

**AMENDMENT NO. 3
TO
AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES
BETWEEN
CITY OF BROKEN ARROW
AND
WALTER P. MOORE & ASSOCIATES, INC.**

**NEW ORLEANS STREET WIDENING, OLIVE AVENUE TO ASPEN AVENUE
PROJECT NO. ST1209**

THIS **AMENDMENT NO. 3**, made and entered into this ^{7th} day of ^{April} ~~March~~ 2020, by and between the CITY OF BROKEN ARROW, OKLAHOMA, a municipal corporation of the State of Oklahoma, hereinafter referred to as "CITY", and WALTER P. MOORE & ASSOCIATES, INC., hereinafter referred to as "ENGINEER";

WITNESSETH:

WHEREAS, CITY and ENGINEER entered into an Agreement dated November 11, 2011 "ORIGINAL AGREEMENT" for services as set forth in said Agreement; and

WHEREAS, said ORIGINAL AGREEMENT requires ENGINEER to prepare Contract Documents, including construction plans and specifications, for the bidding and contracting for widening of New Orleans Street between Olive Avenue and Aspen Avenue.

WHEREAS, CITY and ENGINEER propose to amend said ORIGINAL AGREEMENT to expand the project scope and compensation to include updating plans and estimate.

WHEREAS, the ORIGINAL AGREEMENT and Amendments No. 1 through No. 2 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 review and update pay items and notes per recent City projects. update contacts on Cover Sheet, update Estimate, add Fiber Optic line to plan sheets as laid out by City Staff, and add Water Line Crossing Near Station 38+00.

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 November 11, 2011 | \$ 95,000.00 |
| Amendment No. 1 | \$ 22,000.00 |
| Amendment No. 2 | \$ 14,026.00 |
| Amendment No. 3 | \$ 7,500.00 |
| Revised Total Contract Amount | \$138,526.00 |

3. AMENDED PROJECT SCHEDULE

The schedule for Amendment No. 3 is 21 days from Notice to Proceed.

4. EFFECTIVE DATE AND AUTHORIZATION TO PROCEED.

This Amendment No. 3 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:

5 Swaff 3/18/2020
Assistant City Attorney

CONSULTANT:

Walter P Moore & Associates, Inc.

By: Hollis Allen, Jr.
Hollis Allen, Jr., Principal

Date: 3/16/2020

(CORPORATE SEAL, IF APPLICABLE)

Attest:

Dana M. DuPriest
Dana M. DuPriest, Corp. Sec.

Date: March 12, 2020

VERIFICATION

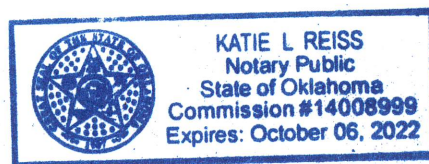
State of Oklahoma)
) §
County of Tulsa)

Before me, a Notary Public, on this 16th day of March, 2020,
personally appeared Hollis Allen, known to be to be the (President,
Vice-President, Corporate Officer, Member, or Other: PRINCIPAL) of Walter
P Moore & 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:

October 6, 2022

Katie L Reiss
Notary Public



VERIFICATION

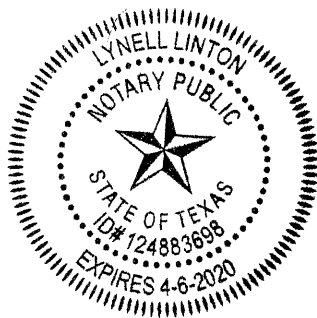
State of Texas)
County of Harris) §

Before me, a Notary Public, on this 12th day of March, 2020, personally appeared Dana DuPriest, known to be to be the (President, Vice-President, Corporate Officer, Member, or Other: Corporate Secretary) of Walter P Moore & 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:

