### 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
  - I. 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.

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| THIS MODIFICATION NO. 4 shall be to duly executed and approved by City and Engine      | pinding on the parties thereto only after it has been |
|--|---|
| IN WITNESS WHEREOF, the parties hat day of 2019.                                       | ave caused this Agreement to be executed on the       |
|  | 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:  |   |
| <del></del>  |   |

| CLASSIFICATION HOURLY CHARGEOUT RATE   | PRI SRA   | ASC | P.JL    | AES1 AES2 | AES2 | AES3 | SRT TEC1 TEC2 | EC1 T     | EC2 S     |             |          |          |        |    |                | TOTAL       |
|--|-----------|-----|---------|-----------|------|------|---------------|-----------|-----------|-------------|----------|----------|--------|----|----------------|-------------|
| ACT MODIFICATION NO. 2   |           | 202 | _       | _         | _    |      | 04140         | 8108      | \$92 \$1  | \$148 \$135 | 35 \$105 | 05 \$78  | 8 \$98 |    | HOURS EXPENSES | COST        |
|  |           |     |         | ı         | 1    |      | Ť             | 1         | +         | +           | +        | +        | 1      |    |                |             |
| TASK: FINAL PLAN REVISIONS & CONSTRUCTION PHASE SERVICES   |           |     |         |           |      | T    | 1             | $\dagger$ | $\dagger$ | t           | +        | +        | +      |    |                |             |
| DEDECIÓN COD NEW CONCEDIOTION O DAN NICOCTATIONO ACTED FINES   |           |     |         |           | П    | П    |               | П         | Н         | H           | H        | H        | H      |    |                |             |
| 2  | COMPLETED | 9   |         | 1         |      |      |               | †         | +         | +           | $\dashv$ | +        |        |    |                |             |
| ROADWAY (Redesign & Plan Revisions)  |           |     |         |           | T    | T    | Ī             | t         | t         | ł           | +        | +        | +      |    |                |             |
| Project management & coordination due to extended project schedule   | 2         |     | 24      | F         | T    | T    | t             | t         | t         |             | ╀        | ╁        | 80     | 6, | 4              | \$5.536.00  |
| Driveway redesign (Parcels 5 & 12)   |           |     | 2       | 80        |      | Γ    |               | T         | -         |             | +        | H        | -      | 10 |                | \$1,470.00  |
| Driveway modeling & cross-section revisions  |           |     | 2       | 16        | T    |      | T             | T         | H         | H           | +        | +        | +      | 18 | 8              | \$2.590.00  |
| Storm sewer revisions due to r/w negotiations (Parcel 2)   |           |     | 2       | 16        |      | Ī    |               | r         |           | -           | H        | -        | -      | =  | 00             | \$2,590.00  |
| Revise parcel details to match R/W agreement (Parcel 7)  |           |     | 1       | -         |      |      |               |           | H         | H           | H        | H        | -      |    | 2              | \$315.00    |
| Curb ramp/sidewalk redesign/modeling due to new construction at Persels  |           |     | 2       | 8         |      |      |               |           | -         |             | H        |          | L      | 10 |                | \$1,470.00  |
| Erosion control revisions  |           |     | -       | 4         |      |      |               | Н         |           |             | -        |          |        | 20 | 2              | \$735.00    |
| Construction sequencing revisions  |           |     | -       | 4         |      |      |               |           |           |             | H        |          | L      |    | 22             | \$735.00    |
| Update quantities, estimate & bid documents  |           |     | 2       | 16        |      |      |               |           |           |             |          |          |        | =  | on.            | \$2,590.00  |
| Cuality control reviews  | 2         |     | 2       | 4         |      |      |               |           |           |             |          |          |        |    | 8              | \$1,462.00  |
| SUBIOLAL (ROSG)  |           |     |         |           | 1    | 1    |               |           |           |             |          | -        |        |    |                | \$19,493.00 |
| TRAFFIC (Redecion & Dian Bovicione)  |           |     | Ī       | 1         | ı    |      | 1             | +         | 1         | +           | -        | +        | $\Box$ |    |                |             |
| Troffic control control and the control of the cont |           |     |         |           | 1    |      |               | 1         |           | -           | -        |          |        |    |                |             |
| Traffic control revisions due to new construction at Perseis   |           | 2   |         | 4         | 1    |      | 1             | +         |           | -           |          |          |        |    | 9              | \$960.00    |
