

SUPPLEMENTAL AGREEMENT #1

CITY OF LINCOLN
ALFRED BENESCH & COMPANY
PROJECT NO. HSIP-5253(1)
CONTROL NO. 13227
N 66TH & FREMONT STREET SAFETY PROJECT

THIS SUPPLEMENTAL AGREEMENT, made and entered into by and between City of Lincoln, Nebraska, hereinafter referred to as the Local Public Agency or "LPA," and Alfred Benesch & Company hereinafter referred to as the "Consultant."

WHEREAS, the Consultant and the LPA entered into Engineering Agreement BK1367 executed by the Consultant on September 4, 2013 and executed by the LPA on October 3, 2013, hereinafter referred to as the "Original" Agreement, providing for preliminary engineering services for Project No. HSIP-5253(1), and

WHEREAS, it is necessary that work not contemplated in the Original Agreement, Supplemental No.1 be added under this supplemental agreement, and

WHEREAS, it is necessary to increase the Consultant's compensation by this supplemental agreement for the additional work necessary to complete the project, and

WHEREAS, it is the desire of the LPA that the project be constructed under the designation of Project No. HSIP-5253(1), as evidenced by the Resolution of the LPA dated the _____ day of _____, 2014, attached and identified as EXHIBIT "A" and made a part of this agreement, and

NOW THEREFORE, in consideration of these facts, the Consultant and LPA agree as follows:

SECTION 1. A Written Notice-to-Proceed was issued to the Consultant on April 28, 2014 to perform the additional work through Consultant Work Order 1. Any additional work or services performed by Consultant on the project prior to the date specified in the written Notice-to-Proceed is not eligible for reimbursement.

SECTION 2. The Consultant will perform the additional work stipulated in Consultant Work Order 1, which is attached as Exhibit "B" and hereby made a part of this supplemental agreement.

SECTION 3. For the work required, Section 9 of the Original Agreement is hereby amended and the fixed-fee-for-profit is increased from \$10,673.12 to \$11,194.11, an increase of \$520.99. Actual costs are increased from \$81,747.53 to \$85,694.39, an increase of \$3,946.86. The total agreement amount is increased from \$92,420.65 to \$96,888.50, an increase of \$4,467.85 which the Consultant must not exceed without the prior written approval of the LPA.

SECTION 4. The Consultant will be paid the additional fee on the same terms stipulated in the Original Agreement and, except as specifically amended by this supplemental agreement, all

terms and conditions of the Original Agreement on Project No. HSIP-5253(1), executed by the Consultant on September 4, 2013 and executed by the LPA on October 3, 2013 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused these presents to be executed by their proper officials thereunto duly authorized as of the dates below indicated.

After being duly sworn on oath, I do hereby acknowledge the foregoing certification and state that I am authorized to sign this agreement for the firm.

EXECUTED by the Consultant this 1st day of May, 2014.

ALFRED BENESCH & COMPANY
Anthony Dirks, P.E.

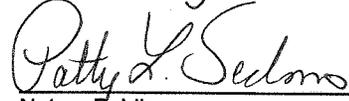


Division Manager

STATE OF NEBRASKA)
)ss.
LANCASTER COUNTY)

Subscribed and sworn to before me this 1st day of May, 2014.





Notary Public

EXECUTED by the LPA this _____ day of _____, 2014.

CITY OF LINCOLN
Chris Beutler

Mayor

Subscribed and sworn to before me this _____ day of _____, 2014.

Clerk

STATE OF NEBRASKA
DEPARTMENT OF ROADS
Form of Agreement Approved for
Federal Funding Eligibility:

Date

Consultant Work Order (Local Projects)

Project No. Federal/State HSIP-5253(1) City #702682		Control No.: 13227
Consultant: (Name and Representative) Alfred Benesch & Company - Anthony Dirks		Agreement No.: BK1367
LPA: (Name and Representative) City of Lincoln - Craig Aldridge		Work Order No.: 1
Constr Change Order No.: (if applicable)		
<p>All parties agree the following described work needs to be performed by the consultant as part of the referenced project. All parties concur and hereby give notice to proceed based on the following: justification to modify contract, scope of services, deliverables, schedule, and estimated total fee. All other terms of existing agreements between the parties are still in effect. It is understood by all parties that the work described herein will become part of a future supplement to the agreement indicated above.</p> <p>Justification to modify agreement: (Include scope of services, deliverables, and schedule) Original contract included a stakeholder meeting to seek input and then a public meeting to present the alternatives considered as well as the preferred. Due to the lack of involvement at the stakeholder meeting, the City decided not to present a preferred at the 1st public meeting, but rather to seek input of the alternatives being considered. Now a second public meeting is being added to the contract to present the preferred alternative. See attached fee worksheet.</p>		
Work Title	Summary of Fee	
	A. Total Direct Labor Cost	= 1,513.60
	B. Overhead (Factor * x A)	= 2,433.26
	C. A + B	= 3,946.86
	D. Profit/Fee (Factor ** x C)	= 520.99
*Overhead Factor:	160.76%	E. Direct Non-Labor Cost
**Profit/Fee Factor:	13.20%	F. Subconsultant Services
Total Fee Notes:	TOTAL FEE: C + D + E + F	= \$4467.85
	<input checked="" type="checkbox"/> ESTIMATED TOTAL FEE:	
	<input type="checkbox"/> FINAL TOTAL FEE:	

Work Order Authorization – May be granted by email and attached to this document.

