

**MODIFICATION NO. 1 TO AGREEMENT
DATED 03/26/2019 (RFQ NO. 568-32372)
FOR PROFESSIONAL ENGINEERING SERVICES
FOR BROWNING STREET EXTENSION FROM BROWNING STREET TO HAMBLEN ROAD**

THIS MODIFICATION TO AGREEMENT made and entered into this ____ day of _____, 20____, by and between the City of Lee's Summit, Missouri (hereinafter "City"), and Bartlett & West, Inc. (hereinafter "Engineer").

WITNESSETH:

WHEREAS, City and Engineer entered into an Agreement dated 03/26/2019 (RFQ No. 568-32372) for professional engineering services for Browning Street Extension from Browning Street to Hamblen Road (hereinafter "Base Agreement"); and

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

WHEREAS, Engineer has submitted a proposal for the amended engineering services and an estimate of engineering costs to perform said services; and

WHEREAS, the City Manager is authorized and empowered by City to execute contracts providing for professional engineering services.

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

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

Article I of the Base Agreement, as amended, is hereby amended as shown in Exhibit A, entitled "Supplemental to Design Phase Services #1 – Browning Street Extension Project ", attached hereto and incorporated herein by reference.

**ARTICLE IV
PAYMENTS TO THE ENGINEER**

Article IV of the Base Agreement, as amended, is hereby amended to provide additional compensation to Engineer as follows:

- A. The additional compensation to be paid to Engineer for the amended Basic Services described in Article I, of this Modification No. 1, above shall not exceed the total sum of Eighteen Thousand Six Hundred Eighty Six Dollars (\$18,686.00). The total fees (hourly fees and expenses) for the Basic Services is hereby amended and shall not exceed the total sum of Two Hundred Thirteen Thousand Seven hundred Twenty One Dollars (\$213,721.00).

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

All other terms of the Base Agreement not amended by this Modification to Agreement shall remain in full force and effect.

This Modification No. 1 to Agreement 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 Modification to Agreement to be executed on the ____ day of _____, 20__.

CITY OF LEE'S SUMMIT

Stephen A. Arbo, City Manager

ATTEST:

City Clerk, Trisha Fowler Arcuri

APPROVED AS TO FORM:

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

ENGINEER:



BY: Bob Gilbert
TITLE: Vice President

ATTEST:

Exhibit A

Supplemental to Design Phase Services #1 – Browning Street Extension Project

1. SURVEY AND DATA COLLECTION

- 1.1 Perform additional topographic survey for additional entrance for water department building.
- 1.2 Develop project base map incorporating additional survey data.
- 1.3 Additional coordination with Union Pacific Railroad to acquire ROW at Bailey Road. City to provide legal descriptions and exhibits.

2. 35% PLANS

- 2.1 Develop geometry to tie-in the water utility access to Browning Street instead of current access on Hamblen Road.
- 2.2 Design sanitary sewer extension to west side of water department property line. Approximately 500 LF. Assume 8 inch diameter pipe.
- 2.3 Develop additional plan and profile sheets in 35% plans for the proposed improvements to the sanitary sewer.
- 2.4 Incorporate sanitary sewer into opinion of probable cost.
- 2.5 No permitting is included in this scope of services. Assumed there is no sanitary sewer permit required because extension is less than 1000 LF. City assumed to submit water line permit. Minor coordination expected.

3. 65% PLANS

- 3.1 Incorporate City comments into plans.
- 3.2 Develop additional driveway profile at Water Department building.
- 3.3 Additional effort to develop 65% plans with proposed improvements to the sanitary sewer and additional entrance to water department building.
- 3.4 Incorporate sanitary sewer into opinion of probable cost.

4. 100% PLANS

- 4.1 Incorporate City, utility and Union Pacific comments into the plans.
- 4.2 Additional effort to develop construction plans with proposed improvements to the sanitary sewer and additional entrance to water department building.
- 4.3 Additional effort to prepare Project Manual, including Project Special Provisions (PSP) and Division 0, 1, 2 and other specifications as required.
- 4.4 Incorporate sanitary sewer into opinion of probable cost.
- 4.5 Incorporate City and utility comments and submit final signed/sealed PDF documents to the City for bidding.