| Circling control revisions due to division and a design  |           |     |         | 4         |      |      | ı             | 1         | 1         | -           | -        |          | Ц      | ,  | 1              | \$560.00    |
| Signing revisions due to anyeway redesign  |           |     |         | 2         | 1    |      |               | 1         |           | +           | +        |          |        |    | 5              | \$280.00    |
| ravement marking redesign due to new construction at Perseis   |           |     |         | 4         |      |      |               | 1         |           | -           |          |          |        | ,  |                | \$560.00    |
| Lighting revisions for Perseis Intersection not previously scoped  |           |     |         | 80        |      | 1    |               | 1         |           | -           |          | _        |        | 3  |                | \$1,120.00  |
| Lignting revisions due to driveway redesign  |           |     |         | 2         |      |      |               |           |           | _           | Н        | H        |        | 2  | -              | \$280.00    |
| opuale quantities & estimate   |           |     | <b></b> | <b></b>   |      |      |               |           |           |             |          |          |        | 16 | 15             | \$2,520.00  |
| Quality control reviews  |           | 2   | 2       | 4         | 1    |      |               |           |           |             | Н        |          |        | _  | 8              | \$1,310.00  |
| SUBTOTAL (Trame)   |           |     |         | 1         | 1    | İ    | 1             |           |           | $\dashv$    |          | -        | _      |    |                | \$7,590.00  |
| C TO THE CONTRACT OF THE CONTR |           |     |         | 1         | 1    | 1    | 1             | +         |           | -           |          | -        | Ц      |    |                |             |
| Source Dedoction & Dies Designary  |           | ,   | 1       |           | 1    | 1    | 1             | 1         |           | -           | +        | $\dashv$ |        |    |                |             |
| MOND Application & Submitter Motor I inc.  |           | 7   | 7       | +         | 1    | T    |               | +         | 1         | +           | -        |          |        | 12 |                | \$1,870.00  |
| Origin Control Boviews   |           | -   | -       | 1         | 1    | İ    | 4             | +         | +         | +           | +        | +        | _      |    | 9              | \$935.00    |
| SHRTOTAL (Sewer)   | 1         | -   | +       | Ì         | †    | T    | 7             | +         | +         | +           | +        | +        |        | 4  |                | \$655.00    |
|  |           | Ī   | Ť       | 1         | †    | ı    |               | $\dagger$ | +         | +           | +        | +        | -      |    |                | \$3,460.00  |
| CONSTRUCTION PHASE SERVICES  | -         |     | T       | t         | t    | t    | t             | l         | t         | +           | +        | +        | -      |    |                |             |
| Attend preconstruction meeting   | 2         |     | 4       | l         |      | İ    |               | t         |           | +           | ╁        | ╀        | -      | 4  | £27 84         | £4 279 84   |
| Attend monthly progress meetings on-site   | 2         |     | 16      | l         | H    | İ    |               | t         | -         | -           | 1        | ł        |        | 18 |                | \$3 379 84  |
| Answering questions related to utility relocations   | 2         |     | 4       |           |      |      |               | H         |           | H           | ┞        | H        | -      | 9  |                | \$1,252.00  |
| Answering construction questions related to plans/design   | 2         |     | 24      |           | -    |      |               | H         | H         |             | -        | ┝        |        | 26 |                | \$4,752,00  |
| Review shop drawings according to City provided list (attached)  |           |     | 24      |           |      | F    |               | H         |           |             | _        | L        |        | 22 |                | \$4,200.00  |
| Review change orders   | 4         |     | 4       |           |      |      |               | H         |           | -           |          | -        |        |    |                | \$1.804.00  |
| Attend paving preconstruction meeting  |           |     | 4       |           |      |      |               | H         |           | L           | ┝        | -        | L      | 4  |                | \$700.00    |
| Attend water/sewer preconstruction meeting   |           |     | 4       |           | -    |      | 2             |           | -         |             |          | H        |        | 9  | \$27.84        | \$1,007.84  |
| Attend AT&T preconstruction meeting  | 2         |     | 2       |           |      |      |               |           |           | Н           |          |          |        | 4  | \$27.84        | \$929.84    |
| Attend additional site visits (up to 4)  |           |     | 12      | 1         | 1    | 1    | 4             | 1         | 4         | $\dashv$    |          | Н        |        | 16 | ,              | \$2,771.36  |