Consultant:	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> Anthony Dirks <small>Digitally signed by Anthony Dirks DN: cn=Anthony Dirks, o=Benesch, ou, email=adirks@benesch.com, c=US</small> <small>Date: 2014.04.21 08:34:20 -05'00'</small> </div>	
Name	Signature	Date
LPA:		
CRAIG ALDRIDGE	<i>Craig Aldridge</i>	04/21/14
Name	Signature	Date
LPS PC (for Preliminary Engineering) and State Rep. (for Construction Engineering):		
Name	Signature	Date
	<i>Robert Tigeris</i>	
LPS Unit Head Review (for PE Phase):		
Michael Kleffner	<i>MK</i>	4/20/14
Name	Signature	Date
LPS Engineer or Construction Engineer (Construction Phase):		
LARRY L. LECU	<i>Larry L. Lecu</i>	4/24/14
Name	Signature	Date
FHWA: (FHWA Approval on Full Oversight Projects Only)		
Name	Signature	Date

Notice to Proceed will be granted by email by:
LPS PC for Preliminary Engineering & CD PC for Construction Engineering.

Notice to Proceed Date:
4/28/14

Distribution: Consultant, LPA – RC, State Rep., FHWA, LPS PC, NDOR Agreements Engineer, Highway Funds Manager, CD PC

DR Form 250, March 2014

EXHIBIT "B"

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Firm Name:	Alfred Benesch & Company
Consultant Project Manager:	Anthony Dirks
Phone/Email:	W: (402) 479-2200 C: (402) 428-3578 / adirks@benesch.com
LPA Responsible Charge:	Craig Aldridge
Phone/Email:	402-441-7711 / caidridge@incpin.ne.gov
NDOR Project Coordinator:	Raitis Tigens
Phone/Email:	402-479-3843 / raitis.tigens@nebraska.gov
Date:	April 21, 2014

TASKS	PERSONNEL CLASSIFICATIONS**										Total	CWO #1
	PM	SR ENG	ENG	DES	SR ENV	ENV	PI	SCC	S TECH	GT		
For Preliminary & Final Design												
1. Project Management												
a												
b												
c												
2. General Project Meetings												
a												
b												
c												
d												
3. Topographic Survey												
a												
b												
c												
d												
e												
f												
g												
4. Right-of-Way Survey (To be added with amendment)												
a												
5. Utility Coordination												
a												
b												
6. Public Involvement												
a												
b												
c												
d												
e												
f												
7. Drainage Analysis												
a												
b												
8. Traffic Study												
a												
b												
c												
d												
e												
f												
g												
9. Geotechnical Evaluation (To be included with amendment)												
a												
b												
c												
d												
e												
10. Environmental Documentation												
a												
b												
c												
d												
e												
f												
g												
h												
i												
j												
k												
l												
m												
n												
11. Preliminary Design												
a												
b												
c												
d												
e												
f												
g												
h												
i												
j												
k												
l												
12. Functional Design (To be added with amendment)												
a												
b												
c												
d												

EXHIBIT "B"

Project Number:	HSIP-5253(1)	City#702682
Control Number:	13227	
Location (City, County):	Lincoln, Lancaster	
Firm Name:	Alfred Benesch & Company	
Consultant Project Manager:	Anthony Dirks	
Phone/Email:	W: (402) 479-2200 C: (402) 429-5578 / adirks@benesch.com	
LPA Responsible Charge:	Craig Aldridge	
Phone/Email:	402-441-7711 / caldridge@lincoln.ne.gov	
NDOR Project Coordinator:	Raitis Tigeris	
Phone/Email:	402-479-3843 / raitis.tigeris@nebraska.gov	
Date:	April 21, 2014	

Direct Labor Costs:	Hours	Rate	Amount
Personnel Classification			
Project Manager	3	\$50.00	\$150.00
Senior Engineer		\$48.50	
Engineer	6	\$39.60	\$237.60
Designer / Technician	8	\$23.60	\$188.80
Senior Environmental Scientist	8	\$41.00	\$328.00
Environmental Scientist	8	\$23.25	\$186.00
Public Involvement Coordinator	16	\$26.45	\$423.20
Survey Crew Chief		\$26.50	
Survey Technician		\$18.80	
Geotechnical Technician		\$18.00	
Clerical		\$16.30	
TOTALS	49		\$1,513.60

Direct Expenses:	Amount
Subconsultants	
Printing and Reproduction Costs	
Mileage/Travel	
Lodging/ Meals	
Other Miscellaneous Costs	
TOTALS	

Total Project Costs:	Amount
Direct Labor Costs	\$1,513.60
Overhead @ 160.76%	\$2,433.26
Total Labor Costs	\$3,946.86
Fixed Fee @ 13.20%	\$520.99
Direct Expenses	
PROJECT COST	\$4,467.85