

Amendment No. 1

TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES

DOWNTOWN MAIN STREET STREETSCAPES – PHASE IV

PROJECT NO. – 161709

1. Architecture/Engineering Firm:

- a. Name: R.L. Shears Company, P.C.
- b. Telephone No.: (918) 582-0612
- c. Address: 1522 South Carson Avenue, Tulsa, OK 74119

2. Project Title and Location: Downtown Main Street Streetscapes - Phase IV, Main Street from Dallas Street to Fort Worth Street and College Street to Detroit Street, Broken Arrow, Oklahoma.

3. Contract Amendment for: Detailed Design Phase Services for the Downtown Main Street Streetscapes - Phase IV Project. All other provisions of the original contract apply.

4. Contract Amendment Scope and Schedule: See attached proposal.

5. Contract Data:

- a. Amendment No. 1 a not-to-exceed amount of Four Hundred Forty-Five Thousand, Five Hundred Thirty Dollars (\$445,530.00). Total contract amount including all amendments = \$492,340.00.
- b. The total time allowed for amended contract completion is 365 calendar days.
- c. Liquidated Damages: Per original contract.

6. The City of Broken Arrow (called the City), represented by the City Manager and the Architect/ Engineer firm, identified in paragraph 1 (called the A/E) agree to perform this 1st Amendment to the Contract in strict accordance with the clauses, provisions, and the documents identified as follows, all of which are made part of the Contract. In the event of conflict, these documents shall be interpreted in the following order:

- a. The Amendments to the Contract
- b. The Contract
- c. Special Provisions set out in the Contract
- d. General Provisions set out in the Contract
- e. A/E's Proposal

7. Amendment approved by the City Council on: _____

IN WITNESS WHEREOF, OWNER and CONSULTANT have executed this Agreement.

OWNER:
City of Broken Arrow

Approved as to form:

By *Lesli Myers*
Assistant City Attorney

By _____
Michael L. Spurgeon, City Manager

Date _____

Attest:

City Clerk

CONSULTANT:
R.L. Shears Company, P.C.

By *Robert L. Shears, II*
Robert L. Shears, II, A.S.L.A., CLARB,
President

Date 1.19.16

Attest: *Michael L. Spurgeon*
Corporate Secretary (Seal)
Date 1.19.16

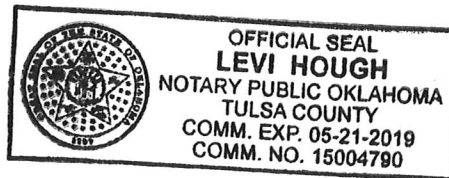


VERIFICATIONS (If not a corporation)

State of Oklahoma)
) §
County of Tulsa)

Before me, a Notary Public, on this 19th day of January, 2016, personally appeared Robert L. Shears, II, known to be to be the (President, Vice-President, Corporate Officer, Member, Partner, or Other:) President of R.L. Shears Company, P.C., 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 05/21/2019
Levi Hough



January 8, 2016

Mr. Doug Tiffany, PE
Director of Engineering
City of Broken Arrow
485 North Poplar Avenue
Broken Arrow, Oklahoma 74012

Dear Mr. Tiffany,

I am pleased to offer the following Proposal for Professional Landscape Architectural Services for the design of Construction Documents, Bidding, and Construction Phase Services for Phase 4 the City of Broken Arrow Downtown Streetscape Project.

SCOPE OF PROJECT:

Prepare Construction Documents for Phase 4 of the Downtown Streetscape and the Kenosha Street and Main Street Gateway Projects.

SCOPE OF BASIC SERVICES:

Preliminary Design Phase – Address review comments and directions received during the Schematic Design Phase and prepare the following:

- Title Sheet.
- General Pay Quantities and Notes.
- Topographic Survey.
- Existing Utilities Sheet.
- Key Map and Survey Data Sheets.
- Construction Details and Typical Sections.
- Demolition Plans.
- Site Plans.
- Grading and Layout Plans.
- Stormwater Drainage - Calcs, Design Criteria, & Plan and Profiles.
- Electrical and Lighting Plans and Details.
- Active Pedestrian Protection Plans for Mid-Block Crossing.
- Traffic Striping and Signing Plans.
- Landscape Plans.
- Irrigation Plans.
- Plant Drainage Plans.
- Estimate of Probable Cost with 20% contingency.
- Draft Specifications and Special Provisions.
- Coordinate with utilities companies concerning upcoming projects and schedules. (In concert with the OWNER'S relocation agent.)
- In-House Quality Assurance Plan Review.
- Consultant Quality Assurance Plan Review.
- Submit eight (8) bound sets of ½ size prints and one (1) set of full-size prints (if required) of the preliminary plans.

