AMENDMENT NO. 1

TO

AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES BETWEEN CITY OF BROKEN ARROW AND KIMLEY HORN

PROJECT NAME: EVENTS PARK INFRASTRUCTURE PROJECT NO. 2417210

THIS **AMENDMENT NO. 1**, made and entered into this <u>26th</u> day of <u>September</u> 2023, by and between the CITY OF BROKEN ARROW, OKLAHOMA, a municipal corporation of the State of Oklahoma, hereinafter referred to as "CITY", and Kimley Horn, hereinafter referred to as "ENGINEER";

WITNESSETH:

WHEREAS, CITY and ENGINEER entered into an Agreement dated September 26, 2023 "ORIGINAL AGREEMENT" for services as set forth in said Agreement; and

WHEREAS, said ORIGINAL AGREEMENT requires CONTRACTOR to perform a survey and geotechnical services to improve and expand the infrastructure at Events Park.

WHEREAS, CITY and ENGINEER propose to amend said ORIGINAL AGREEMENT to expand the project scope and compensation to include design work charged hourly to improve and expand the infrastructure at Events Park.

WHEREAS, the ORIGINAL AGREEMENT and Amendments No. 1 through No. 1 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 perform design work charged hourly at the rate specified in Attachment A for the expansion Events Park Infrastructure, not to exceed a budget of \$100,000.00

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 September 25, 2023 Amendment No. 1, (Hourly, not to exceed)	\$ \$	192,050 100,000
Revised Total Contract Amount	\$	292 050

3. AMENDED PROJECT SCHEDULE

The schedule for Amendment No. 1 is 120 days from Notice to Proceed.

4. EFFECTIVE DATE AND AUTHORIZATION TO PROCEED.

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

Except as amended hereby, all terms of the 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.

OWNER:		CONSULTANT:		
Corpor	Broken Arrow, a Municipal ation	Kimley	Horn	
Ву:		Ву:	Ith a	
	Michael L. Spurgeon, City Manager		Douglas Arnold, Contract Specialist	
Date:	<u> </u>	Date:	9/76/2023	
		(CORP	ORATE SEAL, IF APPLICABLE)	
Attest:		Attest:	Statt & Luce	
	City Clerk [Seal]		Name: Scott R. Arnold Office: Ft. worth, TX September 26, 2023	
Date:		Date:	September 26,2023	
Approv	ed as to form:			
Graliam	Parker			
Assista	nt City Attorney			

A VERIFICATION

State of Oklahoma)
) §
County of Oklahoma)
Before me, a Notary Public, on this 26 th day of 5eptember, 2023, personally appeared Doug Arnold, known to be to be the (President,
Before me, a Notary Public, on this day of, 2023,
personally appeared <u>Doug Arnold</u> , known to be to be the (President,
Vice-President, Corporate Officer, Member, or Other: Contract Specialist) of Kimley
Horn, and to be the identical person who executed the within and foregoing instrument, and
acknowledged to me that he/she executed the same as his/her free and voluntary act and
deed for the uses and purposes therein set forth.
My Commission Expires:
OLI LOT
11008471
A A A A A A A A EXP. 09/16/27
O EAP. USITOLZI
1600 PUBLIC TOTAL
Notary Public Notary Public

ATTACHMENT A TO AMENDMENT 1 FOR PROFESSIONAL CONSULTING SERVICES BETWEEN CITY OF BROKEN ARROW (OWNER) AND KIMLEY HORN FOR EVENTS PARK INFRASTRUCTURE

PROJECT 2417210

Kimley»Horn

Kimley-Horn and Associates, Inc.

Hourly Labor Rate Schedule

Classification	Rate
Analyst	\$160 - \$245
Professional	\$230 - \$295
Senior Professional I	\$255 - \$350
Senior Technical Support	\$155 - \$280
Support Staff	\$110 - \$145
Technical Support	\$125 - \$150

Effective through December 31, 2023

Subject to adjustment thereafter