project has been awarded to a contractor for construction, Kimley-Horn will prepare a Released for Construction (RFC) set in accordance with industry standards to depict and specify the required improvements needed for the construction of the improvements. The RFC Set will include the updates and revisions that occurred during the bidding process.

Deliverables for this task include a .pdf copy of the plan set. The pdf copy will be digitally signed and sealed by a Professional Engineer licensed in the State of Florida. Hard copies will be available upon request.

## ***Task 13- Meetings and Coordination***

Kimley-Horn is available to meet with the Client, governing agencies, and coordinate with team members. A pre-application meeting is anticipated with FDEP/NWFWMD. Kimley-Horn also anticipates meetings with the Client during the design and permitting stage of the project. Meetings may be either in-person or via tele-/video conference. Attendance at up to six (6) meetings is anticipated during the design and permitting phase of the project and are included in this scope.

Coordination with owners of existing utilities in the area will be performed under this task.

## ***Services Not Included***

Any other services beyond those specifically mentioned above are not included in this scope of services.

## ***Additional Services***

The services listed above are believed to be sufficient to design and permit the project. However, the following is a list of additional services that may arise during the life of the project that Kimley-Horn is available to perform:

- Bid Support Services
- Limited Construction Administration and Certifications
- Grant Applications and/or Writing Services
- Grant Administration Services
- As-built drawings
- Landscape design and irrigation services
- Leading community meetings
- Stormwater Master Planning
- Survey Services beyond those listed above.
- Roadway Design Services
- Environmental Services beyond those listed above.
- Attendance at meetings beyond those listed above.

Should the need for additional services arise during the life of the project, an amendment will be prepared defining the scope and fee for the additional service.

### ***Information Provided by Client***

Kimley-Horn shall be entitled to rely on the completeness and accuracy of all information provided by the Client or the Client's consultants or representatives.

### ***Responsibilities of Client***

In addition to other responsibilities set out in this Agreement, the Client shall:

- Allow for access to the site.
- Pay application submittal fees and other development fees.
- Provide signatures on applications and supporting documentation demonstrating control of property, as needed for permits.
- Review plans within a reasonable timeframe.
- Provide available information on existing drainage features within the project area.
- Provide Construction Contract for project.
- Lead the Bid process.

### ***Schedule***

Kimley-Horn will provide the scope of services listed above as expeditiously as practicable with the goal of meeting a mutually agreed upon schedule.

## Fee and Expenses

Kimley-Horn will perform the services in Tasks 3,5,7-8, and 10-12 for the total lump sum fee below. Tasks 1-2, 9 and 13 will be performed on an hourly basis per the rates in effect at the time the services are provided. Individual task amounts are information only. Kimley-Horn reserves the right to reallocate fees amongst tasks. Tasks 4 and 6 will be performed by qualified sub-consultants to be completed for the lump sum fee below. Task 6 also includes an additional lump sum fee to be utilized if required. The fees for the hourly tasks are based on the information known at the time of this proposal preparation, budgets have been estimated below to help County with budgeting. Actual fees will be based on actual effort accrued and may be less or more than the budgeted amounts indicated below.

In addition to the lump sum labor fee, direct reimbursement expenses such as large format printing, report printing and binding, express delivery fees, travel and other direct expenses will be billed at 1.15 times cost. All permitting, application and similar project fees will be paid directly by the Client.

Task	Fee
Task 1 - Natural Resource Assessment	HOURLY
Task 2 - Grant Funding Exploration	HOURLY
Task 3 - Conceptual Site Planning	\$ 20,185.20
Task 4 - Survey Services	SUB CONSULTANT
Task 5 - Stormwater Design and Modeling	\$ 155,927.50
Task 6 - Geotechnical Services	SUB CONSULTANT
Task7 - 30% Design Plans	\$ 9,952.45
Task 8 - 90% Design Plans	\$ 15,411.22
Task 9 - Permitting Services	HOURLY
Task 10 - Plans - Bid Set	\$ 8,143.90
Task 11 - Project Specifications	\$ 9,555.69
Task 12 - Release for Construction (RFC) Plans	\$ 5,022.60
Task 13 - Meetings and Coordination	HOURLY
<b>KHA Lump Sum Fee</b>	<b>\$ 224,198.56</b>
Task 1 Natural Resource Assessment - Hourly Budget	\$ 15,111.50
Task 2 Grant Funding Exploration Hourly Budget	\$ 10,671.25
Task 9 Permitting Services - Hourly Budget	\$ 19,480.35

Task 13 - Meetings and Coordination - Hourly Budget \$ 7,579.56

**KHA Hourly Budget  
Fee \$ 52,842.66**

Task 4 - Survey Services - Performed by Sub Consultant

Boundary Surveys (7 total)	\$ 21,500.00
Site Topographic Survey	\$ 31,000.00
Roadway Topographic Survey	\$ 4,000.00
Wetland Flag Locates	\$ 2,000.00

**Survey Lump Sum  
Fee \$ 58,500.00**

Task 6 - Geotechnical Services \$ 11,700.00

Task 6 - Additional Services (Clearing) \$ 2,750.00

**Geotechnical Lump  
Sum Fee \$ 11,700.00**

**Geotechnical  
Additional Services  
Fee \$ 2,750.00**

Lump sum fees will be invoiced monthly based upon the overall percentage of services performed. Payment will be due within 25 days of your receipt of the invoice and should include the invoice number and Kimley-Horn project number.

