

REQUEST AUTHORIZATION FOR MAYOR AND FINANCE OFFICER TO SIGN PROFESSIONAL SERVICES AGREEMENT AMENDMENT Date: 11/30/09

Project Name & Number: EAST MALL DRIVE - ST06-1334b & EM1608(3)-PCN 012F

CIP #: 50521

Project Description: East Mall Drive Connection – North La Crosse Street to East North Street

Consultant: Ferber Engineering Company

Original Contract Amount: \$ 639,044.00	Original Contract Date: 2/05/07	Original Completion Date: 10/05/07
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Amendment Number: 2

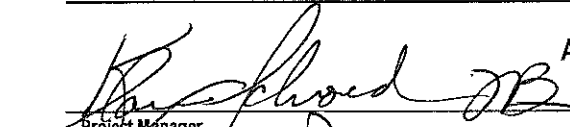



Amendment Description: Additional Construction Observation Services due to extended contract time period.

Current Contract Amount: \$653,544.00	Current Completion Date: December 1, 2008
Change Requested: \$33,113.94	
New Contract Amount: \$686,657.94	New Completion Date: August 18, 2009

Funding Source This Request:

Amount	Dept.	Line Item	Comments
\$33,113.94	8913	4223	Road Swap Funds
\$33,113.94	Total		

Agreement Review & Approvals


<p> Project Manager 11/30/09 Date</p> <p> Department Director 12/1/09 Date</p>	<p> Division Manager 11-30-09 Date</p> <p> City Attorney 12/1/09 Date</p>
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ROUTING INSTRUCTIONS

Route two originals of the Agreement for review and signatures.
 Finance Office - Retain one original
 Project Manager - Retain second original for delivery to Consultant
 cc: Public Works
 Engineering
 Project Manager

FINANCE OFFICE USE ONLY

(Note to Finance: Please write date of Agreement in appropriate space in the Agreement document)

Date	Initials	Approved
12/1/09		(Y) N
Cash Flow		Y N

ADDENDUM #2**TO****AGREEMENT FOR PROFESSIONAL SERVICES**

This **ADDENDUM #2 TO AGREEMENT FOR PROFESSIONAL SERVICES** has been agreed to on this 22 day of December, 2009, by and between the City of Rapid City, South Dakota, hereinafter called **CITY**, and Ferber Engineering Company, Inc., a South Dakota Corporation, hereinafter called **CONSULTANT**.

WHEREAS, **CITY** and **CONSULTANT** have previously entered into an agreement for professional services for the **PROJECT** identified as **East Mall Drive Connection – North Lacrosse Street to East North Street, Rapid City Project No. ST06-1334b, CIP #50521, Grading [EM1608(3)-PCN 012F], and Utilities [SSW06-1334b]**; and,

WHEREAS, construction of the **PROJECT** was not completed by December 1, 2008 as required in the Construction Contract between Knife River Midwest, LLC. and the **CITY** through no fault of the **CONSULTANT**; and,

WHEREAS, the construction was completed and accepted by the **CITY** on August 18, 2009; and,

WHEREAS, **CONSULTANT** continued to provide Construction Administration and Construction Observation Services during the 259 calendar days between the scheduled completion date and the actual completion date as required by the **AGREEMENT FOR PROFESSIONAL SERVICES**; and,

WHEREAS, the **CITY** has assessed liquidated damages against Knife River Midwest, LLC. for not completing the work by the specified contract completion date; and,

WHEREAS, the **CITY** and **CONSULTANT** have previously modified the **AGREEMENT FOR PROFESSIONAL SERVICES** through **ADDENDUM #1**, increasing the total payments to **CONSULTANT** from \$639,044.00 to \$653,544.00.

NOW, THEREFORE, **CITY** and **CONSULTANT** in consideration of the facts herein contained, do hereby agree that the **AGREEMENT for PROFESSIONAL SERVICES**, made and entered into on the 5th Day of February 2007 shall be amended as follows:

ARTICLE IV PAYMENTS TO CONSULTANT FOR SERVICES will be modified to increase the total payments to **CONSULTANT** by \$33,113.94 to a total of \$686,657.94.

The Additional Services included in this **ADDENDUM #2** have been performed in accordance with the Terms and Conditions of the **AGREEMENT for PROFESSIONAL SERVICES** dated February 5, 2007.

IN WITNESS WHEREOF, the parties hereto have made and executed this **CONTRACT** as of the date and year first above written.

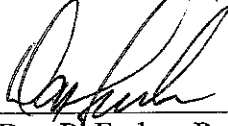
THE CITY OF RAPID CITY, SOUTH DAKOTA

Alan Hanks, Mayor

ATTEST:

Date: _____
James F. Preston
Finance Officer

FERBER ENGINEERING COMPANY, INC.

BY: 
Dan P. Ferber, President

Date: 11/24/09

PW121509-06

20

SEGER DR

E MALL DR

RAMP

30

RAMP

29

INTERSTATE 90

INTERSTATE 90

RAMP

EGLIN ST

MERIDIAN LN

LUNA AVE

E ANAMOSA ST

UTICA ST

EGLIN ST

E ANAMOSA ST

MENARD DR

E NORTH ST

MEADOWLARK RD

QUAIL DR

PHEASANT DR

E ADAMS ST

32

N



EAST MALL DRIVE ST06-1334b

Item #6