# **AMENDMENT NO. 2**

TO

AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES BETWEEN

CITY OF BROKEN ARROW

AND

POE & ASSOCIATES, INC.

FOR

HOUSTON STREET WIDENING FROM GARNETT RD THROUGH OLIVE AVE. ST 2028

# **CONSULTANT'S PROPOSAL**

# Task No. 1

Provide assistance to the owner during construction of Project ST2028 as listed in Attachment A.

**Fee:** Proposed fee (Hourly not to exceed) for services outlined in Task No. 1: **\$7,500.00**To be bill at the Standard Hourly rates are as follows:

- o Principal Manager \$250.00
- o Project Manager \$215.00
- o Project Engineer \$165.00
- o Engineering Designer (CADD)\$135.00

IN WITNESS WHEREOF, the parties have executed this AMENDMENT, in multiple copies on the respective dates herein below reflected.

OWNER:		CONSULTANT:		
City of Broken Arrow, a Municipal Corporation		Poe & Associates, Inc.		
Ву:	Michael L. Spurgeon City Manager	Ву:	Jim Hemphill, Vice President Municipal Team Leader	
Date:		Date:	September 3, 2024	
Attest:		(CORP	CORATE SEAL IF APPLICABLE)	
	City Clerk [Seal]	-	Katherine R. Gaches Corporate Secretary	
Date:		Date:	September 3, 2024	
	nt City Attorney			
	VERIFICATION	NC		
State of_ County o	Oklahoma ) ) § of <u>Tulsa</u> )			
<u>Jim Hen</u> Member the withi	ne, a Notary Public, on this 3rd day of Sone hill, known to be to be the (Preside or Other of Poe & Associates, Inc., and to and foregoing instrument, and acknow his/her free and voluntary act and deed	nt, Vice to be the ledged to	-President, Corporate Officer, identical person who executed o me that he/she executed the	
My Com	mission Expires:			
Novemb	er 18, 2026			
	Notary Public			

#### ATTACHMENT A

TO

# AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES

BETWEEN

CITY OF BROKEN ARROW

AND

POE AND ASSOCIATES, INC.

**FOR** 

HOUSTON STREET IMPROVEMENTS FROM GARNETT RD. TO OLIVE AVE. CONSTRUCTION SERVICES PROJECT NUMBER ST2028

## **SCOPE OF SERVICES**

The following scope of services shall be made a part of the AGREEMENT dated the \_\_\_\_ day of September, 2024.

#### 1.0 PROJECT UNDERSTANDING

CONSULTANT understands that the OWNER has retained their professional services in order to provide construction services for the project.

#### 2.0 PROJECT SCOPE

CONSULTANT shall provide construction services in the form of submittal review, addressing Requests for Information (RFI's) submitted by the contractor to the OWNER, and job site visits if requested by the OWNER. This work will be invoiced on an hourly basis at the hourly rates specified in this AGREEMENT.

CONSULTANT shall provide consulting services as follows:

Attend Meetings
Submittal Review
Review and Address Requests for Information (RFI's)
Job Site Visit and Field Review
Final Inspection and Punch List Items

## 3.0 SCOPE OF SERVICES

- 3.1 CONSTRUCTION SERVICES PHASE: This Phase includes the following tasks:
  - 3.1.A. Answer design-related questions.
  - 3.1.B. Review contractor submittals and provide comments back to the OWNER.
  - 3.1.C. Attend progress meetings (at the request of OWNER).
  - 3.1.D. Respond to OWNER requests, and Requests for Information (RFI's).
  - 3.1.E. Make site-visits as requested by OWNER.
  - 3.1.F. Attend final walk-through inspection and assist with identification of punch list items.