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- Review meeting with City Staff.

Final Design Phase – Finalize Construction Documents and Cost Estimate based on review comments and prepare final plans and specifications.

- Prepare technical specifications and special provisions as required.
- In-House Quality Assurance Plan Review.
- Submit eight (8) bound sets of ½ size prints of final construction plans, one (1) bound set of full-size prints (if required) of final construction plans, three (3) sets of final contract bid documents and eight (8) sets of ½ size prints of final City utility relocation plans, if required, to the Owner for distribution and review.
- Submit five (5) sets of ½ size prints, to all private utilities. Digital copies of the plans shall be supplied to the utilities at their request and subject to the Owner’s approval.
- Review meeting with City Staff.
- Prepare Bid Form.
- Submit Final Plans and Specification for City Council Approval.

Bidding Phase Services –

- Assist City Staff with Bid Advertisement.
- Attend Pre-Bid Meeting.
- Prepare and issue addenda as required.
- Review and Tabulate Bids.
- Recommend Award of Construction Contract.

****Construction Phase Services –**

- Attend Pre-Construction Meeting
- Review Submittals and Shop Drawings
- Respond to RFI’s
- Attend weekly progress meetings.
- Site Visits based on specification requirements
- Provide Design Services for Changes Due Differing Ex. Site Conditions
- Attend Substantial Completion Inspection
- Attend Final Completions Inspection

**The Scope of Services and Compensation are based on a 5-month Substantial Completion Construction Contract.

COMPENSATION:

• The fees for the Basic Services as described above are based on a fixed fee as shown below:	
Preliminary Design:	\$176,470.00
Final Design:	\$184,865.00
Bidding:	\$4,665.00
Construction Observation:	\$71,530.00
Record Drawings (Phase 3 and 4)	\$8,000.00
Total Fee:	\$445,530.00

ADDITIONAL SERVICES:

- Additional services are those services not included under Basic Services, but otherwise listed or requested in writing. Compensation for additional services will be negotiated on an as needed basis.

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EXCLUDED SERVICES:

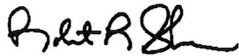
- Excluded Services are not a part of Landscape Architect's Basic or Additional Services and are the responsibility of others. Excluded Services include, but are not limited to, the following: Subsurface conditions including unsuitable subgrade conditions; soil issues; determining of property ownership and R.O.W. certification; location existing utilities; materials testing and inspections, contract administration, building and construction permits.

Your signature below indicates acceptance of the foregoing provisions and a draft contract will follow for your review.

Accepted By: _____

Date: _____

Sincerely,



Robert Shears ASLA, CLARB
President, R.L. Shears Company, P.C.

