

**AMENDMENT NO. 1
TO
AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES
BETWEEN
CITY OF BROKEN ARROW
AND
GARVER, LLC**

**WASHINGTON STREET IMPROVEMENTS, GARNETT ROAD TO OLIVE AVENUE
PROJECT NO. ST1616**

THIS **AMENDMENT NO. 1**, made and entered into this 16th day of May 2017, by and between the CITY OF BROKEN ARROW, OKLAHOMA, a municipal corporation of the State of Oklahoma, hereinafter referred to as "CITY", and Garver, LLC, hereinafter referred to as "ENGINEER";

WITNESSETH:

WHEREAS, CITY and ENGINEER entered into an Agreement dated June 20, 2016, for services as set forth in said Agreement; and

WHEREAS, said Agreement requires ENGINEER to prepare construction documents for bidding purposes for the widening of Washington Street from Garnett Road to Olive Avenue to a five-lane roadway with curb and gutter and storm sewer system.

WHEREAS, CITY and ENGINEER propose to amend said Agreement to expand the project scope, design schedule and compensation to include the preparation of construction plans and contract documents for the relocation of the 12" waterline on Washington St from Garnett Road to Olive Avenue; and

WHEREAS, the 2016 Agreement and First Amendment 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 design the relocation of the 12 inch waterline on Washington Street from Garnett Road to Olive Avenue. Basic scope of the services includes:

- a. Prepare construction documents, specifications and engineer's estimate for bidding purposes.

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 June 20, 2016	\$384,800.00
Amendment No. 1	\$ 26,500.00
Revised Total Contract Amount	\$411,300.00

3. **AMENDED PROJECT SCHEDULE**

A new project schedule as described in the attached Exhibit 1 is hereby incorporated by reference as part of this Agreement.

4. **EFFECTIVE DATE AND AUTHORIZATION TO PROCEED.**

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

Except as amended hereby, all terms of the 2016 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 to be effective on the date executed by the City Manager of the City of Broken Arrow, Oklahoma.

OWNER:

City of Broken Arrow

Approved as to form:

By _____

Assistant City Attorney

By _____

Michael L. Spurgeon, City Manager

Date _____

Attest:

City Clerk

CONSULTANT:

Garver, LLC

By _____

Print Name:

RONALD S. PETRIE

Title:

SR. PROJECT MANAGER

Date 5/9/2017

Attest:

EXEC VP/COO

Corporate Secretary (Seal)

Date 5-9-2017



VERIFICATIONS (If not a corporation)

State of Oklahoma)
) §
County of Tulsa)

Before me, a Notary Public, on this 10th day of May, 2017, personally appeared RONALD S. PETRIE, known to be to be the (President, Vice-President, Corporate Officer, Member, Partner, or Other:) PARTNER of Garver, LLC, 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:

10/26/19



Exhibit 1

AMENDED PROJECT SCHEDULE

Washington St. - Garnett Rd. to Olive Ave.
Broken Arrow Project No.

Garver	Subcom	City of P	Others
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BROKEN ARROW
Where opportunity lives



Description	May 2017				June 2017				July 2017				August 2017				September 2017			
1.0 PRELIMINARY WATERLINE DESIGN PHASE																				
Notice to Proceed (5-17-17)																				
Preliminary Alignments																				
SUBMIT Preliminary Alignments																				
Owner Review and Alignment Approval																				
Preliminary Plans (75%)																				
SUBMIT Preliminary Design Plans																				
Owner Review																				
3.0 FINAL WATERLINE DESIGN PHASE																				
Notice to Proceed																				
Final Plans																				
SUBMIT Final Plans (90%)																				
Owner Review																				
Bid Documents (100%)																				
SUBMIT Bid Documents																				

**RESOLUTION ADOPTED
BY THE BOARD OF DIRECTORS OF
GARVER-USA, INC.
AND
THE MANAGERS COMMITTEE OF
GARVER, LLC,
MEETING JOINTLY**

The Board of Directors of Garver-USA, Inc., and the Managers Committee of Garver, LLC, meeting jointly, hereby certify that as duly elected and qualified officers of said firms, that the following resolution was adopted at a regularly called meeting held on the 29th day of March, 2017, and that said Resolution is effective as of the 7th day of April and is now in full force and effect:

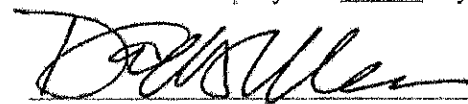
NOW, THEREFORE, IT IS RESOLVED, that:

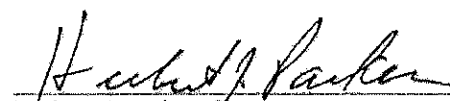
Daniel H. Williams, Chairman of the Board, Chair, President, Chief Executive Officer
Brock E. Hoskins, Executive Vice President – Treasurer, Chief Operating Officer
Herbert J. Parker, Senior Vice President – Secretary, Chief Administrative Officer
Michael J. Griffin, Senior Vice President
Jerry D. Holder, Senior Vice President
Steven M. Jones, Senior Vice President
Glynn A. Fulmer, Vice President
Glenn G. Gregory, Jr., Vice President
Michael J. Graves, Vice President
Frank O. McIlwain, Vice President
Wm. Earl Mott, Jr., Vice President
Jerry D. McCarley, Vice President
John H. Ruddell, Vice President
Brent S. Schniers, Vice President
Brian S. Shannon, Vice President
Patrick R. Sisemore, Vice President
Wallace C. Smith, Vice President
Jeffrey L. Sober, Vice President
Nicci D. Tiner, Vice President
John T. Watkins, III, Vice President
Scott H. Zotti, Vice President
Dathan A. Gaskill, Chief Financial Officer
Gregory A. Archer, Director of Architecture
Nick J. Altobelli, Senior Project Manager
Kelly S. Fincannon, Senior Project Manager
Steven L. Haynes, Senior Project Manager
Jason C. Langhammer, Senior Project Manager
Ronald S. Petrie, Senior Project Manager

are authorized and empowered to execute proposals and contracts on behalf of Garver, LLC and Garver-USA, Inc.

IN WITNESS WHEREOF we have signed by name and affixed the seal of the Company this 7th day of April, 2017.




Daniel H. Williams, Chairman, Chair


Herbert J. Parker, Secretary