Labor fee for hourly tasks will be billed on an hourly basis according to the rates in the Master Services Agreement. For hourly tasks, a percentage of labor fee will be added to each invoice to cover certain other expenses such as telecommunications, in-house reproduction, postage, supplies, project related computer time, and local mileage. All permitting, application and similar project fees will be paid directly by the Client.

## Closure

Kimley-Horn, in an effort to expedite invoices and reduce paper waste, submits invoices via email in a PDF. We can also provide a paper copy via regular mail if requested. Please include the invoice number and Kimley-Horn project number with all payments. Please provide the following information:

Please email all invoices to clejeune@myokaloosa.com

Please copy mwilson@myokaloosa.com

To proceed with the services, please have an authorized person sign this Agreement below and return to us. We will commence services only after we have received a fully-executed agreement. Fees and times stated in this agreement are valid for sixty (60) days after the date of this letter.

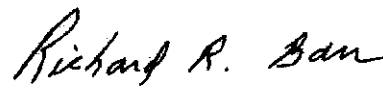
To ensure proper set up of your projects so that we can get started, please complete and return the signed copy of this Agreement the attached Request for Information. Failure to supply this information could result in delay in starting work on this project.

We appreciate the opportunity to provide these services. Please contact me if you have any questions.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

  
Natalie Zierden  
Project Manager

  
Richard Barr  
Sr. Vice President

Okaloosa County

SIGNED: Jason T. Autrey, PE, CPM Digitally signed by Jason T. Autrey, PE, CPM  
Date: 2024.10.03 14:52:26 -0500

PRINTED NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

Client's Federal Tax ID: \_\_\_\_\_

Client's Business License No.: \_\_\_\_\_



**AMENDMENT**  
**RESTORE ACT Required Clauses**

Restore Act 31 CFR Part 34

The Contractor understands and will comply with the requirements of with the RESTORE Act, Treasury's implementing regulations of 31 C.F.R. Part 34 <https://www.ecfr.gov/current/title-31/subtitle-A/part-34?toc=1>

Audits, Records and Site Visits

The contractor is required to make available to Treasury, the Treasury Office of Inspector General, the Government Accountability Office, or any of their authorized representatives any documents, papers or other records, including electronic records, of the contractor that are pertinent to this Award, in order to make audits, investigations, examinations, excerpts, transcripts, and copies of such documents. This right also includes timely and reasonable access to the contractor's personnel for the purpose of interview and discussion related to such documents. This right of access shall continue as long as records are retained (per its original contract).

The Treasury, the Treasury Office of Inspector General, and Government Accountability Office shall have the right during normal business hours to conduct announced and unannounced onsite and offsite physical visits of contractors corresponding to the duration of their records retention obligation for this Award.

Sub-Contracts

The Contractor must not sub-contract any part of the approved project to any agency or employee of Treasury and/or other federal department, agency, or instrumentality without the prior written approval of Treasury. Treasury will notify the recipient in writing of the final determination.

False, Fictitious or Fraudulent Claims

This project is funded by the U.S. Treasury and the Contractor is required to comply with the following provisions:

- a. The Program Fraud Civil Remedies Act of 1986 (31 U.S.C. §§ 3801-3812), provides for the imposition of civil penalties against persons who make false, fictitious, or fraudulent claims to the federal government for money (including money representing grants, loans or other benefits).
- b. False Statements, as amended (18 U.S.C. § 1001) provides that whoever makes or presents any materially false, fictitious, or fraudulent statements to the United States shall be subject to imprisonment of not more than five years.
- c. False, Fictitious, or Fraudulent Claims, as amended (18 U.S.C. § 287) provides that whoever makes or presents a false, fictitious, or fraudulent claim against or to the United States shall be subject to imprisonment of not more than five years and shall be subject to a fine in the amount provided in 18 U.S.C. § 287.
- d. False Claims Act (31 U.S.C. §§ 3729-3732), provides that suits under this act can be brought by the federal government, or a person on behalf of the federal government, for false claims under federal assistance programs.

## Driving Safety

Increasing Seat Belt Use in the United States: Pursuant to Executive Order 13043, 62 FR 19217 (Apr. 8, 1997), Contractor should encourage its employees and subcontractors to adopt and enforce on-the job seat belt policies and programs for their employees when operating company-owned, rented or personally owned vehicles.

Reducing Text Messaging While Driving: Pursuant to Executive Order 13513, 74 FR 51225 (Oct. 1, 2009), Contractor should encourage its employees and subcontractors to adopt and enforce policies that ban text messaging while driving, and recipient should establish workplace safety policies to decrease accidents caused by distracted drivers.

Kimley-Horn and Associates, Inc.  
Company Name

120 Richard Jackson Boulevard, Suite 230  
Street Address

Panama City Beach, Florida 32407  
City, State, Zip

850.553.3500  
Phone Number



\_\_\_\_\_  
Authorized Signature

Shawn Kalbli, PLA (SC, OH)  
Printed Name

Associate  
Title

October 30, 2024  
Date