

CONSULTING WORK ASSIGNMENT
WORK ASSIGNMENT
BETWEEN
THE DELRAY BEACH
COMMUNITY REDEVELOPMENT AGENCY
AND
SONG & ASSOCIATES, INC.

This Consulting Work Assignment is entered into this 13 day of Nov, 2018, by and between the **DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY**, hereinafter referred to as "CRA" and **SONG & ASSOCIATES, INC.** hereinafter referred to as "CONSULTANT".

WITNESSETH:

WHEREAS, the CRA and the CONSULTANT previously entered into an Agreement for Professional Contracting Services dated **October 1, 2018**, the ("Original Agreement"); and

WHEREAS, the CRA and the CONSULTANT are authorized to enter into Work Assignments in order to provide for additional services to be provided by the CONSULTANT for the CRA, pursuant to the Original Agreement; and

WHEREAS, the CRA and the CONSULTANT desire to enter into this Work Assignment in order to provide for the CONSULTANT to provide additional services pursuant to the Original Agreement, except a modified herein.

NOW, THEREFORE, in consideration of the mutual covenants and promises herein contained, the CRA and the CONSULTANT agree as follows:

1. The "WHEREAS" clauses recited above are hereby incorporated herein by reference.

2. The CRA authorizes the CONSULTANT to perform additional services as provided in this Work Assignment for the following CRA Project:

95 SW 5th Avenue Design

3. The Scope of Services for the Project, as provided in the Original Agreement, is hereby amended in order to authorize the CONSULTANT to provide the Scope of Services as described on **Exhibit "A"**, to this Work Assignment, which is attached hereto and incorporated herein by reference.

4. The Budget for the Project as stated in the Original Agreement is hereby amended to reflect the adjustments indicated on **Exhibit "A"**, to this Work Assignment, which is attached hereto and incorporated herein by reference.

5. The Completion Date for the Project as stated in the Original Agreement is hereby amended to provide for the CONSULTANT to complete the Scope of Services described in **Exhibit "A"** to this Work Assignment, which is attached hereto and incorporated herein by reference, no later than 210 days (exclusive of construction) after the CRA executes this Work Assignment, with extensions as approved by the Executive Director of CRA.

6. This Work Assignment is approved contingent upon the CRA's acceptance of and satisfaction with the completion of the services rendered in the previous phase or as encompassed in the Original Agreement, as may have been amended by any prior Work Assignments entered into between the CRA and the CONTRACTOR. If the CRA, in its sole discretion, is unsatisfied with the services provided in the previous phase, or prior Work Assignment, the CRA may terminate the Original Agreement without incurring any further liability.

7. The CONSULTANT may not commence work on any Work Assignment, including this Work Assignment, as approved by the CRA, without a further notice to proceed issued in writing by the CRA Executive Director, or her authorized representative.

8. The Original Agreement, as may have been modified by prior Work Assignments, and except as modified herein, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Work Assignment as of the day and year indicated above.

ATTEST:

By:


Jeff Costello, Executive Director

**DELRAY BEACH COMMUNITY
REDEVELOPMENT AGENCY**

BY:


Shelly Petrolia, Chair

I HEREBY CERTIFY THAT I HAVE
APPROVED THIS AGREEMENT
AS TO FORM:


General Counsel

CONSULTANT:

SONA + ASSOCIATES

By: [Signature]

(Signature)

Jill Honigon Principal
(Print Name and Title)

Attest:

Jane Brent
Secretary Business Manager

(CORPORATE SEAL)

STATE OF FLORIDA)
)ss:
COUNTY OF PALM BEACH)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared Jill Honigon as Principal of Sona + Associates, Inc. named in the foregoing agreement and that he/she acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in him/her by said Corporation and that the Corporate seal affixed thereto is the true corporate seal of said Corporation.

Witness my hand and official seal in the County and State last aforesaid this 28 day of NOVEMBER, 2018.



Perry Douglass
Commission # FF987812
Expires: May 1, 2020
Bonded thru Aaron Notary

[Signature]
NOTARY PUBLIC
Perry Douglass
Printed Name

My Commission Expires: 5/1/2020

EXHIBIT "A"

"NAME OF PROJECT"

Song + Associates, Inc. is pleased to provide our proposal for architectural and engineering services for the development of a site located at 95 SW 5th Avenue in Delray Beach, Florida. The intent of the project is to provide a design for a building shell that the Delray Beach Community Redevelopment Agency (DB CRA) can lease to local tenants to enhance the quality of the neighborhood.

I. PROJECT UNDERSTANDING

The beginning phase of the project will be to design an approximately 3,000 square feet two story building shell. The shell is to be divided into (3) three separate spaces. The second story is to allow for a mezzanine in each of the (3) three areas to be developed. The construction is anticipated to be concrete masonry with stucco finish or tilt up concrete on concrete footings. The concrete slab is to be installed per the future tenant's requirements. The roof structure will be steel bar joist with a torch applied bituminous roofing system over light weight concrete insulation over steel deck. The roof will have a structural slope built into the bar joist.

