

**AMENDMENT SUMMARY
CITY OF BROKEN ARROW
EVENTS PARK ADULT SOFTBALL FIELDS
PROFESSIONAL CONSULTANT AGREEMENT
PROJECT NO. 176037**

1.0 Professional Consulting Firm:

- 1.1 Name: Professional Engineering Consultants, P.A.
- 1.2 Telephone No.: 918-664-5400
- 1.3 Address: 4150 S. 100th East Ave., Ste. 401
Tulsa, OK 74146

2.0 Project Name/Location: Events Park Adult Softball Fields, Broken Arrow, OK

3.0 Statement of Purpose: CONSULTANT understands that the OWNER has retained their professional services in order to prepare an environmental assessment of the wetlands in the vicinity of the proposed location of the fields.

4.0 Agreement Summary:

- 4.1 Amendment Amount: \$ 5,800.00
- 4.2 Amendment Time: N/A
- 4.3 Estimated Construction Cost: \$ 3,800,000.00

5.0 Contract Documents and Priority: The City of Broken Arrow (OWNER), represented by the City Manager, and Professional Engineering Consultants, P.A., (CONSULTANT), identified in paragraph 1.0 agree to perform this AGREEMENT in strict accordance with the clauses, provisions, and the documents identified as below, all of which are made part of this Contract. In the event of conflict, these documents shall be interpreted in the following order:

- 5.1 AGREEMENT with corresponding Attachments;
- 5.2 Duly authorized Amendments to the AGREEMENT;
- 5.3 AGREEMENT Summary;
- 5.4 Specific project written correspondence mutually recognized; and
- 5.5 Specific project verbal instructions mutually recognized.

6.0 Amendment Approved by the Owner on: _____

**AMENDMENT NO. 1
TO
AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES
BETWEEN
CITY OF BROKEN ARROW
AND
PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

EVENTS PARK ADULT SOFTBALL FIELDS

PROJECT NO. 176037**

THIS **AMENDMENT NO. 1**, made and entered into this 17th day of October 2017, by and between the CITY OF BROKEN ARROW, OKLAHOMA, a municipal corporation of the State of Oklahoma, hereinafter referred to as "CITY", and Professional Engineering Consultants, P.A., hereinafter referred to as "ENGINEER";

WITNESSETH:

WHEREAS, CITY and ENGINEER entered into an Agreement dated July 3, 2017, for services as set forth in said Agreement; and

WHEREAS, said Agreement requires ENGINEER to prepare construction documents for bidding purposes for the Events Park Adult Softball Fields.

WHEREAS, CITY and ENGINEER propose to amend said Agreement to expand the project scope, design schedule and compensation to include the preparation of an environmental assessment of the wetlands in the vicinity of the proposed location of the fields; and

WHEREAS, the July 3, 2017 Agreement and First Amendment shall hereinafter collectively be referred to as the "Agreement"; and

WHEREAS, funding is now available for said additional services; and

WHEREAS, ENGINEER is prepared to provide said additional services identified in this Amendment.

NOW THEREFORE, in consideration of the promises contained herein, the parties hereto agree to amend the Agreement as follows:

1. PROJECT SCOPE.

This Amendment requires ENGINEER to include the preparation of an environmental assessment of the wetlands in the vicinity of the proposed location of the fields. Basic scope of the services includes:

- a. Review of applicable and available information for the site.
- b. Perform an onsite visit to gather data pertaining to the hydrophytic vegetation community, hydrology indicators and hydric soil characteristics. Also, to

gather data pertaining to the characteristics of the other suspect WOUS and potential jurisdictional status.

- c. Prepare a map of the locations and boundaries of suspect WOUS.
- d. Prepare a preliminary WOUS (Water of United States) delineation report containing site characterization information, site visit findings and a conclusion of the potential jurisdictional status of suspect waterbodies or wetlands.

