CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

ITEM: **DATE: May 2, 2016**

Motion – Approving Amendment No. 2
Professional Services Agreement
Fox Creek Trunk Sewer Extension
Veenstra & Kimm, Inc.

FINANCIAL IMPACT:

The original Professional Services Agreement was awarded to Veenstra & Kimm, Inc. in the amount of $180,000.00. Amendment No. 1 increased the contract by $108,000.00. Amendment No. 2 increases the amount of the contract by $133,600.00 for a total cost of $421,600.00. All costs for these services can be paid from budgeted account no. 5061.80.820.6.7920 with ultimate funding from Sewer Fee Revenues.

BACKGROUND:

Veenstra & Kimm is working under an agreement dated February 21, 2012 for Professional Consulting Services associated with the Fox Creek Trunk Sewer Extension Project. Approval of Amendment No. 2 includes additional fees for resident engineering services. The original scope of work and Amendment No. 1 were based on a single project over one construction season. Subsequently, the City has split the project over two phases lengthening the duration of construction and need for resident engineering services. This amendment also includes the additional services required by the extended construction period of MPS Engineers, PC for the Fox Creek Trunk Sewer Phase 1 project. This project was to be completed by October 31, 2015 and is not expected to be complete until late May. These additional fees are estimated to be approximately $48,000 and may be recouped as liquidated damages on the construction contract.

RECOMMENDATION:

City Council Adopt:

- Motion Approving Amendment No. 2 to the Professional Services Agreement.

Lead Staff Member: Duane C. Wittstock, P.E., L.S., City Engineer

STAFF REVIEWS

Department Director	Duane C. Wittstock, City Engineer DCW
Appropriations/Finance	Tim Stiles, Finance Director TS
Legal	Richard Scieszinski, City Attorney JBW
Agenda Acceptance	RTG

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	April 25, 2016		
Recommendation	Yes	No	Split

SECOND AMENDMENT TO AGREEMENT
FOR
PROFESSIONAL CONSULTING SERVICES
WEST DES MOINES, IOWA

THIS SECOND AMENDMENT TO AGREEMENT, made this _____ day of _____ 2016, by and between the **CITY OF WEST DES MOINES, IOWA**, a municipal corporation hereinafter referred to as the **City**, and **VEENSTRA & KIMM, INC.** a professional corporation incorporated and licensed under the laws of the State of Iowa, party of the second part, hereinafter called the **"Consultant"**.

WITNESSETH, THAT WHEREAS, in an Agreement dated February 21, 2012 the City retained the Engineers to provide basic services of the Consultant for the Fox Creek Trunk Sewer 0510-010-2012 project, and

WHEREAS, in an Amendment to Agreement dated July 14, 2014 the scope of the project was expanded to include an extension of the trunk sewer northerly to 98th and Ashworth Road, and

WHEREAS, the City originally intended to construct the Fox Creek Trunk Sewer as a single construction contract and subsequently determined the project would be constructed as two separate construction contract completed on different time schedules, and

WHEREAS, the contractor for the Fox Creek Trunk Sewer – Phase 1 project has extended construction several months beyond the original contract completion date, and

WHEREAS, the City desires to amend the agreement for professional consulting services, as amended, to include the additional resident consultant services required by the division of the project into two separate construction contracts and to reflect the additional resident consultant services required by the extended construction period for the Fox Creek Trunk Sewer – Phase 1 project.

NOW, THEREFORE, it is agreed by and between the parties hereto that the agreement for professional consulting services dated February 21, 2012 as amended, is further amended by the following additions, deletions and modifications to wit:

1. Under "3. COMPENSATION" A. the NOT-TO-EXCEED fee for Resident Consultant Services, as amended in the Amendment to Agreement dated July 14, 2014 is further amended to increase the fee for Resident Consultant Services by $133,600 to a revised maximum fee of $250,100. With the amendment the maximum NOT-TO-EXCEED fee would be as follows:

II.	Resident Consultant Services	$250,100 (increase of $133,600 in this Amendment)

2. Under ATTACHMENT 3 the SCHEDULE OF FEES for services included in the Agreement dated February 21, 2012, as amended, shall be supplemented with the attached Schedule of Fee effective July 2015.

3. Except as provided herein, the terms and conditions of the Agreement dated February 21, 2012, as amended on July 14, 2014, shall be applicable to the performance of the services under this Second Amendment to Agreement.