# ACORD

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 9/3/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

	342-1009			
INSURER(S) AFFORDING COVERAGE	NAIC#			
INSURER A: Travelers Property Casualty Company of America	25674			
INSURER B: Travelers Indemnity Co.	25658			
INSURER C: Travelers Casualty & Surety Company of America	31194			
INSURER D:				
INSURER E :				
INSURER F:				
	E-MAIL ADDRESS: kstebbins@messerbowers.com INSURER(S) AFFORDING COVERAGE INSURER A: Travelers Property Casualty Company of America INSURER B: Travelers Indemnity Co. INSURER C: Travelers Casualty & Surety Company of America INSURER D: INSURER E:			

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE		JBR IVD POLICY NUM	BER POLICY EFF	POLICY EXP (MM/DD/YYYY)	LIMIT	
A	X COMMERCIAL GENERAL LIABILITY					EACH OCCURRENCE	\$ 1,000,000
	CLAIMS-MADE X OCCUR		680 00H770068 24 4	17 8/1/2024	8/1/2025	DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 1,000,000
						MED EXP (Any one person)	\$ 5,000
						PERSONAL & ADV INJURY	1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:					GENERAL AGGREGATE	\$ 2,000,000
	POLICY X PRO- LOC					PRODUCTS - COMP/OP AGG	\$ 2,000,000
	OTHER:						\$
В	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
	X ANY AUTO		BA 7P642421 24 47	G 8/1/2024	8/1/2025	BODILY INJURY (Per person)	\$
	OWNED SCHEDULED AUTOS ONLY					BODILY INJURY (Per accident)	\$
	X HIRED AUTOS ONLY X NON-OWNED AUTOS ONLY					PROPERTY DAMAGE (Per accident)	\$
	AUTOS ONLY AUTOS ONLY						\$
Α	UMBRELLA LIAB X OCCUR					EACH OCCURRENCE	\$ 5,000,000
	X EXCESS LIAB CLAIMS-MADE		CUP 004A030120 2	4 47 8/1/2024	8/1/2025	AGGREGATE	5,000,000
	DED X RETENTION\$ 10,000						\$
В	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					X PER OTH-	
	1/10		UB 008K158882 24	47 8/1/2024	8/1/2025	E.L. EACH ACCIDENT	s 1,000,000
	OFFICER/MEMBER EXCLUDED? (Mandatory in NH)					E.L. DISEASE - EA EMPLOYEE	1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. DISEASE - POLICY LIMIT	\$ 1,000,000
A			680 00H770068 24 4	17 8/1/2024	8/1/2025	Limit	1,300,000
C			105841819	8/1/2024	8/1/2025	Per Claim	2,000,000
	1 101000101101 midd						
							L

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Job 303909-2
Engineering services. General Liability Incl's: Automatic Additional Insd on a primary and non contributory basis, Automatic Waiver of Subrogation and 30dnoc (except 10 for non pay) in favor of the holder. General Liability is subject to a total aggregate limit of \$6,000,000 / Auto Liability Incl's: Automatic

Additional Insd, Automatic Waiver of Subrogation, 30dnoc (except 10 for non pay) in favor of the holder / Work Comp Incl's: Automatic Waiver of Subrogation, 30dnoc (except 10 for non pay) in favor of the holder, all when req'd by written contract. Professional Liability Aggregate \$5,000,000. Excess Liab is follow

form to: General liability, Auto liability and Employer's liability.

SEE	ATTA	CHED	<b>ACORD</b>	101
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CERTIFICATE HOLDER	CANCELLATION	
City of Broken Arrow 485 N Poplar St	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.	
Broken Arrow, OK 74012	AUTHORIZED REPRESENTATIVE	
	Calm bows 1511-	

LOC #: 1



# ADDITIONAL REMARKS SCHEDULE

Page 1 of 1

AGENCY Messer-Bowers Company		NAMED INSURED Poe & Associates Inc 4606 Garnett Rd	
POLICY NUMBER SEE PAGE 1		Tulsa, OK 74146	
CARRIER SEE PAGE 1	NAIC CODE SEE P 1	EFFECTIVE DATE: SEE PAGE 1	

#### ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,

FORM NUMBER: ACORD 25 FORM TITLE: Certificate of Liability Insurance

Description of Operations/Locations/Vehicles:

Re: #303909-2 BA Proj # ST2036 - Houston Street Widening From Garnett Road to Olive Avenue, Amendment #2 30DNOC applies as respects Gen, Auto & Employer's Liab in favor of the cert holder.