

**Supplemental Agreement No. 1
For
Consultant Services**

**Energy Efficient Building Upgrade Program
(PB-1341)**

City of Overland Park, Kansas

This Supplemental Agreement made this _____ day of _____, 2010, by and between the City of Overland Park, Kansas, hereinafter called the "CITY", and **Sys-Tek, P.A.** hereinafter called the "CONSULTANT".

WHEREAS, the CITY and the CONSULTANT have previously entered into an Agreement dated, **March 1, 2010** for **preliminary engineering services**.

WHEREAS, Section 2, of said Agreement provides that the fee to be paid to CONSULTANT may be adjusted by a Supplemental Agreement; and

WHEREAS, this Supplemental Agreement between the parties heretofore is to provide **final design services** in accordance with Exhibit A of this Supplemental Agreement; and

WHEREAS, the CITY is desirous of entering into a Supplemental Agreement to pay the CONSULTANT for additional services rendered to the CITY; and

WHEREAS, the CITY is authorized and empowered to contract with the CONSULTANT for the necessary additional engineering services for the project, and necessary funds for the payment of said services are available.

NOW THEREFORE, the parties hereby agree as follows:

PART A - BASIC CONSULTANT AGREEMENT

The CONSULTANT will complete design services in accordance with Exhibit A of this Supplemental Agreement for **final design of HVAC systems for City Hall, Sanders Justice Center, and Tomahawk Community Center**.

PART B - SCHEDULE

The CONSULTANT will complete the services as follows:

All work shown in Exhibit A of this Supplemental Agreement shall be completed by **October 15, 2010**.

PART C - PAYMENT TO THE CONSULTANT FOR SERVICES RENDERED

The services listed in Exhibit A of this Supplemental Agreement No. 1 will be provided at an amount not to exceed **seventeen thousand six hundred ninety and 00/100 (\$17,690.00) including reimbursables**.

This Supplemental Agreement raises the maximum fee to **thirty four thousand eight hundred sixty and 00/100 (\$34,860.00)** for the project. This is the total of the original fee of **\$17,170.00** plus **\$17,690.00** for Supplemental Agreement No. 1.

IN ALL OTHER RESPECTS, the terms and conditions of the **March 1, 2010** Agreement shall remain in full force and effect, except as specifically modified by this Supplemental Agreement, including all policies of insurance which shall cover the work authorized by this Supplemental Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Supplemental Agreement to be executed as of the day and year first above written.

Sys-Tek, P.A.

THE CITY OF OVERLAND PARK, KANSAS

Gary D. Short, P.E.
Principal

Carl Gerlach
Mayor

APPROVED AS TO FORM:

ATTEST:

Tammy M. Owens
Senior Assistant City Attorney

Marian Cook
City Clerk