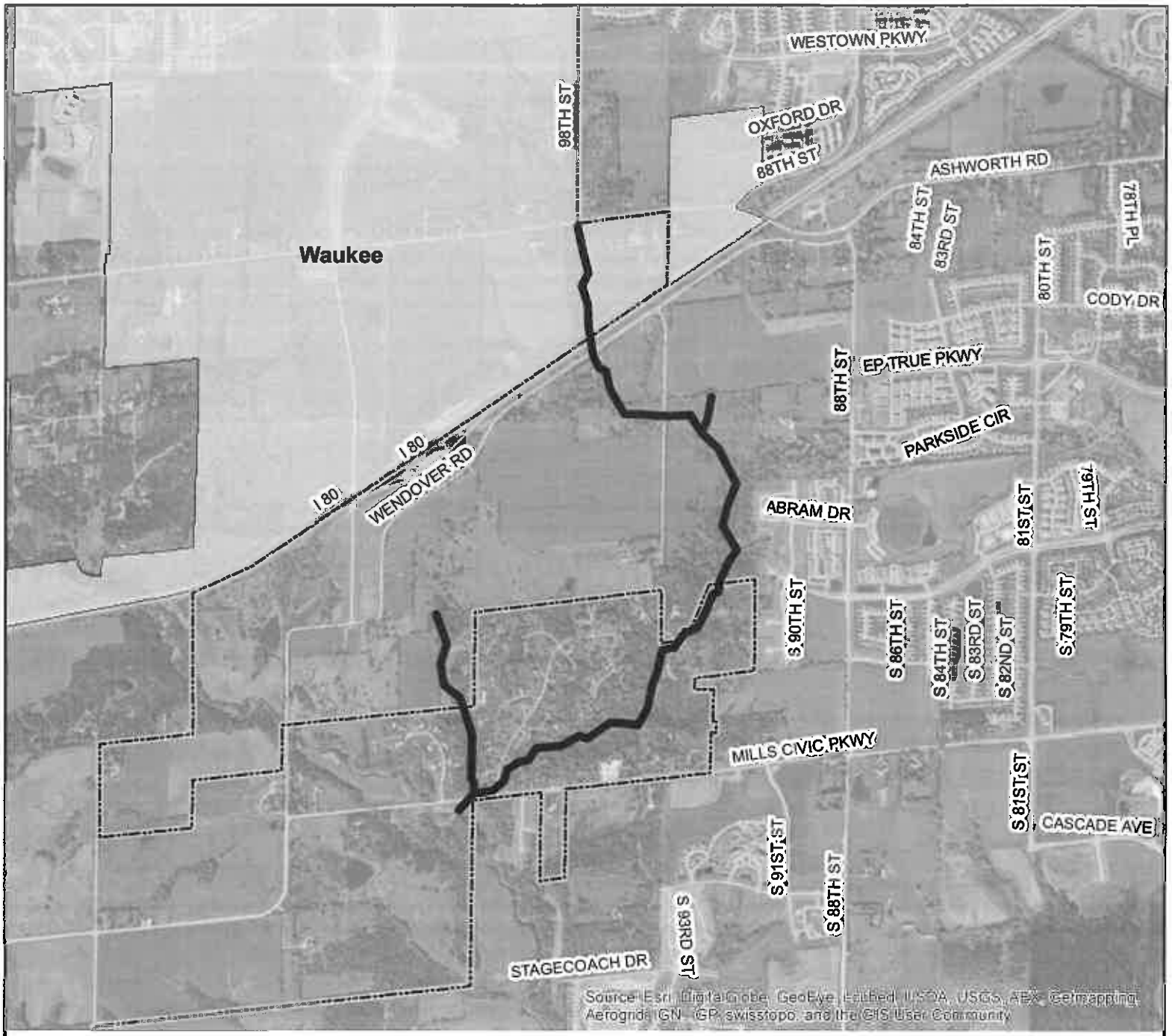
IN WITNESS WHEREOF, the parties have caused this Second Amendment to Agreement to be executed by their duly authorized officers or agents on the day and year first written above.

VEENSTRA & KIMM, INC.	CITY OF WEST DES MOINES
By_____ President	By_____ _____, City Clerk

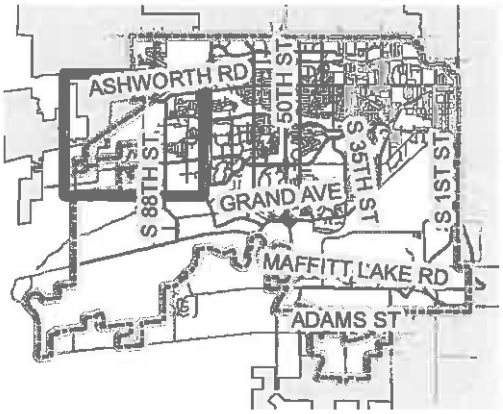
ATTACHMENT 3

SCHEDULE OF FEES
HOURLY RATES BY EMPLOYEE CLASSIFICATION
(Effective July 2015)

Management I	$158.00
Management II	156.00
Process Engineer	175.00
Engineer I-A	158.00
Engineer I-B	148.00
Engineer I-C	142.00
Engineer II	130.00
Engineer III-A	115.00
Engineer III-B	108.00
Engineer III-C	104.00
Engineer IV	100.00
Engineer V	93.00
Engineer VI	88.00
Engineer VII	84.00
Engineer VIII	80.00
Engineer IX	74.00
Engineer X	67.00
Engineer XI	63.00
Design Technician	88.00
Planner I	100.00
Planner II	75.00
Planner III	69.00
Drafter I	87.00
Drafter II	74.00
Drafter III	70.00
Drafter IV	66.00
Drafter V	56.00
Drafter VI	52.00
Drafter VII	43.00
Clerical I	80.00
Clerical II	56.00
Clerical III	41.00
Clerical IV	33.00
Construction Manager	150.00
Surveyor I	90.00
Surveyor II	81.00
Technician I	77.00
Technician II	71.00
Technician III	67.00
Technician IV	62.00
Technician V	56.00
Technician VI	52.00
Technician VII	45.00
Technician VIII	40.00
Technician IX	33.00
Building Inspector I	140.00
Building Inspector II	74.00
Robotics	30.00/Hour
GPS	30.00/Hour
Leica Total Station	20.00/Hour
Total Station Robotics	15.00/Hour
Tablet	45.00/Hour
Fluoroscope	50.00/Hour
4-Wheeler	45.00/Day
Mileage	575¢/Mile



VICINITY MAP



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LEGEND

PROJECT LOCATION ———

THE CITY OF WEST DES MOINES

CITY OF WEST DES MOINES
ENGINEERING SERVICES
4200 MILLS CIVIC PARKWAY
WEST DES MOINES, IOWA 50265
PH: (515) 222-3620 FAX: (515) 273-0802

PROJECT: **FOX CREEK TRUNK SEWER EXTENSION**		**Project No. 0510-010-2012**
LOCATION: **EXHIBIT "A"**		
DRAWN BY: BJM	DATE: 4/27/2016	SHT. 1 OF 1