4-6-20

Lynell Linton
Notary Public

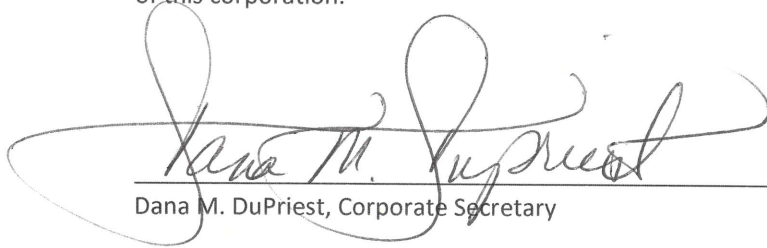


March 12, 2020

To whom it may concern:

By means of this letter, I, Dana DuPriest, Corporate Secretary, certify that Hollis Allen, Jr., Principal of the company, has authority to review and execute contracts on behalf of Walter P. Moore and Associates, Inc., as attested to in the corporate resolution hereby provided.

The aforementioned resolution dated July 19, 2013, is in effect and in accordance with the bylaws of this corporation.


Dana M. DuPriest, Corporate Secretary

Date: March 12, 2020

Corporate Resolution of:
Walter P. Moore and Associates, Inc.

We, the undersigned, being all the directors of this corporation consent and agree that the following corporate resolution was made on July 19, 2013 at Houston, Texas.

1. The meeting was called to order. It was determined that a quorum was present either in person or by proxy, and the meeting could conduct business.
2. The Secretary determined and reported that notice of the meeting had been properly given or waived by directors in accordance with the bylaws.

We do hereby consent to the adoption of the following during a regularly called meeting of the Board of Directors of this corporation. In accordance with State law and the bylaws of this corporation, by unanimous consent, the Board of Directors decided that:

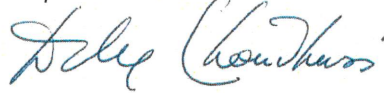
Whereas, the directors of the corporation wish to authorize the Senior Principals and Principals of the company to bind the company, including its subsidiaries, with regards to solicitations that Walter P. Moore and Associates, Inc. may wish to respond to and contracts that Walter P. Moore and Associates, Inc. may wish to enter in to.

Therefore, it is resolved, that the corporation by and through its Board of Directors shall:

Authorize all Senior Principals and Principals to bind the company, including its subsidiaries with regards to solicitations that Walter P. Moore and Associates, Inc. may wish to respond to and contracts that Walter P. Moore and Associates, Inc. may wish to enter in to.

Authorize the Secretary and Assistant Secretary of the corporation, to issue letters attesting to the authority granted to Senior Principals and Principals by this resolution.

The officers and directors of this corporation are authorized to perform the acts to carry out this corporate resolution.



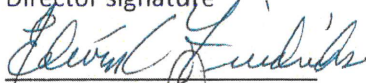
Director signature

Dilip Choudhuri

Printed name

July 19, 2013

Date



Director signature

Edwin C. Friedrichs

Printed name

July 19, 2013

Date



Director signature

Gabriel Alejandro Jimenez Lopez

Printed name

July 19, 2013

Date




Director signature

Mark Howard Larsen

Printed name

July 19, 2013

Date




Director signature

Raymond F. Messer

Printed name

July 19, 2013

Date



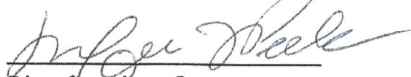
Director signature

Viral Patel

Printed name

July 19, 2013

Date



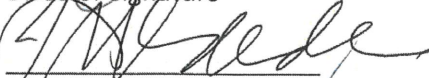
Director signature

Jennifer Louise Peek

Printed name

July 19, 2013

Date



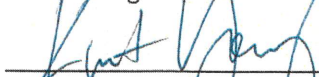
Director signature

Lee W. Slade

Printed name

July 19, 2013

Date



Director signature


Kurt Young

Printed name

July 19, 2013

Date

The Secretary of the Corporation, certifies that the above is a true and correct copy of the resolution that was duly adopted at a meeting of the dated meeting of the Board of Directors.



Signature of Secretary

July 19, 2013

Date

Dana DuPriest

Printed name of Secretary