

**AMENDMENT NO. 1
TO
AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES
BETWEEN
CITY OF BROKEN ARROW
AND
POE AND ASSOCIATES, INC**

**PROJECT NAME: ASPEN AND WASHINGTON STREET IMPROVEMENTS
PROJECT NO. ST1705**

THIS **AMENDMENT NO. 1**, made and entered into this ____ day of _____ 2019, by and between the CITY OF BROKEN ARROW, OKLAHOMA, a municipal corporation of the State of Oklahoma, hereinafter referred to as "CITY", and Poe and Associates, Inc, hereinafter referred to as "ENGINEER";

WITNESSETH:

WHEREAS, CITY and ENGINEER entered into an Agreement dated JANUARY 17, 2017. "ORIGINAL AGREEMENT" for services as set forth in said Agreement; and

WHEREAS, said ORIGINAL AGREEMENT requires ENGINEER to design and prepare the construction plans for the improvements to the intersection of Washington Street and Aspen Avenue, to a distance of approximately 600 feet beyond the intersection in each direction.

WHEREAS, CITY and ENGINEER propose to amend said ORIGINAL AGREEMENT to expand the project scope and compensation to add the following items to the design and the construction plans for the intersection improvement.

Task 1:

1. Remove alternate asphalt intersection reconstruction typical and details from the plans.
2. Add decorative surface treatment for pedestrian cross walks within the intersection limits
3. Add internally illuminated LED street signs on traffic signal poles.
4. Paint the existing traffic signal poles and mast arms (color to be black)
5. Update roadway and traffic signal pay items and notes
6. Update affected plan sheets and index due to these changes

Task 2:

1. Provide construction plans for the upgrade of the existing 10" City of Broken Arrow waterline. The existing 10" waterline shall be replaced with a 12" waterline relocated outside the roadway between the sidewalk and roadway curb along the West and East leg of Washington Avenue improvements and along the North leg of Aspen Avenue improvements. The 12" waterline to the South along Aspen Avenue shall remain in place. (See attached City of Broken Arrow exhibit) Waterline relocation plans shall be included in the roadway improvement project

plans.

WHEREAS, the ORIGINAL AGREEMENT and Amendment No. 1 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 add the following items to the design and the construction plans for the intersection improvement.

Task 1:

1. Remove alternate asphalt intersection reconstruction typical and details from the plans.
2. Add decorative surface treatment for pedestrian cross walks within the intersection limits
3. Add internally illuminated LED street signs on traffic signal poles.
4. Paint the existing traffic signal poles and mast arms (color to be black)
5. Update roadway and traffic signal pay items and notes
6. Update affected plan sheets and index due to these changes

Task 2:

1. Provide construction plans for the upgrade of the existing 10" City of Broken Arrow waterline. The existing 10" waterline shall be replaced with a 12" waterline relocated outside the roadway between the sidewalk and roadway curb along the West and East leg of Washington Avenue improvements and along the North leg of Aspen Avenue improvements. The 12" waterline to the South along Aspen Avenue shall remain in place. (See attached City of Broken Arrow exhibit) Waterline relocation plans shall be included in the roadway improvement project plans.

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 January 17, 2017	\$ 128,000.00
Amendment No. 1	
Task 1	\$ 6,000.00
Task 2	\$ 24,500.00
Subtotal for Tasks 1 and 2	\$ 30,500.00
Revised Total Contract Amount	\$ 158,500.00

3. AMENDED PROJECT SCHEDULE

The schedule for Amendment No. 1 is 45 days from Notice to Proceed.

4. EFFECTIVE DATE AND AUTHORIZATION TO PROCEED.

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

5. ENGINEER PROPOSAL

The consultant's proposal from the ENGINEER for these additional services is included in Attachment A

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: _____

CONSULTANT:

Poe and Associates, Inc.

By: James R. Hemphill
James R. Hemphill, P.E.
Vice President

Date: 10/3/19

(CORPORATE SEAL, IF APPLICABLE)

Attest: _____
City Clerk [Seal]

Date: _____

Attest: Katherine R. Hacks
ASSISTANT CORPORATE SEC.
Official's Full Name, Office

Date: 10-3-19

Approved as to form:

[Signature]
Assistant City Attorney

VERIFICATION

State of OKLAHOMA)
) §
County of TULSA)

Before me, a Notary Public, on this 3rd day of October, 2019, personally appeared JAMES R HEMPHILL, known to be to be the (President, Vice-President, Corporate Officer, Member, or Other: _____) of Poe and Associates, Inc, 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:

November 18, 2022

Katherine R. Gaches
Notary Public



**ATTACHMENT A
TO
AMENDMENT NO. 1
TO
AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES
BETWEEN
CITY OF BROKEN ARROW
AND
POE AND ASSOCIATES, INC**

**PROJECT NAME: ASPEN AND WASHINGTON STREET IMPROVEMENTS
PROJECT NO. ST1705**

CONSULTANT'S PROPOSAL

Task No. 1

Provide revisions to the completed roadway improvement plans to include the following beautification items and modification to the plans of ST1705.

- Remove alternate asphalt intersection reconstruction typical and details from the plans.
- Add decorative surface treatment for pedestrian cross walks within the intersection limits
- Add internally illuminated LED street signs on traffic signal poles.
- Paint the existing traffic signal poles and mast arms (color to be black)
- Update roadway and traffic signal pay items and notes
- Update affected plan sheets and index due to these changes

Fee: Proposed fee (Lump Sum) for services outlined in Task No. 1: \$6,000.00

Schedule: Work will be completed for Task No. 1 in 30 calendar days

Task No. 2

Provide construction plans for the upgrade of the existing 10" City of Broken Arrow waterline. The existing 10" waterline shall be replaced with a 12" waterline relocated outside the roadway between the sidewalk and roadway curb along the West and East leg of Washington Avenue improvements and along the North leg of Aspen Avenue improvements. The 12" waterline to the South along Aspen Avenue shall remain in place. (See attached City of Broken Arrow exhibit) Waterline relocation plans shall be included in the roadway improvement project plans.

Schedule: Work will be completed for Task No. 2 in 45 calendar days

Fee: Proposed fee (Lump Sum) for services outlined in Task No. 2: \$24,500.00

ATTACHMENT A
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City of Broken Arrow Exhibit

