

Amendment No. 1
1st AMENDMENT TO CONTRACT
CITY OF BROKEN ARROW
ARCHITECT/ENGINEER CONTRACT NUMBER SW1604
BETWEEN UTLEY & ASSOCIATES, INC. AND THE CITY OF BROKEN ARROW

1. Architecture/Engineering Firm:

- a. Name: Utley & Associates, Inc.
- b. Telephone No.: (405) 215-0529
- c. Address: PO Box 14249, Oklahoma City, OK 73113

2. Project Title and Location: EAGLE CREEK DRAINAGE IMPROVEMENTS

3. Contract Amendment for additional land survey data. See Exhibit A.

4. Contract Data:

- a. Amendment No. 1 amount shall not exceed six thousand dollars. (\$6,000.00)
- b. Liquidated Damages: N/A
- c. The total time allowed for amended Contract completion is 30 calendar days.

5. The City of Broken Arrow (called the City), represented by the Assistant City Manager for Operations, and the Architect/ Engineer firm, identified in paragraph 1 (called the A/E) agree to perform this 1st Amendment to the Contract in strict accordance with the clauses, provisions, and the documents identified as follows, all of which are made part of the Contract. In the event of conflict, these documents shall be interpreted in the following order:

- a. This 1st Amendment to the Contract
- b. The Contract
- c. Duly Authorized Change Orders
- d. Special Provisions set out in the Contract
- e. General Provisions set out in the Contract
- f. RFP
- g. A/E's Proposal

6. Amendment approved by the Assistant City Manager on: _____

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed by their duly authorized officers or representatives on the dates set forth below.

Approved as to form:

City of Broken Arrow, Oklahoma
A Municipal Corporation

Lesli Myers
Assistant City Attorney

By: _____
Assistant City Manager

Attest:

City Clerk

Date _____

Utlely & Associates, Inc. LLC

By: Marc Utlely

Attest:

Corporate Secretary (Seal)

Date: 8/29/17

VERIFICATION

State of Oklahoma)
) ss.
County of Tulsa)

Before me, a Notary Public, on this 29th day of August 2017, personally appeared Marc Utlely, known to me 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:

04/17/21



Patricia Ahadizadeh

Exhibit A



August 21, 2017

Mr. Jeff Bigby, P.E., CFM
Storm Water Division Manager
City of Broken Arrow
P.O. Box 610
Broken Arrow, Oklahoma 74012

RE: Fee Proposal – 2011 Bond Issue Projects - Additional Survey
Eagle Creek Drainage Improvements

Mr. Bigby:

At the request of your office the location of the proposed drainage improvements has been moved to an area outside the limits of our current survey. Therefore, additional survey is required to prepare the construction plans for the project. Specifically:

1. **Additional Survey Eagle Creek Addition** – Provide Land Survey data as required to produce construction plans for the proposed improvements.

The estimated fees for Additional Survey are ***a lump sum of \$6,000.***

This proposal is limited to the specific items outlined above. No other work is expressed or implied. Should you have any questions or require additional information please contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read "Marc Utley", written over a horizontal line.

Marc R. Utley, P.E., CFM