II. SCOPE OF SERVICES

- A. Song + Associates will provide Architectural design services, in addition to Landscape, Civil, including a Survey, Structural, Mechanical, Plumbing, and Electrical engineering services.
- B. We will provide the standard full scope of professional design service phases consisting of Schematic Design, Design Development, Construction Documents, Bidding/ Negotiation assistance and Construction Administration.
- C. **Site Plan Approval and Historic Preservation Board and Planning and Zoning Department review will *not* be required.**
- D. Refer to Exhibit A for Hourly Rate Schedule.
- E. **SCHEMATIC DESIGN PHASE**
 - Develop the Conceptual Diagram (Attachment 2) provided by the DB CRA, into a Schematic Design package so the DB CRA can validate the program and the design.
 - Engage the necessary design consultants for Civil, Mechanical, Electrical, Plumbing, and Structural engineering for document development.
 - Prepare schematic floor plans, elevations, sections and critical building details showing the relationship of project components for Owner approval.
 - Initiate Building Department and Fire Marshall project review discussion to receive their input regarding design review and necessary documentation.
- F. **DESIGN DEVELOPMENT / CONSTRUCTION DOCUMENTS**
 - Upon the DB CRA's review and approval of the Schematic Design deliverables, prepare working drawings and specifications describing in technical detail the construction work to be done: graphically represent and note the materials, equipment, quality of workmanship and finishes required for work to be done.
 - Coordinate and interface with other consulting disciplines of Landscape Architecture, Mechanical, Electrical and Plumbing, Structural and Civil engineering.

- Continue discussions with the Building Department and Fire Marshall to receive their final input regarding design and documentation prior to official permit review.
- Conduct periodic progress meetings with the Owner and Design Consultants.
- Provide the final coordinated set for final Owner review.

G. PERMIT, BIDDING AND NEGOTIATION ASSISTANCE

- Assist in the preparation of bid documents
- Respond to Contractor/ Bidder questions and RFI's
- Issue revised documents required by Addenda items
- Review and evaluation of Bidder submittals and qualifications when requested.
- Provide a conformed set of documents incorporating all Building Department and Bidding comments.

H. CONSTRUCTION ADMINISTRATION

- Provide responses to Contractor RFI's
- Review and process shop drawings
- Conduct periodic site observation visits to evaluate construction relative to the intent of the documents
- Attend periodic OCA meetings.
- Review payment applications and certifications
- Issue Certificates for Substantial completion with punch list items and Final Pay Application Certificate.

III. FEES

Song + Associates, with their consultants will provide the basic and additional design services for the work described herein for a fixed fee amount of Fifty-Six Thousand Eight Hundred Twenty Dollars and No Cents (\$56,820.00).

This fee is based on the following information: For state projects, such as an elementary school or civic projects such as airports or detention facilities, the Florida Department of Management Services (DMS) has developed a fee calculator for Architectural and Engineering design services called the DMS Curve. The DMS Curve Calculator is divided into two major categories, construction cost for the building and additional services for site work such as Civil, Landscaping and Site Surveys.

The DMS Curve is then subdivided into seven levels of complexity. Ranging from Group Level A, Considerably More than Average Complexity, such as complex laboratories to Level G, Building Engineering Services, such as mechanical, electrical and structural projects not exceeding \$1,000,000 in construction cost.

Complexity Group E, which is for Less than Average Complexity, is for buildings such as apartment buildings or office buildings with undefined interior space (open for later partitioning). With a construction cost budget of \$600,000.00 the DMS Curve recommends a fee of \$43,820.00 for basic services. Group E's fee is 7.30% of the construction costs of the building. We are proposing this fee for basic services, which would include Architectural, Structural and Mechanical, Electric (including Security and IT) and Plumbing.

Additional Services for site work: Landscape Architecture, Civil and the Site Survey would be an additional \$13,000.00. Refer to Additional Services below for a breakdown of these fees.

This fee amount is further described as follows:

Basic Services

A. Basic Services for Architectural / Structural / MEP (including Security and IT). \$ 42,820.00

Additional Services

B. Landscape \$ 3,500.00

C Civil Engineering \$ 5,000.00

D Survey \$ 4,500.00

Subtotal \$ 56,820.00

E. Reimbursable (Allowance) \$ 2,000.00 ✓

Grand Total \$ 58,820.00

Phase Apportionment and Schedule

Schematic Design Phase	SD	15%	30 days	\$	8,523.00
Design Development Phase	DD	20%	30 days	\$	11,364.00
Construction Document Phase (50%)	CD100	40%	30 days	\$	22,728.00
Permit/Bid/GMP	BD	5%	60 days	\$	2,841.00
Construction Administration Phase	CA	20%	180 days	\$	11,364.00
Total			390 days	\$	56,820.00

✓

All Services will be invoiced monthly based on the percentage of work completed.

The following A&E services not included in this proposal are:

1. LEED or other Sustainability Certification (As standard practice the design team will incorporate sustainable principles in the project documentation as part of our basic fee.)
2. Site Plan Approval by the Planning and Zoning and the Historic Preservation.
3. Interior construction such as partition types, ceiling, floor and wall finishes, interior doors and view panels. Also no interior mechanical, electrical or plumbing will be required. Only infrastructure of each leasable spaces is to be provided.
4. Fire Protection Sprinklers are not included in the scope.

