

## **REQUEST FOR PROPOSALS**

- 33. Approve Amendment # 3 to Work Order # 3 RFP-489-00/BJC – Appraisal Services for Lake Emma Road, with the Spivey Group, Inc., Orlando (\$100,000.00 and a Time Extension through completion of Scope of Services or the Litigation; whichever is later.)**

Work Order #3 provides for the original appraisal reports for the Lake Emma Road Improvement Project. Appraisal services are necessary to acquire the property through negotiated settlements or through the eminent domain process for proposed County roadway improvements.

Amendment #3 will provide appraisal services for trial preparation and expert testimony at any and all trials related to the project parcels for the Lake Emma Major Road Project. Litigation is currently pending on project parcels and additional lawsuits may be initiated on other parcels required for construction of the Lake Emma Road Project. A time extension is necessary to keep the Work Order open until the completion of the Scope of Services or until the litigation is completed.

The following is a summary of the cost of the Work order:

Original Work Order Sum	\$207,365.00
Add Amendment #1	26,125.00
Add Amendment #2	35,000.00
Add Amendment #3	<u>\$100,000.00</u>
Revised Work Order Sum	\$368,490.00

Funds are available in account numbers 077515.560610 (Engineering, Land) and 077522-560610 (North Collector Projects, Land). Public Works Department/Engineering Division and Fiscal Services Department/Purchasing and Contracts Division recommend that the Board approve the changes and authorize the County Manager to execute the Amendment as prepared by the County Attorney's Office.

**THIRD AMENDMENT TO WORK ORDER NO. 3 FOR APPRAISAL SERVICES MASTER  
AGREEMENT (RFP-489-00/BJC)**

**THIS THIRD AMENDMENT** is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and is to that certain Work Order No. 3 made and entered into on the 11<sup>th</sup> day of January, 2001, as amended on July 15, 2002 and on August 14, 2003, between **THE SPIVEY GROUP, INC.**, whose address is 720 West Vassar Street, Orlando, Florida 32804, hereinafter referred to as "CONSULTANT," and **SEMINOLE COUNTY**, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter referred to as "COUNTY".

**W I T N E S S E T H:**

**WHEREAS**, the CONSULTANT and COUNTY entered into the above referenced Work Order No. 3 on January 11, 2001, as amended on July 15, 2002 and on August 14, 2003 for appraisal services for Lake Emma Road; and

**WHEREAS**, the parties desire to amend Work Order No. 3 so as to increase the Scope of Services and the amount of compensation therefore and to extend the time for performance of the Scope of Services; and

**WHEREAS**, Section 20 of the Agreement dated November 8, 2000 provides that any amendments shall be valid only when expressed in writing and duly signed by the parties,

**NOW, THEREFORE**, in consideration of the mutual understandings and agreements contained herein, the parties agree to amend Work Order No. 3 as follows:

1. The Scope of Services attached to Work Order No. 3 is increased to provide for the additional services provided in the attached Exhibit "A", which is incorporated by this reference.

2. The COUNTY agrees to compensate CONSULTANT a not to exceed amount of ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00) for the

increased Scope of Services. The total compensation through this Third Amendment shall not exceed the sum of THREE HUNDRED SIXTY-EIGHT THOUSAND FOUR HUNDRED NINETY AND NO/100 DOLLARS (\$368,490.00). In no event shall CONSULTANT be paid more than the fixed fee sum stated above.

3. The term of the Work Order, as amended, is extended until completion of the Scope of Services.

4. Except as herein modified, all terms and conditions of Work Order No. 3 shall remain in full force and effect for the term of Work Order No. 3 as originally set forth in said Work Order No. 3.

**IN WITNESS WHEREOF,** the parties hereto have executed this instrument for the purpose herein expressed.

ATTEST:

THE SPIVEY GROUP, INC.

\_\_\_\_\_  
TED HASTINGS, III, MAI, SRA  
Vice-President

(CORPORATE SEAL)

By: \_\_\_\_\_  
GLEN SPIVEY  
President

Date: \_\_\_\_\_

SEMINOLE COUNTY, FLORIDA

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print Name

By: \_\_\_\_\_  
CYNTHIA A. COTO, County Manager

Date: \_\_\_\_\_

Within authority of Resolution  
No. 93-R-71 adopted February 23,  
1993.

For the use and reliance  
of Seminole County only.

Approved as to form and  
legal sufficiency.

\_\_\_\_\_  
County Attorney

AC/lpk  
5/5/06  
RFP-489 3am wo3

Attachment:

Exhibit "A" - Scope of Services

**RFP-489-00/BJC****Work Order # 3 – Third Amendment****Lake Emma Major Road Project: APPRAISAL SERVICES**

**SCOPE OF SERVICES:** Provide appraisal services for the Lake Emma Major Road Project, (regarding original appraisals for new project parcels and, when required, appraisal updates for all Order of Take Hearings. Additionally, appraisal consultant shall provide appraisal services for trial preparation and expert testimony at any and all trials related to the project parcels for the Lake Emma Major Road Project).

The term of the Work Order, as amended, is extended until the completion of the Scope of Services.

---