

**Supplemental Agreement No. 3
for
Engineering/Architectural Services**

159TH STREET, METCALF TO NALL (TH-0513)

City of Overland Park, Kansas

This Supplemental Agreement No. 3 made this ____ day of _____, 2014, by and between the City of Overland Park, Kansas, hereinafter called the "City", and Affinis Corp., hereinafter called the "Consulting Engineer/Architect".

WHEREAS, the City and the Consulting Engineer/Architect have previously entered into an Agreement, dated March 18, 2013 (the "Original Agreement") for design of 159th Street, Metcalf to Nall (the "Project"); and

WHEREAS, Section II of said Original Agreement provides that the Consulting Engineer/Architect may provide to the City certain additional services outside the scope of the Original Agreement as requested and authorized in writing by the City; and

WHEREAS, the City desires to receive and the Consulting Engineer/Architect desires to provide certain additional services related to the Project, to wit: design, plans, specifications and construction administration duties for 159th Street, Metcalf to Nall sanitary sewer relocation, for the fiber optic system and reduction of scope for traffic models not performed as further outlined in Exhibit A, attached hereto and incorporated by reference herein (the "Additional Services"); and

WHEREAS, this Supplemental Agreement No. 3 between the parties outlines the understanding of the parties regarding the provision of the Additional Services by the Consulting Engineer/Architect to the City; and

WHEREAS, the City is authorized and empowered to contract with the Consulting Engineer/Architect for the necessary Additional Services for the Project, and necessary funds for the payment of said Additional Services are available.

NOW THEREFORE, the parties hereby agree as follows:

PART A - BASIC CONSULTING ENGINEERING/ARCHITECT SERVICES

The Consulting Engineer/Architect will complete the Additional Services to the City's full satisfaction and in accordance with Exhibit A of this Supplemental Agreement No. 3.

PART B - SCHEDULE

The Consulting Engineer/Architect will complete the Additional Services in the time frame set forth below:

All work shown in Exhibit A of this Supplemental Agreement No. 3 shall be completed by June 1, 2017.

PART C - PAYMENT TO THE CONSULTING ENGINEER/ARCHITECT FOR SERVICES RENDERED

The Additional Services for 159th, Metcalf to Nall, will be provided at an amount not to exceed Ten Thousand Four Hundred Six and 53/100 Dollars (\$10,406.53.00) including reimbursables in accordance with Exhibit B, attached hereto and incorporated by reference herein.

This Supplemental Agreement No. 3 raises the maximum fee to One Million Two Hundred Sixteen Thousand Four and 03/100 Dollars (\$1,216,004.03) for the Project. This is the total of the fee from the Original Agreement of One Hundred Eighty Thousand Four Hundred Four and 50/100 Dollars (\$180,404.50) plus Eighty-Four Thousand Seven Hundred Seventy and 00/100 Dollars (\$84,770.00) for Supplemental Agreement No. 1 plus Nine Hundred Forty Thousand Four Hundred Twenty-Three and 00/100 Dollars (\$940,423.00) for this Supplemental Agreement No. 2 plus Ten Thousand Four Hundred Six and 53/100 Dollars (\$10,406.53.00) for this Supplemental Agreement No. 3.

IN ALL OTHER RESPECTS, the terms and conditions of the Original Agreement shall remain in full force and effect, except as specifically modified by this Supplemental Agreement No. 3, including all policies of insurance which shall cover the work authorized by this Supplemental Agreement No. 3.

IN WITNESS WHEREOF, the parties hereto have caused this Supplemental Agreement No. 3 to be executed as of the day and year first above written.

AFFINIS CORP.

CITY OF OVERLAND PARK, KANSAS

Richard Worrel, P.E.
President

Carl Gerlach, Mayor

ATTEST:

APPROVED AS TO FORM:

Marian Cook
City Clerk

Tammy M. Owens
Deputy City Attorney

EXHIBIT A

**Scope of Services
Supplemental Agreement No. 3
159th Street Widening
Metcalf Avenue to Nall Avenue**

Task 1 – Revise the original contract scope item 1.01 (5d & 5e) by deleting or reducing hours needed for VISSIM Modeling.

Task 2 – Revise the original contract scope of services to relocate two sanitary sewer mains at the following locations:

- a. Relocate the main at Sta 239+15 to accommodate curb, pavement, storm sewer and trail construction.
- b. Relocate the BVHS sewer main to accommodate roadway construction and JCW main relocation.

City to pay application fee(s) associated with permitting requirements

This item was not included in the original scope of services

Task 3 – Revise the original contract scope of services to add City-owned fiber optic system design for the project. Design shall include plans to install conduit, wiring and tracer wire. This item was not included in original scope of services.

Affinis Corp.

Supplemental Agreement Three
Exhibit B

Date: 4/28/2014
Client: Overland Park, KS
Project: 159th Street (Metcalfe to Nall)
Made By: RBF

		Principal	Project Manager	Sr. Project Engineer	Project Engineer	Design Technician II	CADD Technician II	Land Surveyor II	Land Surveyor I	Survey Crew Member II	Clerical	LABOR COSTS	DIRECT EXPENSES ITEM	TOTAL COST	TOTAL FEE
Tasks		\$200.00	\$155.00	\$185.00	\$130.00	\$115.00	\$80.00	\$130.00	\$85.00	\$80.00	\$70.00				
1	Delete or Reduce VISSIM Modeling Effort														
	Develop and Report MOE's from the Model			-2								\$ (370.00)	Sub-consultant	\$ (6,496.20)	\$ (6,866.20)
	Prepare Videos for Each Model											\$ -	Sub-consultant	\$ (8,292.27)	\$ (8,292.27)
	Subtotal Task 1	0	0	-2	0	0	0	0	0	0	0	\$ (370.00)		\$ (14,788.47)	\$ (15,158.47)
2	Sanitary Sewer System Design														
A	Research & Investigation		4		2							\$ 880.00			\$ 880.00
B	Plan/profile sheets		4		48	40						\$ 11,460.00			\$ 11,460.00
C	Detail Sheets				6	6						\$ 1,470.00			\$ 1,470.00
D	Additional Easement layouts and descriptions		1					6				\$ 935.00			\$ 935.00
E	QA/QC	1	1									\$ 355.00			\$ 355.00
F	Quantities & Specifications				4		8					\$ 1,160.00			\$ 1,160.00
G	KDHE Permit application and coordination		1		4							\$ 675.00			\$ 675.00
H	JCW Coordination		12		4	4						\$ 2,840.00	Printing	\$ 100.00	\$ 2,940.00
	Subtotal Task 2	1	23	0	68	50	8	6	0	0	0	\$ 19,775.00		\$ 100.00	\$ 19,875.00
3	Fiber Optic System Design														
A	Layout and Adjustment for Other Utilities		1	2	4		30					\$ 3,445.00			\$ 3,445.00
B	Details				4		8					\$ 1,160.00			\$ 1,160.00
C	Quantities			1	2		8					\$ 1,085.00			\$ 1,085.00
	Subtotal Task 3	0	1	3	10	0	46	0	0	0	0	\$ 5,690.00		\$ -	\$ 5,690.00
	Total Supplement Three - Hours	1	24	1	78	50	54	6	0	0	0				
	Total Supplement Three - Cost	\$200.00	\$3,720.00	\$185.00	\$10,140.00	\$5,750.00	\$4,320.00	\$780.00	\$0.00	\$0.00	\$0.00	\$25,095		\$ 100.00	\$ 10,406.53