

**MODIFICATION NO. 4 TO
AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES
FOR SW JEFFERSON ST. (PERSELS RD TO OLDHAM PKWY)
(RFQ NO. 419-32272)**

THIS MODIFICATION NO. 4 is made and entered into this ____ day of _____, 2019, by and between the City of Lee's Summit, Missouri, a Missouri Constitutional Charter City (hereinafter "City"), and George Butler Associates, Inc. (hereinafter "Engineer").

WITNESSETH:

WHEREAS, City and Engineer entered into a Professional Engineering Services Agreement (RFQ No. 419-32272) ("Base Agreement"); and

WHEREAS, *City and Engineer entered into Modifications No. 1, 2 and 3 to the Professional Engineering Services Agreement (RFQ No. 419-32272) ("Base Agreement"); and*

WHEREAS, City and Engineer desire to amend the provisions of the Base Agreement and subsequent modifications as provided herein; and

WHEREAS, City and Engineer desire to modify Article I of the Base Agreement to specify and authorize the performance of certain Basic Scope of Services.

NOW THEREFORE, in consideration of the mutual covenants and considerations herein contained, **IT IS HEREBY AGREED** by the parties to amend the Base Agreement as follows:

**ARTICLE I
SCOPE OF BASIC SERVICES TO BE PROVIDED BY ENGINEER**

Article I of the Base Agreement and Modifications 1, 2 and 3 are hereby amended to specify and authorize the performance of the following Basic Services:

Scope for Additional Work is generally described as incorporate changes to design as the result adding intersection and signal improvements at Persels, of right of way acquisitions, adding professional engineering services during construction, and extending the project schedule. A more detailed description of the scope of services is as follows:

1. Revise Plans to incorporate intersection Improvement as Persels:
 - a. Traffic control revisions due to new construction at Persels
 - b. Pavement marking redesign due to new construction at Persels
 - c. Lighting revisions for Persels intersection not previously scoped
 - d. Curb ramp/sidewalk redesign due to new construction at Persels
 - e. Construction sequencing revisions
 - f. Revisions to Sewer Design & Plans
 - g. MDNR Application & Submittal
 - h. Update quantities, estimate & bid documents
 - i. Quality control reviews

2. Revisions to Final plans due to R/W Negotiations
 - a. Signing revisions due to driveway redesign
 - b. Traffic control revisions due to driveway redesign
 - c. Driveway revisions/redesign (Parcels 5 & 12)
 - d. Storm sewer revisions due to r/w negotiations (Parcel 2)
 - e. Revise parcel details to match R/W agreement (Parcel 7)
 - f. Lighting revisions due to driveway redesign
 - g. Modeling & cross-section revisions due to driveway redesign
 - h. Erosion control revisions due to redesign
 - i. Update quantities & estimate & bid documents
 - j. Quality control reviews

3. Construction Phase Services
 - a. Attend preconstruction meeting
 - b. Attend monthly progress meetings on-site
 - c. Answering questions related to utility relocations
 - d. Answering construction questions related to plans/design
 - e. Review shop drawings according to City provided list (attached)
 - f. Review change orders
 - g. Attend paving preconstruction meeting
 - h. Attend water/sewer preconstruction meeting
 - i. Attend AT&T preconstruction meeting
 - j. Attend additional site visits (up to 4)
 - k. Semi-final construction walk-thru
 - l. Final construction walk-thru
 - m. Prepare as-built drawings based on information provided by the City
 - n. Project review meeting with City
 - o. Project close-out

This Amendment also includes additional project management resulting from the extension of the project land survey, design, and bid phase services schedule of approximately 2 years from February 2018 to March 2020.

ARTICLE IV PAYMENTS TO THE ENGINEER

Article IV-B. of the Base Agreement and Modification No. 3 are hereby amended to provide additional compensation to Engineer as follows:

- A. The additional compensation to be paid to Engineer for the amended Basic Services in Article I, of this Modification No. 4, above shall not exceed the total sum of Fifty-eight Thousand Seven Hundred Twenty-one and 24/100 Dollars (\$58,721.24).
- B. The amended total not to exceed amount for both the Basic Services and Optional Services is Three Hundred Eighty-eight Thousand Five Hundred Thirteen and 24/100 Dollars (\$388,513.24).

**ARTICLE VIII
ALL OTHER TERMS REMAIN IN EFFECT**

The parties agree that all other terms and conditions of the Base Agreement, Modification No. 1, Modification No. 2, and Modification No. 3 not amended by this Modification No. 4 shall remain in full force and effect.

THIS MODIFICATION NO. 4 shall be binding on the parties thereto only after it has been duly executed and approved by City and Engineer.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the ____ day of _____ 2019.