IV. OWNER RESPONSIBILITIES

The Client will provide to the Architect pertinent information documents and drawings in Microsoft Word and AutoCAD electronic form (where available).

V. ALLOWANCES

The Architect shall be paid for all normal reimbursable expenses such as, but not limited to, printing, reproductions, postage, mileage, special delivery, detailed Probable Cost estimates, and supplemental 3D renderings invoiced at cost with no mark-up, in addition to the basic compensation as shown above.

SONG + ASSOCIATES, INC.
Hourly Rate Schedule
Per the DB CRA Continuing
Service Contract

Principal	\$200.00
Sr. Architect	\$180.00
Sr. Project Manager	\$185.00
Project Manager	\$135.00
Project Coord	\$125.00
Sr. Designer	\$125.00
Interior Designer	\$120.00
Sr. Construction Administrator	\$165.00
Construction Administrator	\$135.00
AutoCAD OP I	\$ 95.00
Clerical	\$ 65.00

**FIRST AMENDMENT TO THE WORK ASSIGNMENT
BETWEEN THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY
AND SONG & ASSOCIATES, INC.**

THIS FIRST AMENDMENT TO THE WORK ASSIGNMENT ("First Amendment") is made and entered into as of the 1st day of June, 2020, by and between the **DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY**, a public agency created pursuant to Section 163, Part III, Florida Statutes, (hereinafter referred to as the "CRA"), and **SONG AND ASSOCIATES, INC.** (hereinafter referred to as "CONSULTANT").

WITNESSETH:

WHEREAS, the CRA and the CONSULTANT previously entered into a Work Assignment for the design at 95 SW 5th Avenue (the "Project") dated November 13, 2018, (the "Original Work Assignment"); and

WHEREAS, the CRA and CONSULTANT agree to enter into this First Amendment in order to extend the timeline for the CONSULTANT to complete the Project and amend the Scope of Services by specifically amending Exhibit "A"; and

NOW THEREFORE, in consideration of the promises, mutual covenants, provisions, and undertakings hereinafter contained, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. That the recitals set forth above are true and correct and are incorporated herein by reference.

2. Exhibit "A" of the Original Work Assignment is hereby amended by Amended Exhibit "A" attached to this First Amendment, for the CONSULTANT to provide additional services for the Project.

3. Section 5 of the Original Work Assignment is hereby amended in its entirety as follows:

(5) The Completion Date for the Project as stated in the Original Work Assignment is hereby amended to provide for the CONSULTANT to complete the Scope of Services described in Exhibit "A", as amended by Amended Exhibit "A", attached to this First Amendment, no later than seven hundred twenty (720) days from execution of this First Amendment. The Original Work Assignment, as amended, may be extended, subject to a written amendment signed by the CRA's Executive Director. The CRA Board of Commissioners authorizes the Executive Director to execute such an amendment without further CRA Board action.

4. That except as amended herein, the CRA and CONSULTANT ratify, approve, and reaffirm the terms of the Original Work Assignment, and the Original Work Assignment shall remain in full force and effect, except as amended herein.

5. In the event of any conflict or ambiguity by and between the terms and provisions of the Original Work Assignment and this First Amendment, this First Amendment shall control to the extent of any such conflict or ambiguity.

[This Space is Intentionally Left Blank; Signature Page to Follow]

IN WITNESS WHEREOF, the parties have executed this First Amendment to the
Work Assignment on the date first written above

DELRAY BEACH COMMUNITY
REDEVELOPMENT AGENCY

By: [Signature]
Shelly Petrolia, Chair

ATTEST:

[Signature]
Renée A. Jadusingsh, Esq.
CRA Executive Director

APPROVED TO FORM:

[Signature] 6-1-20
CRA General Counsel

ATTEST:

SONG & ASSOCIATES, INC.
a Florida corporation

By: [Signature]
Print Name: YOUNG LEE

By: [Signature]
Title: JILL LANIGAN, PRINCIPAL

STATE OF FLORIDA)
COUNTY OF PALM BEACH)ss:

The foregoing instrument was acknowledged before me by means of X physical
presence or online notarization, this 29 day of MAY, 2020, by
JILL LANIGAN, as PRINCIPAL (name of officer or agent,
title of officer or agent), of Song & Associates, Inc., a Florida corporation, on behalf of the
limited liability company. He/She is personally known to me or has produced
 (type of identification) as identification



Perry Douglass
Comm. #GG955662
Expires: May 1, 2024
Bonded Thru Aaron Notary

Signature: [Signature]

Name and Title

GG955662
Commission Number



May 19, 2020

Ms. Tara Toto
20 North Swinton Avenue
Delray Beach, Florida 33444

RE: 95 SW 5th Ave Development
Adjusted Scope of Work #1 – Including Additional Services for Site Plan Approval

Dear Ms. Toto,

Song + Associates, Inc. respectfully requests approval of this Adjusted Scope of Work with Additional Services proposal for professional services related to the following changes in the scope of work.

