

**ENGINEERING AMENDMENT NO. 1 TO THE AGREEMENT BETWEEN
THE CITY OF RAPID CITY
AND
KADRMAS, LEE & JACKSON, INC.
FOR PROFESSIONAL SERVICES FOR
44th Street Reconstruction
CITY OF RAPID CITY PROJECT ST05-1435**

PURPOSE OF THIS AMENDMENT:

This Amendment No.1 dated this _____ day of April, 2008, modifies the terms and conditions of the Agreement between the City of Rapid City and Kadrmas, Lee & Jackson, Inc. for Professional Services for ST05-1435, 44th Street Reconstruction, dated April 2, 2007.

SCOPE OF THIS AMENDMENT:

1. Provide compensation for additional time due to the project area being increased to include West Main Street from 44th Street to South Canyon Road.
2. Provide adjustments to fees for the various categories of professional services identified in the original contract based upon changes in services to be provided to the City since approval of the original contract.
3. Identify phasing limits for this amendment (Phase1) and future Phases of the 44th Street Reconstruction.
4. Identify a revised scope of services. (see Attachment 1)

PAYMENT TO THE ENGINEER:

Amendment No. 1 shall be for an additional amount not to exceed a total contract amount of \$181,198.74. Billings will be made on an hourly basis as services are provided to the City. Services and additional meetings not included in the Scope of This Amendment will be billed to the City on an hourly basis in addition to the limiting fee. Additional services will not be provided or billed to the City unless a written request is received from the City for such additional services. Adjustments to the contract amounts:

Contract Amount Summary

Original Contract	\$189,017.90
Amendment Amount	(\$7,819.16)
Amended Contract Amount	\$181,198.74

EXECUTION:

IN WITNESS WHEREOF, the parties hereto have made and executed this Amendment No. 1 on the date hereinafter shown,

ENGINEER:

OWNER:

RODNEY A. SENN – CHIEF ENGINEER
KADRMAS, LEE & JACKSON, INC.

ALAN HANKS - MAYOR
CITY OF RAPID CITY, SOUTH DAKOTA

WITNESS

Date: _____

Date: _____

OWNER:

JAMES F. PRESTON – FINANCE OFFICER
CITY OF RAPID CITY, SOUTH DAKOTA

Date: _____

REVIEWED BY:

TODD PECKOSH– PROJECT MANAGER
CITY OF RAPID CITY, SOUTH DAKOTA

Date: _____

ATTACHMENT ONE

SCOPE OF SERVICES REQUESTED

Professional services consist of five Tasks: Preliminary Design Services, Final Design Services, Bidding Services, Basic Construction Services, and Expanded Construction Services.

TASK 1 - PRELIMINARY DESIGN SERVICES:

This task consists of all services necessary to take the project from beginning through the Preliminary Design submittal stage, and may include the following itemized services.

- 1.1 Kick-off Conference: The consultant shall meet with City staff to detail project concept and scope. The consultant shall prepare an agenda, take minutes, and distribute minutes.
- 1.2 Review background information listed in this RFP, and any other resources as necessary.
- 1.3 Prepare Project Design Report: The consultant shall establish and indicate project specific design criteria and standards within the Project Design Report. The consultant shall submit design assumptions, design life, design criteria, and reference of design resources. The Project Design Report shall evaluate and recommend pavement design; based on a life cycle cost analysis, preliminary horizontal and vertical alignment for utilities, roadways, and other public improvements. Establish pipe sizes, lane configurations, drainage system capacity, complete water quality assessment, etc. Provide justification for the facility and analysis of alternatives. The project's geotechnical report shall be included within the Project Design Report. Submit three (3) copies of the Project Design Report and preliminary plans and specifications to City of Rapid City's project manager for review and comment.
- 1.4 Perform site surveys sufficient for design plan preparation. The route and topography survey shall be tied to at least two City of Rapid City Monument Control system monuments utilizing State Plane coordinates.
- 1.5 Identify right-of-way (ROW) and easement acquisition needs. Include size and extent of such ROW and easements and contact information of property owners.
- 1.6 Prepare preliminary opinion of probable construction costs for the project.
- 1.7 omitted
- 1.8 Prepare preliminary plan and profile sheets including locations of existing and new utilities and street alignment. Show existing utilities locations with probable depths.
- 1.9 Attend submittal review meeting with City staff, if necessary.
- 1.10 Attend Public Works and Council meetings as necessary.
- 1.11 Arrange and conduct public and/or affected property owners meetings as required for the project.
- 1.12 Meet with individual property owners regarding ROW and easement needs and regarding specific project issues and components.
- 1.13 Perform an preliminary lighting analysis and report for Phase 1 and 2 project limits
- 1.14 Provide conceptual layout for the intersection of W. Main St and South Canyon Rd.
- 1.15 Provide sewer main route evaluation and design for routing of sewer along West Main Street.
- 1.16 Perform pavement type and design life evaluation.
- 1.17 Perform preliminary redesign of the Box Culvert under the intersection of 44th Street and West Main St.