CITY OF LEE'S SUMMIT

Stephen A. Arbo, City Manager

APPROVED AS TO FORM:

Nancy K. Yendes,
Chief Council of Infrastructure and Planning,
Office of City Attorney

ENGINEER:



BY: John Cooper

TITLE: Vice President

ATTEST:

CLASSIFICATION	PRI	SRA	ASC	PJL	AES1	AES2	AES3	SRT	TEC1	TEC2	SLS	PLS	ST3	ST2	CLI	TOTAL	TOTAL	
HOURLY CHARGEOUT RATE	\$276	\$232	\$200	\$175	\$140	\$126	\$114	\$140	\$108	\$92	\$148	\$135	\$105	\$78	\$98	HOURS	EXPENSES	COST
BASIC SERVICES FOR CONTRACT MODIFICATION NO. 3																		
TASK: FINAL PLAN REVISIONS & CONSTRUCTION PHASE SERVICES																		
REDESIGN FOR NEW CONSTRUCTION & R/W NEGOTIATIONS AFTER FINAL PLANS COMPLETED																		
ROADWAY (Redesign & Plan Revisions)																		
Project management & coordination due to extended project schedule	2			24										8		34		\$5,536.00
Driveway redesign (Parcels 5 & 12)				2	8											10		\$1,470.00
Driveway modeling & cross-section revisions				2	16											18		\$2,590.00
Storm sewer revisions due to r/w negotiations (Parcel 2)				2	16											18		\$2,590.00
Revise parcel details to match R/W agreement (Parcel 7)				1	1											2		\$315.00
Curb ramp/sidewalk redesign/modeling due to new construction at Parcels				2	8											10		\$1,470.00
Erosion control revisions				1	4											5		\$735.00
Construction sequencing revisions				1	4											5		\$735.00
Update quantities, estimate & bid documents				2	16											18		\$2,590.00
Quality control reviews				2	4											8		\$1,462.00
SUBTOTAL (Road)	2																	\$19,493.00
TRAFFIC (Redesign & Plan Revisions)																		
Traffic control revisions due to new construction at Parcels			2		4											6		\$960.00
Traffic control revisions due to driveway redesign					4											4		\$560.00
Signing revisions due to driveway redesign					2											2		\$280.00
Pavement marking redesign due to new construction at Parcels					4											4		\$560.00
Lighting revisions for Parcels intersection not previously scoped					8											8		\$1,120.00
Lighting revisions due to driveway redesign					2											2		\$280.00
Update quantities & estimate				8	8											16		\$2,520.00
Quality control reviews			2	2	4											8		\$1,310.00
SUBTOTAL (Traffic)																		\$7,590.00
SEWER (Redesign & Plan Revisions)																		
Sewer Redesign & Plan Revisions			2	2														
MDNR Application & Submittal (Water Line)			1	1				8								12		\$1,870.00
Quality Control Reviews			1	1				4								6		\$935.00
SUBTOTAL (Sewer)								2								4		\$655.00
CONSTRUCTION PHASE SERVICES																		
Attend preconstruction meeting				4														
Attend monthly progress meetings on-site				16												6	\$27.84	\$1,279.84
Answering questions related to utility relocations				4												18	\$27.84	\$3,379.84
Answering construction questions related to plans/design				24												6		\$1,252.00
Review shop drawings according to City provided list (attached)				24												26		\$4,752.00
Review change orders				4												24		\$4,200.00
Attend paving preconstruction meeting				4												8		\$1,804.00
Attend water/sewer preconstruction meeting				4												4		\$700.00
Attend AT&T preconstruction meeting				4				2								6	\$27.84	\$1,007.84
Attend additional site visits (up to 4)				2												4	\$27.84	\$929.84
Semi-final construction walk-thru				12				4								16	\$111.36	\$2,771.36
Final construction walk-thru				4												4	\$27.84	\$727.84
Final as-built drawings based on information provided by the City	1			2	12											4	\$27.84	\$727.84
				2												15		\$2,306.00

CLASSIFICATION	PRI	SRA	ASC	PJL	AES1	AES2	AES3	SRT	TEC1	TEC2	SLS	PLS	ST3	ST2	CLI	TOTAL	EXPENSES	TOTAL
	\$276	\$232	\$200	\$175	\$140	\$126	\$114	\$140	\$108	\$92	\$148	\$135	\$105	\$78	\$98	HOURS		COST
HOURLY CHARGEOUT RATE																4	\$27.84	\$929.84
Project review meeting with City	2			2														\$1,410.00
Project close-out	1			2											8	11		\$28,178.24
SUBTOTAL (CPS)																		
TASK 4 SUBTOTAL	22	0	8	165	125	0	0	20	0	0	0	0	0	0	16	356	\$306.24	\$58,721.24
TOTAL FOR BASIC SERVICES:	22	0	8	165	125	0	0	20	0	0	0	0	0	0	16	356	\$306.24	\$58,721.24