

**AMENDMENT NO. 1
TO
AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES
BETWEEN
CITY OF BROKEN ARROW
AND
R. L. SHEARS COMPANY, P.C.**

**PROJECT NAME: CENTRAL PARK GARDEN IMPROVEMENTS
PROJECT NO. 2360450**

THIS **AMENDMENT NO. 1**, made and entered into this 18th day of July 2023, by and between the CITY OF BROKEN ARROW, OKLAHOMA, a municipal corporation of the State of Oklahoma, hereinafter referred to as "CITY", and R. L. Shears Company, P.C., hereinafter referred to as "ENGINEER";

WITNESSETH:

WHEREAS, CITY and CONTRACTOR entered into an Agreement dated June 15, 2022 "ORIGINAL AGREEMENT" for services as set forth in said Agreement; and

WHEREAS, said ORIGINAL AGREEMENT requires CONTRACTOR to prepare construction documents for bidding purposes for the Central Park Garden Improvements that includes the design and construction details for the addition of a public garden.

WHEREAS, CITY and CONTRACTOR propose to amend said ORIGINAL AGREEMENT to expand the project scope and compensation to include preparation of the construction documents for the Central Park Garden Improvements.

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, CONTRACTOR 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 CONTRACTOR to provide construction documents for the garden improvements to the Central Park including Title Sheet, General Pay Quantities and Notes, Site Plan, Layout and Grading Plan, Fountain Plans and Details, Planting Plans, Irrigation Plans, Planting Specifications, Irrigation Specifications, Paving Specifications, Estimate of Probable Cost.

2. CHANGE IN CONTRACT AMOUNT.

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

Original Contract Amount executed June 20, 2016	\$	15,000.00
<u>Amendment No. 1</u>	\$	<u>48,864.00</u>

Revised Total Contract Amount	\$	63,864.00
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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:

City of Broken Arrow, a Municipal Corporation

By: _____
Michael L. Spurgeon, City Manager

Date: _____

Attest: _____
City Clerk [Seal]

Date: _____

Approved as to form:

Graham Parker
Assistant City Attorney

CONSULTANT:

R. L. Shears Company, P.C.

By: [Signature]
Robert Shears, President

Date: 7.25.23 7.25.23

(CORPORATE SEAL, IF APPLICABLE)

Attest: [Signature]
Tracy Horner, Vice President

Date: July 26, 2023

VERIFICATION

State of OKLAHOMA) §
County of TULSA)

Before me, a Notary Public, on this 25TH day of JULY, 2023, personally appeared ROBERT L. SHEARS, known to be to be the (President, Vice-President, Corporate Officer, Member, or Other: _____) 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/she executed the same as his/her free and voluntary act and deed for the uses and purposes therein set forth.

My Commission Expires:

4.13.27

Nathan Redditt
Notary Public