- 1.18 Perform preliminary design for the box culvert at 43rd Court.
- 1.19 Perform water system modeling and report to determine transmission main sizing in 44th Street.

TASK 2 - FINAL DESIGN SERVICES:

This task consists of all services necessary to take project from Task 1 Preliminary Design Services through the Final Design Services, and may include the following itemized services.

- 2.1 Address City comments from the Task 1 City review(s) and finalize Project Design Report,
- 2.2 Assist the City with easement(s) acquisition, and obtain property owner contact information, prepare easement and ROW exhibits as necessary, conduct property owner meetings for easement and ROW acquisition, and document acquisition meetings.
- 2.3 Determine removal limits with approval of City of Rapid City representative.
- 2.4 Coordinate with the geotechnical engineer to complete these services, and provide a geotechnical report to be included in the Project Design Report and project plans or specifications,
- 2.5 Incorporate ADA compliance items, for example fillet, driveway and sidewalk improvements,
- 2.6 Incorporate Erosion and Sediment Control items,
- 2.7 If federally funded, incorporate NEPA requirements, wetland mitigation, monetary, ROW certification, environmental certification, SHPO, Architectural, Catx noise analysis, FONSI, etc.
- 2.8 Provide three (3) copies of the finalized Project Design Report,
- 2.9 Provide three (3) copies of the Final Design Services submittal. The submittal shall consist of complete plans, specifications, contract documents, and opinion of probable construction cost to the City of Rapid City's project manager for review. The Final Design Services submittal will be made to the City when the consultant believes the plans, specifications, contract documents, and opinion of probable construction cost are 100% complete.
- 2.10 Provide and make 11-6-19 submittal as required.
- 2.11 Provide complete plans and specifications for a unit price construction contract. Plan sheets shall be prepared utilizing the latest City of Rapid City Drafting Standards.
- 2.12 Plans documents shall adhere to current City of Rapid City guidelines. Staking information shall include either of the following formats:

On the Plans

- Station offsets for all items of work requiring field staking.

In tabular form on a plan sheet (schedule)

- Coordinates and description of inter-visible control points.
 - Coordinates of all items of work requiring field staking.
 - Benchmark information shall be provided on each sheet.
- 2.13 Provide project layout to include lot lines (front and side) and addresses of all properties (adjacent to construction, or alternatively, in service area).
 - 2.14 Provide detailed traffic control plan showing all devices required for a MUTCD compliant plan.