1. **Changes to Proposed Building Size and Form:** The original proposed contract scope and fees dated December 10, 2018 described a new, 3,000 square feet, two-story building to be constructed as a shell building for future interior build-out for retail or office use. The building was proposed to be located on the western portion of the site with the existing surface parking area to remain. During the course of design, with direction by the owner, the building second floor was expanded to create a covered parking area below the building. The approved design has a proposed square footage of enclosed space (not including the covered parking) of 7,514 square feet, a 249.3% increase in building size. The covered parking garage is approximately 2,814 square feet.
2. **Site Plan Approval Submittal:** The preparation of documents to be submitted for Site Plan Approval, was not required under the original contract between Song + Associates and the Delray Beach CRA. The additional services to be covered under this agreement include Architectural, Civil, Landscape, and MEP drawings associated to the subject property.

I. ADJUSTED SCOPE OF SERVICES AND ADDITIONAL SERVICES:

A. Changes to Proposed Building Size and Form

The above described changes to the building form and increase in square footage area require additional architectural, structural, and MEP design services. The construction documents have been developed in accordance with the above described scope to a 50% level of development. The proposed additional services fees reflect the additional work required for the increased scope. The additional proposed fees will be apportioned as required to the remaining phases of Construction Documents, Permitting/Bidding, and Construction Administration.

Structural engineering changes include the expanded building foundation and structural design to span over the new parking area and support the second-floor level and roof above.

Mechanical, Electrical, and Plumbing design calculations are required for the expansion in building size.

Song + Associates, Inc.

Architecture • Planning • Interior Design
AA003165 / IB0001095

1545 Centrepark Drive
West Palm Beach, Florida 33401
T: 561.655.2423 F: 561.655.1482

American Institute of Architects / NCARB

B. Site Plan Approval

In order to obtain approval of the proposed facility and site construction on the subject property, the City of Delray Beach Planning + Zoning Department requires the project be submitted to the Technical Advisory Committee (TAC) for Site Plan Approval.

Task 1: Architecture

- a. Prepare and coordinate with consultants' documents the information required to submit the plans for the Site Plan Application.
- b. Make adjustments to the site boundary which consist of modifications to the property line to include a 5'-0" dedication from SW 5th Ave to widen the public ROW (the ultimate ROW of SW 5th Ave is 50') as required by the city, including modification to the 20' corner clip at the southwest property corner, by CBD rules.
- c. Additional conceptual design as requested by the Delray Beach CRA to enhance the building facades.
- d. 3D Renderings as required for the Site Plan Application submittal.
- e. Meetings held at the Delray Beach CRA office to coordinate and review the above.

Task 2: Survey

- a. Boundary Survey and Title Exception Review are *not* required.
- b. Topographic survey elevations will be shown at 50-foot grid; accessible invert elevations will be shown.
- c. Location of underground utilities is based on Consultant's designations. Consultant cannot guarantee that all utilities will be located.
- d. If Title of Opinion is not performed or provided, Client assumes liability for missing recorded information.
- e. Preparation of sketch and legal descriptions for easements of any kind and right of way dedication are specifically excluded from this proposal.

Task 3: Civil Engineering

- a. Consultant shall provide changes to the civil engineering plans as required by the major changes to the architectural site plan.
- b. Civil engineering services for offsite improvements are not included herein.
- c. Consultant shall provide grading from existing pavement and/or walkways, drainage system as may be required, potable water and/or sanitary sewer services only.
- d. Bidding Assistance shall not be provided by Miller Legg.
- e. Preparation of a Project Manual shall be provided by Client; Consultant shall provide work scope related specification sections on the construction documents only, if require.
- f. Site Lighting onsite and offsite are specifically excluded from this proposal.
- g. Plans and specifications for a required Bus Shelter are specifically excluded from this proposal.

Task 4: Landscape Architecture

- a. Tree mitigation plans are required to obtain a Tree/Scrub/Vegetation Removal Permit and are provided in this proposal.

II. PROFESSIONAL FEES

This fee is based on the DMS Curve **Complexity Group E**, *buildings with Less than Average Complexity, is for buildings such as apartment buildings or office buildings with undefined interior space (open for later partitioning)*. With a probable construction cost of \$1,577,940.00 for air-conditioned space, and \$281,400.00 for covered parking space, the DMS Curve recommends a fee of \$130,264.00 for basic services. Group E's fee is established as 6.90% (air-conditioned space), and 7.60% (covered parking space) of the construction costs of the building. Additional services to cover the Site Plan Approval process will be in the amount of \$7,500.00, plus \$1,000.00 allowance for reimbursables.

Nevertheless, the previous contract fees were \$58,820.00, of which \$31,251.00 has been paid by the CRA of Delray Beach. The resulting fee from the information above is **\$120,923.00.00** and is itemized in **Table 1**. We are proposing this fee for basic services, which would include Architectural, Structural and Mechanical, Electric (including Photometrics, Security and IT) and Plumbing.