| Semi-linal construction walk-ting  |           | 1   | 4       | +         | 1    | 1    |               | +         | +         | +           | +        | +        |        | 4  |                | \$727.84    |
| Final Collist Detail walk-titru  | <br> -    | T   | 4 (     | -         | +    | †    | $\dagger$     | +         | +         | +           | +        | +        | 4      | 4  | \$27.84        | \$727.84    |
| ו וומן מס-סמונן חומאייונאס טמספט פון ווויסיווומניסין אינטיסט טע עופ סווע פון   |           |     | 7       | 77        | 1    |      | 1             | 1         | -         | -           | 4        | -        | _      | 12 |                | \$2,306.00  |

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RFQ 419-32272 Engineering Services for SW Jefferson Street Improvements

| OUT RATE     \$276     \$232     \$200     \$175     \$140     \$126     \$114     \$140       sing with City     1     2     2     2     2     2     2       TASK 4 SUBTOTAL     22     0     8     165     125     0     0     20       TOTAL FOR BASIC SERVICES:  | OUT RATE  OUT RA  | TO LE COLLOCA TO                                     | iad | SPA   | ASC        | =     | AES11      | AES2 A | ES3 S    | RT      | TEC1 TEC2 SLS | C2 SL    | S  | PLS ST | 3 ST  | 2 CLI | ST3 ST2 CLI TOTAL |          | TOTAL         |
|--|---|--|-----|-------|------------|-------|------------|--------|----------|---------|---------------|----------|----|--------|-------|-------|-------------------|----------|---------------|
| S276   S222   S200   S175   S140   S126   S140   S108   S92   S148   S135   S105   S78 | OUT RATE         S276         \$276         \$175         \$140         \$108         \$92         \$148         \$135         \$105         \$78         \$98         \$100 \$208           sing with City         1         2         2         2         2         4         \$27.84         11         4         \$27.84           sing with City         1         2         2         4         4         \$27.84         11         4         \$27.84           sing with City         1         2         4         4         4         \$27.84         11         4         \$27.84         11         4         \$27.84         11         4         \$27.84         11         4         \$27.84         11         4         \$27.84         11         4         \$27.84         11         4         \$27.84         11         4         \$27.84         11         4         \$27.84         11         4         \$27.84         11         4         \$27.84         11         4         \$27.84         11         4         \$27.84         11         4         \$27.84         11         4         \$27.84         11         4         \$27.84         12         4         \$27.84         12 <td>CLASSIFICATION</td> <td></td> <td></td> <td></td> <td>1</td> <td></td> <td></td> <td>1</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>i</td> <td>000</td> <td>100</td> <td>OHOMINA</td> <td>Taga</td>   | CLASSIFICATION                                       |     |       |            | 1     |            |        | 1        |         |               |          |    |        | i     | 000   | 100               | OHOMINA  | Taga          |
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| ing with City  TASK 4 SUBTOTAL  TOTAL FOR BASIC SERVICES: 22 0 8 165 125 0 0 0 0 0 0 0 0 0 0 16 356 \$306.24  TOTAL FOR BASIC SERVICES: 22 0 8 165 125 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0   | ing with City  TASK 4 SUBTOTAL  TOTAL FOR BASIC SERVICES: 22 0 8 165 125 0 0 0 0 0 0 0 0 0 0 16 356 \$306.24  TOTAL FOR BASIC SERVICES: 22 0 8 165 125 0 0 0 0 0 0 0 0 0 0 0 0 16 356 \$306.24  | HOURET CHARGEOUT MATE                                |     | Ì     |            | İ     |            | l      | l        | ŀ       | ŀ             | _        | ŀ  | L      | -     | -     |                   | AR 7C#   | 4020 AA       |
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| TASK 4 SUBTOTAL 22 0 8 165 125 0 0 0 0 0 0 0 0 0 0 0 0 0 6 8 356 \$306.24  TOTAL FOR BASIC SERVICES: 22 0 8 165 125 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0  | TASK 4 SUBTOTAL 22 0 8 165 125 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0  | rident core modelly mit only                         | ŀ   | Ī     |            | ,     |            |        | -        | -       | L             |          | -  |        |       | ∞     | F                 |          | \$1,410.00    |
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|  |   | TOTAL FOR BASIC SERVICES:                            |     | 0     | 80         | 165   | 125        | _<br>o |          | -<br>02 | 0             | •        |    | 2      | ╗     | -     | ec.               | \$300.24 | \$20°, (21.24 |
|  |   |  |     |       |            |       |            | -      |          |         |               |          | _  |        | _     | _     |                   |          |               |
|  |   |  |     |       |            |       |            |        | 1        | 1       | +             | +        | +  | +      | +     | +     |                   |          |               |
|  |   |  |     |       |            |       | Ī          |        | _        |         |               |          |    | _      | 1     | 4     |                   |          |               |