- 2.15 Coordinate directly with utility companies' engineering divisions to ensure that all existing utilities are completely and accurately identified and located in the field; that pertinent information regarding depth, material, size, etc. are noted on the plans; and that conflicts requiring relocation of utilities or special construction techniques are fully specified in the contract documents. Preliminary plans shall be provided to the pertinent utilities for comment at the time they are complete.
- 2.16 If desiring exceptions from City requirements or specifications, it is the Consultant's responsibility to request and secure exceptions. Failure by the City to comment on a nonconforming item during a review does not constitute the granting of an exception.
- 2.17 Provide detailed specifications supplementing the City of Rapid City Standard Specifications, as necessary. Typically project drawing specific issues should be indicated as a General Note on the drawings. Material types and material specific items would be included as a detailed specification.
- 2.18 Prepare any and all permits with exhibits required for the City.
- 2.19 Identify permits that will be required for the Contractor.
- 2.20 Prepare final "Engineer's Estimate" of probable construction cost for the project.
- 2.21 Deliver the following:
 - Provide five (5) copies of bid documents including complete plans, specifications, contract documents, and Engineer's Estimate of probable construction cost to the City of Rapid City's project manager for City distribution.
 - Provide complete plans on CD compatible with AutoCAD Release 2006 format.
 - Provide all topographic, control, and design points in the .dwg file and in tabular format, both on CD and on hard copy printout.
 - Provide complete specifications and contract documents on CD in Microsoft Word XP or previous versions.
 - Provide a unit price cost estimate on CD in Microsoft Excel XP or previous version on the City of Rapid City "Engineer's Estimate" form.
 - Provide Engineer's Estimate of probable construction costs as a component of this submittal.
- 2.22 All submittals (drawings and specifications) believed by the Engineer of Record to be a final, shall contain a Certification Statement of Conformance with City Standards which shall read, "I (insert Engineer of Record's name) Certify that I have read and understand the provisions contained in the **City of Rapid City Standard Specifications for Public Works Construction, current edition and the City of Rapid City's adopted Design Criteria Manuals.** The drawings and specifications contained here within, to the best of my knowledge, were prepared in accordance with these documents". This statement shall appear on the title sheet of the drawings and on the first page of specifications after the cover sheet. The "Certification Statement of Conformance with City Specifications" shall be signed and dated by the Engineer of Record.
- 2.23 The Contractor shall submit plans and specifications to Department of Environment and Natural Resources for approval, and shall address any comments or corrections required. [If project requires this submittal]
- 2.24 Perform a lighting design, plans & specifications for the Phase 1 construction project limit.
- 2.25 Provide corrosion protection design and specifications for the water system.

TASK 3 – BIDDING SERVICES:

This task consists of all services necessary for the administration of the Bidding Services of the project, and may include the following itemized services.

- 3.1 Submit sufficient information to the City of Rapid City project manager for completion of City Advertising Authority form.
- 3.2 Print and issue plans and specifications to bidders, and five (5) copies to the City of Rapid City, refer to “Deliverable” above in Task 2. Maintain a plan holders list.
- 3.3 Print and distribute five (5) copies plans/ drawings to the City of Rapid City at 11” x 17” scale for construction services personnel.
- 3.4 Arrange and conduct a Pre-bid Conference. Record attendance and minutes. Distribute copies to all attendees.
- 3.5 Issue addenda to the bid documents as required.
- 3.6 Attend the bid opening (to be held at the City Finance Office).
- 3.7 Attend Public Works Committee and Council Meetings as required.
- 3.8 Prepare the Bid Tab in City of Rapid City Microsoft Excel project book format and submit electronic Bid Tab and a printed hard copy to Engineering Services within one (1) working day of the bid opening. Forward a copy of the final bid tab to all bidders and project manager.
- 3.9 Present award recommendation to City of Rapid City project manager.

TASK 4 – BASIC CONSTRUCTION SERVICES:

This task consists of all services necessary for the administration of the Basic Construction Services of the project construction stage, and may include the following itemized services.

- 4.1 Prepare Notice of Award letter for City of Rapid City project manager signature and distribution to contractor for execution.
- 4.2 Prepare contracts and submit to contractor for execution.
- 4.3 Review construction contract documents and other submittals from the contractor and submit to City of Rapid City project manager for distribution to City Attorney’s for approval and signatures of the Mayor and Finance Officer.
- 4.4 Prepare Notice to Proceed for City of Rapid City project manager signature and distribution to contractor for execution.
- 4.5 Arrange and conduct a Pre-Construction Conference including agenda. Record minutes and distribute to all attendees.
- 4.6 Provide written clarification regarding drawing and specification questions. Provide recommendations to address changed or unknown conditions that may appear during construction.
- 4.7 Review and take action on shop drawings, product submittals, test results, and other submittals.
- 4.6 Prepare “As-Built” plans and specifications. “As-Built” plans and specifications shall be submitted as a hard copy and on CD compatible with AutoCAD Release 2006 format. Submit to Engineering Services within 30 days of project completion. In the event that the City did not issue a “Notice to Proceed” for Task 5 services, then the City shall forward construction record documents for preparing the “As-Built” plans and specifications.

TASK 5 – EXPANDED CONSTRUCTION SERVICES”: (if requested by City)

This task consists of all services necessary for the administration of the Expanded Construction Services of the project construction stage, and may include the following itemized services.