Additional Professional Services include necessary project management coordination and consultant services for site work: Landscape Architecture, Civil and Irrigation and Site Plan Approval process totaling **\$35,345.00** in fees and **\$5,300.00** in allowances. Refer to supplement **Table 1** for a breakdown of these fees.

Note: The Probable Project cost is based on a price per square foot calculation to determine professional fees and does not constitute a cost estimate for construction purposes. Site conditions, current market construction rates, and local regulations and requirements may have an impact on the actual cost of construction.

III. SCHEDULE

At the time of this writing, the design documents have been submitted for Site Plan Approval and review comments have been received from the City of Delray Beach. It is anticipated that the project will require at least one public meeting for approval of the Site Plan. At this time, the City is under restrictions due to COVID 19 and this may impact the scheduling of public meetings and the review process. Song + Associates continues to operate and will facilitate online meetings to continue the review process subject to availability of City staff and the staff of other agencies.

Once site plan approval is obtained, we will require approximately 4 weeks for completion of construction documents for building permit submittal.

Acceptance of this proposal may be indicated by the signature of the duly authorized official of the Delray Beach CRA in the space provided below. Returning an executed copy of this proposal to our office will indicate agreement between the two parties. Song + Associates will await a contract agreement as prepared by the Delray Beach CRA.

We appreciate this opportunity and look forward to continuing to serve the Delray Beach CRA.

Sincerely,



Jill Lanigan,
Principal

cc: JoAnn Brent, S+A; Eduardo Pagán, S+A

Accepted By: _____ Title: _____

Print Name: _____ Date: _____

Supplement A - TABLE 1			
95 SW 5th Ave, Delray Beach, FL			
Area		Original Contract Nov-19 Cost / Sq. Ft.	Adjusted Scope of Work Apr-20 Cost / Sq. Ft.
a/c			
non-a/c		\$200	\$210
		\$0	\$100
DMS Group E - Values		% of Const Cost	% of Const Cost
a/c square feet		7.30%	6.90%
non-a/c square feet			7.60%
		Sq. Ft.	Sq. Ft.
a/c square feet		3,000	7,514
non-a/c square feet		0	2,814
Probable Construction Cost			
Building	\$210/sf	\$600,000.00	\$1,577,940.00
Covered Parking	\$100/sf	\$0.00	\$281,400.00
Assumed Project Cost		\$600,000.00	\$1,859,340.00
Basic Services			
Architectural / Structural / MEP (Including security and IT, Photometrics Plan)	Building	\$42,820.00	\$108,877.86
	Covered Parking	\$0.00	\$21,386.40
Reimbursable (Allowance)		\$2,000.00	
Total		\$44,820.00	\$130,264.26
Additional Professional Services			
Landscape + Irrigation		\$3,500.00	\$8,740.00
Civil Engineering		\$5,000.00	\$14,605.00
Survey		\$4,500.00	\$4,500.00
Miscellaneous Construction Services		\$0.00	
Planning Meeting Attendance		\$0.00	
Reimbursable Expenses		\$0.00	
Site Plan Approval		\$0.00	\$7,500.00
Total		\$13,000.00	\$35,345.00
Proposed Professional Fees - Based on Group E of the DMS Curve			
Total Fees		\$56,820.00	\$165,609.26
Fee Appointment by Phase			
Phase		Original	New
SD - Schematic Design	15%	\$8,523.00	\$24,841.39
DD - Design Development	20%	\$11,364.00	\$33,121.85
CD - Construction Documents	40%	\$22,728.00	\$66,243.70
BD - Permit/Bid/GMP	5%	\$2,841.00	\$8,280.46
CA - Construction Administration	20%	\$11,364.00	\$33,121.85
Subtotal	100%	\$56,820.00	\$165,609.26
Fees earned and received		\$31,251.00	Credited \$31,251.00
Proposed Fee			\$134,358.00
10% Additional Courtesy Discount			\$13,435.00
Total Proposed Fees			\$120,923.00
Total Services Including Allowances			\$126,223.00
Total Project Fees including credited amounts			\$157,474.00
Footnotes			
**Allowances are above basic fee (Adjusted Scope of Work) and will only be used when approved by the City of Delray Beach for the intended services.			

$$\begin{array}{r}
 \$ \textcircled{A} = 170,909.26 \\
 \quad \quad 31,251.00 \\
 \hline
 139,658.26 \\
 \quad \quad 13,435.00 \\
 \hline
 126,223.26
 \end{array}$$