2. CHANGE IN CONTRACT AMOUNT.

As compensation for the additional work, CITY shall pay ENGINEER in accordance with the terms as a change in the contract amount;

Original Contract Amount executed July 3, 2017	\$397,840.00
Amendment No. 1	\$ 5,800.00
Revised Total Contract Amount	\$403,640.00

3. AMENDED PROJECT SCHEDULE

A new project schedule as described in the attached Exhibit 1 is hereby incorporated by reference as part of this Agreement.

4. EFFECTIVE DATE AND AUTHORIZATION TO PROCEED.

This Amendment No. 1 is effective upon signature by both parties.

Except as amended hereby, all terms of the July 3, 2017 Agreement shall remain in full force and effect without modification or change.

IN WITNESS WHEREOF, the parties have executed this AMENDMENT, in multiple copies on the respective dates herein below reflected to be effective on the date executed by the City Manager of the City of Broken Arrow, Oklahoma.

OWNER:
City of Broken Arrow

CONSULTANT:
Professional Engineering Consultants, P.A.

Approved as to form:

By *Joseph P. Surmeier*

By *Lesli Myers*
Assistant City Attorney

Print Name:
Joseph P. Surmeier

By _____
Michael L. Spurgeon, City Manager

Title:
Secretary/Treasurer

Date *10-3-2017*

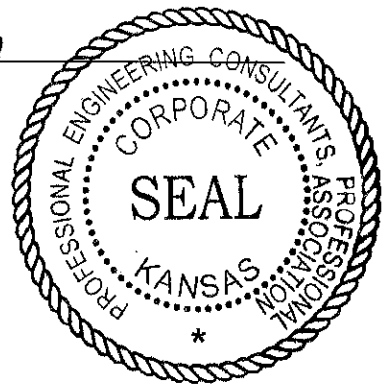
Date _____

Attest:
Shirley Ann
Corporate Secretary (Seal)

Attest:

Date *10-3-2017*

City Clerk



VERIFICATIONS (If not a corporation)

State of Oklahoma)
) §
County of Tulsa)

Before me, a Notary Public, on this *3rd* day of *Oct*, 2017, personally appeared *Joseph P. Surmeier*, known to be to be the (President, Vice-President, Corporate Officer, Member, Partner, or Other:) *Corporate Officer* of Professional Engineering Consultants, P.A., and to be the identical person who executed the within and foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

My Commission Expires: *10/27/17*

Mary A. Farrar

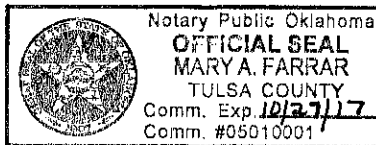


Exhibit 1

AMENDED PROJECT SCHEDULE

The following schedule shall be made a part of the AGREEMENT dated the 3rd day of July, 2017.

1.0 PRELIMINARY DESIGN PHASE:

- 2.1 Notice to Proceed: July 6, 2017
- 2.2 Feasibility Study and Environmental Assessment (Site Fit Plan):
July 6 – November 3, 2017
- 2.2 Prepare Preliminary Plans: November 6 – January 19, 2018
- 2.3 Submit Preliminary Plans: January 22, 2018
- 2.4 Owner Review: January 22 – February 5, 2018

2.0 FINAL DESIGN PHASE:

- 2.1 Notice to Proceed: February 6, 2018
- 2.2 Complete Survey/ Geotech on selected Site: February 6 - March 16, 2018
- 2.3 Prepare final plans and specifications (90%): February 6 – April 27, 2018
- 2.4 Prepare final cost estimate: February 6 – April 27, 2018
- 2.5 Submit final (90%) plans and specifications: April 30, 2018
- 2.6 Owner Review: April 30 – May 14, 2018
- 2.7 Prepare bid documents (plans and specifications): May 15 – June 1, 2018
- 2.8 Submit bid documents: June 4, 2018

- 3.0 **RECORD DRAWINGS:** To be submitted within 30 days after OWNER provides contractor red-lines to CONSULTANT upon completion of construction.