- 5.1 Mark removal limits of appropriate items.
- 5.2 Prepare Public Service Announcements (P.S.A.'s) for Engineering Services. Engineering Services will be responsible for distribution to all local media. Copies of P.S.A.'s shall be distributed one week prior to start of work or change in operations that may significantly affect the public.
- 5.3 Appropriately notify affected Property Owners.
- 5.4 Arrange and conduct appropriate progress meetings. Record minutes and distribute to all attendees.
- 5.5 Provide daily on-site observation to assure that the methods and materials used by the contractor meet the intent of the plans and specifications. For buried installations such as for sewer and water mains full time inspection will be required.
- 5.6 Prepare daily reports. A daily record of activity will be maintained by the inspector including weather conditions, construction progress, deviations from the plans and specifications, work performed, quantities installed and any other pertinent information. Such information shall be neatly and concisely entered into the City of Rapid City Project Inspector's Diary and Inspection quantity book. Submit detachable copies to Engineering Services on a weekly basis. Coordinate with City regarding whether electronic format will be accepted.
- 5.7 Provide soil compaction testing according to the Standard Specifications. All test results shall be submitted to the City of Rapid City within 30 days of project completion.
- 5.8 Provide assurance testing (or witness Contractor testing) according to the Standard Specifications. All test results shall be submitted to the City of Rapid City within 30 days of project completion.
- 5.9 Prepare and submit monthly pay requests.
- 5.10 Prepare change orders, and extra work orders for contractor on City of Rapid City forms and make recommendations for their approval or denial.
- 5.11 Prepare and submit project completion punch list items to the Contractor and Engineering Services and oversee its completion.
- 5.12 Prepare and submit City of Rapid City project "Construction Project Close-out Checklist" indicating compliance with Standard Specifications and acceptance of the various infrastructure components. The checklist is enclosed as Attachment Three for your information.
- 5.13 Prepare letter of certification of project completion verifying compliance with plans and specifications and start of warranty period.
- 5.14 Ensure Contractor's two-year warranty surety is provided to the City of Rapid City.

PROJECT TEAM, MEETINGS, AND SUBMITTALS SUMMARY

- 6.1 Project team members will include:
 - The Consultant
 - City Engineering Services staff
 - Operations Division staff
 - Utility Maintenance Division (Service area and O&M related issues)
 - Street Division
 - Water Division
 - Water Reclamation Division

- 6.2 Meetings requiring the Consultant’s participation will likely include, but may not be limited to the following:
- Kick-off meeting, Task 1
 - Project Design Report and 35% Plans and Specifications submittal review meeting, Task 1
 - Public meetings
 - Property owners meeting
 - Private Utility coordination meeting, Task 2
 - 100% Plans, Specifications, and Contract Documents review, Task 2 (This submittal is made when the consultant believes the plans, specifications, contract documents, and opinion of probable construction cost documents are complete).
 - Prebid Conference, Task 3
 - Bid Opening, Task 3
 - Pre-construction Conference, Task 4
 - Construction Progress Meetings, Task 5
 - Committee and Council Meetings as required, All Tasks

6.3 Submittals include:

- Kick-off meeting, Task 1 meeting minutes
 - Project Design Report and 35% Review Submittal, Task 1 including meeting minutes
 - Final Project Design Report, Task 2 including meeting minutes
- 100% complete plans, specifications, contract documents, and opinion of probable construction cost Contract Documents Review, Task 2 including meeting minutes
- Public meeting minutes
 - Property owners meeting minutes
 - Final submittal of bid documents including complete plans, specifications, contract documents, and Engineer’s Estimate of probable construction cost, Task 2
 - Prebid conference meeting minutes, Task 3
 - Bid Tab and award recommendation, Task 3
 - Pre-Construction conference meeting minutes, Task 4
 - Shop Drawing submittal reviews, Task 4
 - “As-Built” plans and specifications, Task 4
 - Progress meeting minutes, Task 5
 - Daily observation reports, Task 5
 - Project completion “Punch List”, Task 5
 - “Construction Project Close-out Checklist”, Task 5
 - Letter of certification of project completion, Task 5

The Consultant shall allow 10 working days for City review of the Project Design report and 35% review submittal and the 100% complete plans; specifications; contract documents; and opinion of probable construction cost Contract Documents submittal.