Supplement B - Engineering Breakdown as required by the CRA of Delray Beach

TASK NUMBER	TASK	LUMP SUM FEE	HOURLY NTE FEE
ENGINEERING TASKS			
Task 1	Additional Surveying	\$1,500.00	--
Task 2	Civil Engineering Plans, Permitting	\$4,500.00	--
Task 3	Composite Utility Plan	\$1,500.00	--
Task 4	Engineering Construction Services		
a.	Pre-construction	\$1,000.00	--
b.	Construction Observation	\$3,200.00	--
c.	Statement of Work Completion	\$500.00	--
d.	Surface Water Management Certification	\$500.00	--
e.	Miscellaneous Construction Services	--	\$2,000.00
	Engineering tasks subtotal	\$12,700.00	\$2,000.00
LANDSCAPE ARCHITECTURE TASKS			
Task 5	Landscape & Irrigation Plans	\$3,500.00	--
Task 6	Certified Arborist Consulting Services	\$1,600.00	--
Task 7	Landscape and Irrigation Construction Observation	\$2,000.00	--
Task 8	Landscape Statement of Work Completion	\$500.00	--
	Landscape Architecture tasks subtotal	\$7,600.00	\$0.00
Miscellaneous			
Task 9	Planning Meeting Attendance	--	\$1,500.00
Task 10	Reimbursable Expenses	--	\$500.00
	TOTAL FEE	\$20,300.00	\$4,000.00

**SECOND AMENDMENT TO THE WORK ASSIGNMENT
BETWEEN THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY
AND SONG & ASSOCIATES, INC.**

THIS SECOND AMENDMENT TO THE WORK ASSIGNMENT ("Second Amendment") is made and entered into as of the 8th day of March, 2021, by and between the **DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY**, a public agency created pursuant to Section 163, Part III, Florida Statutes, (hereinafter referred to as the "CRA"), and **SONG & ASSOCIATES, INC.** (hereinafter referred to as "CONSULTANT").

WITNESSETH:

WHEREAS, the CRA and the CONSULTANT previously entered into a Work Assignment for the design at 95 SW 5th Avenue (the "Project") dated November 13, 2018, (the "Original Work Assignment"); and

WHEREAS, the CRA and the CONSULTANT previously entered into a First Amendment to the Original Work Assignment on June 1, 2020; and

WHEREAS, the CRA and the CONSULTANT desire to enter into this Second Amendment for the CONSULTANT to provide additional services; and

NOW THEREFORE, in consideration of the promises, mutual covenants, provisions and undertakings hereinafter contained and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. That the recitals set forth above are true and correct and are incorporated herein by reference.

2. Exhibit A of the Original Work Assignment is hereby amended to include the additional services stated in the Additional Services Exhibit "A" attached to this Second Amendment, for the CONSULTANT to provide said additional services for the Project.

3. That except as amended herein, the CRA and CONSULTANT ratify, approve and reaffirm the terms of the Original Work Assignment, and the Original Work Assignment shall remain in full force and effect, except as amended herein.

4. In the event of any conflict or ambiguity by and between the terms and provisions of the Original Agreement, First Amendment, and this Second Amendment, the terms and provisions of this Second Amendment shall control to the extent of any such conflict or ambiguity.

[This Space is Intentionally Left Blank; Signature Page to Follow]

IN WITNESS OF THE FOREGOING, the parties have executed this Second Amendment to the Work Assignment on the date first written above.

DELRAY BEACH COMMUNITY
REDEVELOPMENT AGENCY

BY: Shirley E. Johnson
Shirley E. Johnson, Chair

ATTEST
By: Renee A. Jadusingh, Esq.
Renee A. Jadusingh, Esq.
Executive Director

APPROVED AS TO FORM:

Yeny
CRA Legal Advisor

ATTEST:

SONG & ASSOCIATES, INC.

a Florida corporation

By: Robert Castrovinci
Print Name: ROBERT CASTROVINCI Title: PRINCIPAL

STATE OF FLORIDA)
)ss:
COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me by means of X physical presence or online notarization, this 8 day of MARCH, 2021, by JILL LANIGAN, as PRINCIPAL (name of officer or agent, title of officer or agent), of Song & Associates, Inc., a Florida corporation, on behalf of the limited liability company. He/She is personally known to me or has produced (type of identification) as identification



Perry Douglass
Comm. # GG955662
Expires: May 1, 2024
Bonded Thru Aaron Notary

Signature: Perry Douglass
Name and Title: GG955662
Commission Number

AMENDED EXHIBIT "A"

December 7, 2020



Ms. Tara Toto
20 North Swinton Avenue
Delray Beach, Florida 33444

RE: 95 SW 5th Ave Development
Additional Services #2 – Architectural Site Plan, Civil Engineering and Landscape Revisions

Dear Ms. Toto,

Song + Associates, Inc. respectfully requests approval of these Additional Services proposal for revisions to the Civil Engineering and Landscape Services as required by the City of Delray Beach Site Plan Approval Process.

I. PROJECT UNDERSTANDING:

Design of Site improvements not included in original scope of work: In order to obtain Site Plan Approval, some right-of-way site improvements have been requested by the City of Delray Beach, and must be produced to conform with the Land Development Regulations established by the City. Song and Associates, Inc. shall make the Site Plan alterations and update all pertinent documents to address the City's Planning Department request. Consultant shall provide changes to the Civil Engineering and Landscape plans as required to include site design which is a change to the original scope of work. Services for such site improvements will include the following tasks:

Task 1: Architecture

- a. Site Plan modifications to include enhancements of sidewalks
- b. Prepare and coordinate, with consultants' documents, the information required to submit the plans for the Site Plan Application.
- c. Update 3D Renderings as required for the Site Plan Application submittal.
- d. Meetings held via Zoom with the Delray Beach CRA office and the City of Delray Beach Planning staff to coordinate and review the above.

