

**FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN
THE CITY OF GAINESVILLE d/b/a GAINESVILLE REGIONAL UTILITIES,
AND KIMLEY-HORN AND ASSOCIATES, INC.
FOR PROFESSIONAL ARCHITECTURAL AND ENGINEERING CONSULTING SERVICES**

THIS FIRST AMENDMENT is made and entered into this 5th day of April, 2022 by and between the **CITY OF GAINESVILLE, FLORIDA, a municipal corporation (“CITY”)**, and **GAINESVILLE REGIONAL UTILITIES (“GRU”)**, a Florida municipal corporation, and **KIMLEY-HORN AND ASSOCIATES, INC. (“CONSULTANT”)** a Foreign Profit Corporation authorized to do business in Florida, with its principal place of business at 421 Fayetteville Street, Suite 600, Raleigh, NC 27601, individually referred to as “Party” or collectively as “Parties”, respectively.

WHEREAS, the Parties entered into a contract on September 26, 2018 with a termination date September 30, 2023 (“Initial Contract”) with no renewals, for the professional architectural and engineering consulting services on an as-needed basis; and

WHEREAS, pursuant to the Initial Contract, rates are firm for a minimum of one year and may be re-negotiated annually without changing the terms and conditions of the Agreement; and

WHEREAS, the Parties have agree to an increase in the Consultant’s rates.

NOW, THEREFORE, in consideration of the foregoing premises and the covenants contained herein, the Parties agree as follows:

1. Parties agree to new billing rates submitted by consultant per Attachment A – 2021 Hourly Rate Schedule. The 2021 Hourly Rate Schedule replaces the 2018 Billing Rate Schedule that was attached to the Initial Contract.
2. Contractor shall continue to provide professional architectural and engineering consulting services in accordance with the terms and conditions of the Initial Contract.
3. The following section 19.10 is added to the Initial Contract:

19.10 E-VERIFY

Section 448.095, Florida Statute states the statute shall be construed in a manner so as to be fully consistent with any applicable federal laws or regulations. The Contractor shall (1) utilize the U.S. Department of Homeland Security’s E-Verify system to verify the employment eligibility of all new employees hired by the Contractor during the term of the contract; and (2) shall expressly require any subcontractors performing work or providing services pursuant to the contract to likewise utilize the U.S. Department of Homeland Security’s E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term. Alternatively, Contractor shall provide proof that one of the exceptions to the E-Verify federal contractor rule applies.

4. Except as modified herein, all terms and conditions of the Initial Contract shall remain in full force and effect.

IN WITNESS WHEREOF, the PARTIES hereto have executed this Agreement on the day first above written.

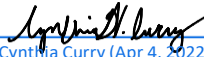
KIMLEY-HORN AND ASSOCIATES, INC

Richard V. Busche

[Richard V. Busche \(Apr 4, 2022 06:46 EDT\)](#)

Richard Busche, P.E.
Senior Vice President

CITY OF GAINESVILLE

By: 
[Cynthia Curry \(Apr 4, 2022 06:49 EDT\)](#)

Cynthia Curry
Interim City Manger

CITY OF GAINESVILLE, d/b/a
GAINESVILLE REGIONAL UTILITIES

Anthony L. Cunningham

By: [Anthony L. Cunningham \(Apr 4, 2022 08:32 EDT\)](#)

Anthony Cunningham
Interim General Manager

Approved as to form and legality:

Katherine Mockler

[Katherine Mockler \(Mar 23, 2022 17:05 EDT\)](#)

Katherine Mockler
Assistant City Attorney I

Purchasing Representative

By: 

Robbin Odowski, CPPB
Procurement Specialist III

Attachments:

“A” – Hourly Rate Schedule



**KIMLEY-HORN AND ASSOCIATES, INC.
2021 HOURLY RATE SCHEDULE
(Subject to Change July 1, 2022)**

| <u>Classification</u> | <u>Rate</u> |
|--------------------------|---------------|
| Analyst | \$125 - \$170 |
| Professional | \$170 - \$220 |
| Senior Professional I | \$215 - \$300 |
| Senior Professional II | \$280 - \$330 |
| Senior Technical Support | \$130 - \$195 |
| Support Staff | \$90 - \$120 |
| Technical Support | \$105 - \$130 |