CITY OF BROKEN ARROW DOWNTOWN STREETScape PHASE 4		MAN HOURS				FEE
LANDSCAPE ARCHITECTURAL FEES AND SERVICES		Principal Landscape Architect	Landscape Architect	Landscape Architect Tech II	Landscape Architect Tech I	
Hourly Rates		\$115.00	\$100.00	\$90.00	\$80.00	
PRELIMINARY DESIGN						
Consultant Coordination	60.00		40.00	-		\$10,500.00
Title Sheet	1.00	4.00		8.00		\$1,155.00
General Pay Quantities and Notes	16.00	24.00	16.00	24.00		\$7,600.00
Existing Utilities Sheet	4.00	8.00	8.00	16.00		\$3,260.00
Key Map and Survey Data Sheets	1.00	1.00	12.00	12.00		\$2,255.00
Construction Details and Typical Sections	24.00	24.00	60.00	80.00		\$16,960.00
Demolition Plans	10.00	16.00	40.00	60.00		\$11,150.00
Site Plans	24.00	40.00	40.00	80.00		\$16,760.00
Grading and Layout Plans	40.00	120.00	80.00	24.00		\$25,720.00
Traffic Striping and Signing Plans	4.00	16.00	4.00	24.00		\$4,340.00
Landscape Plans	8.00	8.00	16.00	4.00		\$3,480.00
Irrigation Plans	12.00	16.00	8.00	8.00		\$4,340.00
Plant Drainage Plans	2.00	12.00	16.00	4.00		\$3,190.00
Estimate of Probable Cost	16.00	1.00	8.00	1.00		\$2,740.00
Review Meetings with City Staff	16.00	4.00	16.00	-		\$3,680.00
Cowan						\$22,750.00
MKEC						\$6,765.00
TEC						\$27,000.00
						Sub-Consultant Subtotal \$56,515.00
						5% Sub-Consultant Mark Up \$2,825.75
						Sub-Consultant Total \$59,340.75
						SUBTOTAL \$176,470.75
FINAL PLANS						
Consultant Coordination	60.00		40.00	-		\$10,500.00
Title Sheet	1.00	-	4.00	4.00		\$795.00
General Pay Quantities and Notes	24.00	16.00	24.00	4.00		\$6,840.00
Existing Utilities Sheets	2.00	2.00	1.00	1.00		\$600.00
Key Map and Survey Data Sheets	1.00	-	4.00	4.00		\$795.00
Construction Details and Typical Sections	32.00	40.00	80.00	80.00		\$21,280.00
Demolition Plans	8.00	20.00	40.00	80.00		\$12,920.00
Site Plans	32.00	40.00	40.00	60.00		\$16,080.00
Grading and Layout Plans	40.00	120.00	100.00	24.00		\$27,520.00
Traffic Striping and Signing Plan	3.00	24.00	16.00	24.00		\$6,105.00
Landscape Plans	16.00	16.00	32.00	40.00		\$9,520.00
Irrigation Plans	12.00	40.00	16.00	40.00		\$10,020.00
Plant Drainage Plans	2.00	16.00	8.00	60.00		\$7,350.00
Estimate of Probable Cost	16.00	24.00	8.00	1.00		\$5,040.00
Proposal / Bid Form	4.00	2.00	8.00	8.00		\$2,020.00
Specifications and Special Provisions	16.00	12.00	12.00	4.00		\$4,440.00
Review Meetings with City Staff	16.00	4.00	4.00			\$2,600.00
Cowan						\$22,750.00
MKEC						\$6,765.00
TEC						\$9,000.00
						Sub-Consultant Subtotal \$38,515.00
						5% Sub-Consultant Mark Up \$1,925.75
						Sub-Consultant Total \$40,440.75
						SUBTOTAL \$184,865.75
Bidding						
Assist City Staff with Bid Advertisement	2.00		2.00	-		\$410.00
Attend Pre-Bid Meeting	3.00		3.00	-		\$615.00
Prepare and Issue Addenda as required	8.00		16.00			\$2,360.00
Review and Tabulate Bids	4.00		4.00			\$820.00
Recommend Award of Construction Contract	4.00					\$460.00
						SUBTOTAL \$4,665.00
Construction Observation						
Attend Pre-Construction Meeting	3.00		3.00			\$615.00
Review and approve Contractor's submittals	16.00	24.00	40.00			\$7,840.00
Respond to RFI's	40.00	16.00	60.00			\$11,600.00
Attend weekly construction progress meetings	66.00		66.00			\$13,530.00
Site visits based on specification requirements	60.00	24.00	60.00			\$14,700.00
Provide Design Services for Changes Due Differing Ex. Site Conditions	50.00	24.00	90.00			\$16,250.00
Substantial Completion Inspection and Punch List	6.00	1.00	12.00			\$1,870.00
Final Completion Inspection	5.00	1.00	5.00			\$1,125.00
Cowan - Construction Observation						\$4,000.00
MKEC - Construction Observation						
						SUBTOTAL \$71,530.00
Record Drawings						
Phase 3				-		\$4,000.00
Phase 4				-		\$4,000.00
						SUBTOTAL \$8,000.00
						TOTAL FEE \$445,531.50

Memo

To: Design Team

From: Robert Shears, ASLA

Date: January 7, 2016

Subject: City of Broken – Rose District Streetscape Phase 4

The following timeline includes design, bidding, and construction for Phase 4 of the Rose District Streetscape. Key Milestones are bold. These are hard dates that we have to meet to keep the project on schedule.

November 9 2015 – City Council approval of Contract

November 10 2015 – Design Notice to Proceed (90 Days)

November 12 2015 – Scoping Meeting

December 18 2015 – Schematic Design Plans Due (40 Days)

December 18-23 2015 – City Review (5 days)

December 23 2015 – Review Meeting

January 5, 2016 – Council Approval of Schematic Design

January 19, 2016 – Council Approval of Contract Amendment

January 20, 2016 – Notice to Proceed with CD's

March 21, 2016 – Preliminary Plans Due

April 1, 2016 – Preliminary Plan Review Meeting

May 23, 2016 – Final Plans Due

June 1, 2016 – Final Plan Review Meeting

June 7, 2016 – Council Approval to Bid

June 9, 2016 – Advertise for Bids

July 1, 2016 – Bid Opening

July 19, 2016 – Council Approval of Contract Award

August 2, 2016 – Notice to Proceed with Construction (140 Calendar Day Construction)

December 20, 2016 – Substantial Completion

January 17, 2017 – Final Completion

cc: file

R. L. Shears Company, P. C.

1522 South Carson Avenue

Tulsa, Oklahoma 74119

918.582.0612

918-582.0613(fax)