Task 2: Civil Engineering

- a. Regrading of new sidewalks
- b. Preparation of a sketch and legal for the purposes of establishing a 1.0-foot sidewalk easement along the property frontage on SW 1st St.

Task 3: Landscape Architecture

- a. Additional trees, and re-design of landscaped areas along SW 1st Street to include sodded areas, street trees, shade trees, and planter/container trees along SW 5th Ave to provide some shade on sidewalk.

Song + Associates, Inc.
Architecture • Planning • Interior Design
AA003165 / IB0001095

1545 Centrepark Drive
West Palm Beach, Florida 33401
T: 561.655.2423 F: 561.655.1482

American Institute of Architects / NCARB

II. PROFESSIONAL FEES:

Fees amount to a lump sum of \$4,500.00 for the services described above, detailed below.

- a. Architecture fees: \$1,000.00
- b. Civil and Landscape fees: \$3,500.00.

III. SCHEDULE:


At the time of this writing, the design documents have been submitted for Site Plan Approval and review comments have been received from the City of Delray Beach. It is anticipated that the project will require at least one public meeting for approval of the Site Plan. At this time, the City is under restrictions due to COVID 19 and this may impact the scheduling of public meetings and the review process. Song + Associates continues to operate and will facilitate online meetings to continue the review process subject to availability of City staff and the staff of other agencies.

Once site plan approval is obtained, we will require approximately 8 weeks for completion of construction documents for building permit submittal.

Acceptance of this proposal may be indicated by the signature of the duly authorized official of the Delray Beach CRA in the space provided below. Returning an executed copy of this proposal to our office will indicate agreement between the two parties. Song + Associates will await a contract agreement as prepared by the Delray Beach CRA.

We appreciate this opportunity and look forward to continuing to serve the Delray Beach CRA.

Sincerely,



Jill Lanigan,
Principal

cc: Jorge R. Luaces, AIA, S+A; JoAnn Brent, S+A; Eduardo Pagán, S+A

Accepted By: _____ Title: _____

Print Name: _____ Date: _____

**THIRD AMENDMENT TO THE WORK ASSIGNMENT
BETWEEN THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY
AND SONG & ASSOCIATES, INC.**

THIS THIRD AMENDMENT TO THE WORK ASSIGNMENT ("Third Amendment") is made and entered into as of the 16 day of July, 2021, by and between the **DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY**, a public agency created pursuant to Section 163, Part III, Florida Statutes, (hereinafter referred to as the "CRA"), and **SONG & ASSOCIATES, INC.** (hereinafter referred to as "CONSULTANT").

WITNESSETH:

WHEREAS, the CRA and CONSULTANT previously entered into a Work Assignment for the design at 95 SW 5th Avenue (the "Project") dated November 13, 2018, (the "Original Work Assignment"); and

WHEREAS, the CRA and CONSULTANT entered into a First Amendment to Work Assignment dated June, 2020 for additional design and consulting services required for site plan approval ("First Amendment"); and

WHEREAS, the CRA and CONSULTANT entered into a Second Amendment to Work Assignment executed March 8, 2021 for additional civil, architectural and landscape design services to finalize the design and move forward with the project through to completion of construction ("Second Amendment"); and

WHEREAS, the CRA and CONSULTANT agree to enter into this Third Amendment in order for the CONSULTANT to perform additional survey services required for required right of way dedication for an amount not to exceed \$3,000.00, as described in Exhibit "A" attached hereto; and

NOW THEREFORE, in consideration of the promises, mutual covenants, provisions, and undertakings hereinafter contained, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. That the recitals set forth above are true and correct and are incorporated herein by reference.
2. The Original Work Assignment is hereby amended by the CONSULTANT's proposal attached to this Third Amendment as Exhibit "A", for the CONSULTANT to provide additional survey services related to the required right of way dedication for an amount not to exceed \$3,000.00.
3. That except as amended herein, the CRA and CONSULTANT ratify, approve, and reaffirm the terms of the Original Work Assignment, and the Original Work Assignment shall remain in full force and effect, except as amended herein.
4. In the event of any conflict or ambiguity by and between the terms and provisions of the Original Work Assignment, the First Amendment, the Second Amendment, or this Third Amendment, this Third Amendment shall control to the extent of any such conflict or ambiguity.

