

**AMENDMENT NO. 1
PROFESSIONAL CONSULTANT AGREEMENT
BROKEN ARROW MUNICIPAL AUTHORITY
WATER TREATMENT PLANT CAUSTIC CIP TANK REPLACEMENT
PROJECT NUMBER 185436**

1.0 Professional Consulting Firm:

1.1 Name: Engineering, Compliance, and Construction, Inc. (ECCI)

1.2 Telephone No.: 501-975-8100

1.3 Address: 13000 Cantrell Road, Little Rock, AR 72223-1637

2.0 Project Name/Location: Water Treatment Plant Caustic CIP Tank Replacement, Broken Arrow, OK

3.0 Statement of Purpose: This amendment is to modify the original agreement to add to the Consultant's fee for the review of additional documents not envisioned for the original effort, compensate the consultant for a travel cost increase for tank inspection during manufacturing at a different location than that assumed in the original agreement, and add compensation for increased time for meetings that are deemed necessary for the successful coordination of the project during the construction phase.

4.0 Agreement Summary:

4.1 Amendment Amount: Not to exceed \$1,980.00

4.2 Amendment Time: no additional time to the contract after approval of this amendment.

4.3 Construction Contract Cost: \$94,000.00

5.0 Contract Documents and Priority: The City of Broken Arrow (OWNER), represented by the City Manager, and the Professional Consulting firm, (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 the Contract. In the event of conflict, these documents shall be interpreted in the following order:

- 5.1 This 1st Amendment to the Contract
- 5.2 AGREEMENT with corresponding Attachments;
- 5.3 Duly authorized Amendments to the AGREEMENT;
- 5.4 AGREEMENT Summary;
- 5.5 Specific project written correspondence mutually recognized; and
- 5.6 Specific project verbal instructions mutually recognized.

6.0 Amendment Approved by Owner on: _____

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

OWNER:

Broken Arrow Municipal Authority

CONSULTANT:

Engineering, Compliance, and Construction, Inc.

Approved as to form:

By L. Ewald
Assistant City Attorney

Date: _____

By Michael L. Spurgeon
Michael L. Spurgeon, City Manager

Date: 2/12/19

Attest:

Secretary

Date: _____

By Julie C. McCallister

Printed name and title: Julie C. McCallister
President

Date: January 24, 2019

(CORPORATE SEAL) if applicable

ATTEST: Rod Brenner

Printed name and title: Rod Brenner
Vice President

Date: 1/24/19

VERIFICATIONS

State of Arkansas)
)
County of Pulaski)

Before me, a Notary Public, on this _____ day of _____, 2019, personally appeared _____, known to be the (President, Vice President, Corporate Officer, Member, Partner, or Other: _____) of Engineering, Compliance, and Construction, Inc., 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.

Notary Public

Commission Expiration

**ATTACHMENT A
TO
AMENDMENT NO. 1 - PROFESSIONAL CONSULTANT AGREEMENT
BETWEEN
BROKEN ARROW MUNICIPAL AUTHORITY (OWNER)
AND
ENGINEERING, COMPLIANCE, AND CONSTRUCTION, INC. (CONSULTANT)
FOR
WATER TREATMENT PLANT CAUSTIC CIP TANK REPLACEMENT
PROJECT NUMBER 185436**

SCOPE OF SERVICES

The following scope of services shall be made a part of the AGREEMENT dated January 2, 2018.

1.0 PROJECT UNDERSTANDING

No change in Project Understanding from the original AGREEMENT dated January 2, 2018.

2.0 AMENDMENT SCOPE

The CONSULTANT will perform the following additional services:

1. Provide review and submittal (if required) of additional documents not in the original agreement, including the User's Basic Requirements Specification (UBRS) form required for the ASME RTP-1 certification.
2. Travel to revised location for the manufacturing and testing of the new tank for the purpose of inspection during fabrication to ensure compliance with the tank design plans and specifications.
3. Provide representation at project meetings when asked to be present by OWNER.