[This Space is Intentionally Left Blank; Signature Page to Follow]

IN WITNESS WHEREOF, the parties have executed this Third Amendment to the
Work Assignment on the date first written above

**DELRAY BEACH COMMUNITY
REDEVELOPMENT AGENCY**

By: Shirley E. Johnson
Shirley E. Johnson, Chair

ATTEST:

Renee A. Jadusich
Renee A. Jadusich, Esq.
CRA Executive Director

APPROVED TO FORM:

[Signature]
CRA General Counsel

ATTEST:

SONG & ASSOCIATES, INC.
a Florida corporation

By: [Signature]
Print Name: JORGIE FUENTES

By: [Signature]
Title: PRINCIPAL

STATE OF FLORIDA)
COUNTY OF DADE)ss:

The foregoing instrument was acknowledged before me by means of X physical
presence or online notarization, this 16 day of JULY, 2021, by
ROBERT M. CASTROVINI, as PRINCIPAL (name of officer or agent,
title of officer or agent), of Song & Associates, Inc., a Florida corporation, on behalf of the
limited liability company. He/She is personally known to me or has produced
 (type of identification) as identification



Perry Douglass
Comm. #GG955662
Expires: May 1, 2024
Bonded Thru Aaron Notary

[Signature]
Signature
Perry Douglass
Name and Title
GG955662
Commission Number

EXHIBIT 'A'

宋

June 1, 2021

Ms. Tara Toto
20 North Swinton Avenue
Delray Beach, Florida 33444

RE: Delray Beach CRA
95 SW 5th Ave Development
Additional Services #3 – Architectural Site Plan, Civil Engineering and Landscape Revisions

Dear Toto:

Song + Associates, Inc. respectfully requests approval of Additional Services to have our Civil Consultant, Miller Legg, prepare two (2) separate sketches and legal descriptions as delineated on attached Exhibit A: (1) establish a 5' strip right-of-way along SW 5th Avenue Street & establish a corner chord for right-of-way at the intersection of SW 5th Avenue and SW 1st Street. Our consultant shall also update the survey to first show the proposed right-of-way and later reflect recorded right-of-way and easements once recorded. The Client/Owner will be responsible for preparation and recording right-of-way and easement documents into Palm Beach County records.

I. PROFESSIONAL FEES

The proposed net change to our contract amount will be as follows:

Current Contract Amount	\$ 130,723.00	
Additional Service Fee Amendment #3		\$ 3,000.00
Proposed Revised Contract Amount		\$ 133,723.00

Song + Associates, Inc.
Architecture • Planning • Interior Design
AA003165 / IB0001095

1545 Centrepark Drive North
West Palm Beach, Florida 33401
T : 561.655.2423 F : 561.655.1482

American Institute of Architects / NCARB

Acceptance of this Proposal may be indicated by the signature of a duly authorized official of the Delray Beach CRA in the space provided below. The return of a signed copy of this Proposal to our office will serve as an agreement between the parties and as a Notice to Proceed. We appreciate this opportunity and look forward to your consideration of this proposal.

Sincerely,

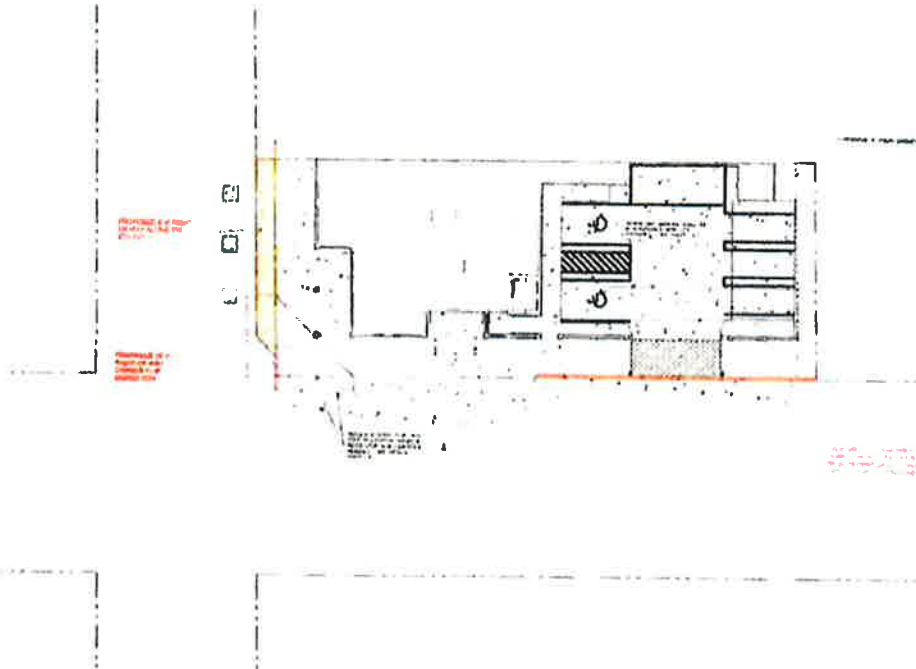


Robert Castrovinci, AIA NCARB
Principal

cc: Jo Ann Brent, S+A; Jo Ann Brent, S+A; File

Accepted By: _____ Title: _____

Print Name: _____ Date: _____



LEGEND:

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Song + Associates

Architects & Engineers

1000 North Main Street

San Francisco, CA 94102

Phone: (415) 774-1111

Fax: (415) 774-1112

Internet: www.song-associates.com

Project: DELRAY BEACH CRA DEVELOPMENT

Sheet: C3.0

Date: 10/1/01

Scale: 1" = 100'

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Checker: [Name]

Reviewer: [Name]

Approved: [Name]

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