CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: May 3, 2021

ITEM: Motion – Approval of Professional Services Agreement Amendment #1 – 2021 Court Improvements

FINANCIAL IMPACT: Expense of $20,000.00 be paid from G/L account 500.000.000.5250.490. Funding will be covered out of available funds in the FY 20-21 CIP budget for Court Renovations (Project No. 0510 028 2020).

BACKGROUND: The original agreement with Shive Hattery was approved on January 19, 2021 for design services related to the next phase of court improvements. Services in Amendment #1 include bidding and construction phase services associated with the renovation of the following recreational courts:

- American Legion Park – Tennis court, basketball court, (2) shuffleboard courts
- Fairmeadows Park – Tennis court, basketball court, sand volleyball court
- Jaycee Park – Tennis court, basketball court, sand volleyball court
- Willow Springs Park – Tennis court, basketball court

The amendment to the agreement with Shive Hattery is attached along with their scope of services, schedule, and fees.

OUTSTANDING ISSUES: None

RECOMMENDATION: That the Council approve the agreement with Shive Hattery.

Lead Staff Member: David Sadler, Superintendent of Parks

STAFF REVIEWS

Department Director	Sally Ortgies, Director of Parks & Recreation
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	N/A		
Date Reviewed			
Recommendation	Yes	No	Split

AMENDMENT No. 1
TO THE AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES
WDM Project # 0510-028-2020
2021 Court Improvements Project

This AMENDMENT made and entered into this 3rd day of May, 2020, by and between the CITY OF WEST DES MOINES, a municipal corporation, hereinafter referred to as "City", and Shive-Hattery, Inc. (Fed. I.D. #42-08770172), a professional corporation incorporated and licensed under the laws of the State of Iowa, party of the second part, hereinafter referred to as "Consultant" as follows, hereby amends the original Agreement dated 19th January 2021:

SCOPE OF SERVICES

Services as described in the Agreement for the 2021 Court Improvements Project (Project No. 0510 028 2020), Attachment 1 Scope of Services are amended as follows:

I. Basic Services of the Consultant – No Change.
II. Base Bid Project - Bidding and Construction Phase Services – Additional Construction Administration Services.
III. Add Alternate Bid - Construction Phase Services – Additional Construction Administration Services.

SCHEDULE

The schedule as described in the Agreement are amended as listed in revised Attachment 1.

COMPENSATION

In consideration of the additional professional services provided, the City agrees to pay the Consultant the additional fee to increase the original fee, including any authorized reimbursable expenses, pursuant to the Schedule of Fees set forth in The Agreement, Attachment 1.

Task No.	Task Description	Original Fee	Additional Fee	Total Fee
I	Basic Services of the Consultant (Base Fee)	$ 69,800.00	$0.00	$69,800.00
II	Base Bid Project - Bidding and Construction Phase Services (Not-To-Exceed)	$0.00	$13,000.00	$13,000.00
III	Add Alternate Bid - Construction Phase Services (Not-To-Exceed)	$0.00	$7,000.00	$7,000.00
	Total	$ 69,800.00	$20,000.00	$89,800.00

This AMENDMENT is subject to all provisions of the original agreement. This AMENDMENT together with the Agreement represents the entire and integrated AGREEMENT between the City and Consultant, as executed on the date written above.

CONSULTANT

BY:_____
Brent M Strauch, P.E.

CITY OF WEST DES MOINES

BY:_____
Ryan T. Jacobson, City Clerk

ATTACHMENT 1

SCOPE OF SERVICES

AMENDMENT TO AGREEMENT
between SHIVE-HATTERY, INC. AND THE CLIENT

PROJECT NAME: City of West Des Moines – 2021 Court Improvements Project (No. 0510 028 2020)

CLIENT NAME: City of West Des Moines

AMENDMENT NO.: 1

ORIGINAL AGREEMENT DATE: January 19, 2021

AMENDMENT DATE: May 3, 2021

The City of West Des Moines and Shive-Hattery, Inc. (S-H) agree to amend the Original Agreement as follows:

SCOPE OF SERVICES:

1. Base Bid Project (American Legion, Fairmeadows, & Willow Springs Parks) - Bidding and Construction Phase Services:
   a. Provide bidding assistance including:
      1) Facilitate a pre-bid conference. Record and distribute meeting minutes.
      2) Provide clarification of documents and address contractor questions.
      3) Issue addenda as needed.
      4) Prepare tabulations of bids and provide recommendation to the City regarding award of contract.
      5) Bidding assistance for Jaycee Park has been included in the base bid project.
   b. Assist the City with the following construction phase services including:
      1) Facilitate pre-construction conference.
      2) Provide response to contractor and City's questions relative to design intent.
      3) Review submittals, pay applications, RFIs and change orders. Process changes to the contract.
      4) Provide limited construction observation for general conformance with plans and specifications. Assume up to a maximum of sixteen (16) site visits (8 visits to American Legion, 4 visits to Fairmeadows, and 4 visits to Willow Springs).
      5) Punch list process
         a) Conduct initial punch list inspection at each park.
         b) Upon notice by contractor, conduct a follow up inspection at each park.
         c) Conduct a final inspection at each park as necessary. (More often than not, we find a third inspection is required to verify that all punch list items are complete and the project is ready to be accepted and the contract closed. This can be optional. Another option is to require the Contractor to pay the cost of any punch list inspections beyond the initial and final.
      6) Issue letter of acceptance.
2. Add Alternate Bid (Jaycee Park) - Construction Phase Services:
   a. Assist the City with the following construction phase services including:

1) Facilitate pre-construction conference.
2) Provide response to contractor and City's questions relative to design intent.
3) Review submittals, pay applications, RFIs and change orders. Process changes to the contract.
4) Provide limited construction observation for general conformance with plans and specifications. Assume up to a maximum of eight (8) site visits.
5) Punch list process
   a) Conduct initial punch list inspection at each park.
   b) Upon notice by contractor, conduct a follow up inspection at each park.
   c) Conduct a final inspection at each park as necessary. (More often than not, we find a third inspection is required to verify that all punch list items are complete and the project is ready to be accepted and the contract closed. This can be optional. Another option is to require the Contractor to pay the cost of any punch list inspections beyond the initial and final.
6) Issue letter of acceptance.

B. CLIENT RESPONSIBILITIES: NO CHANGE

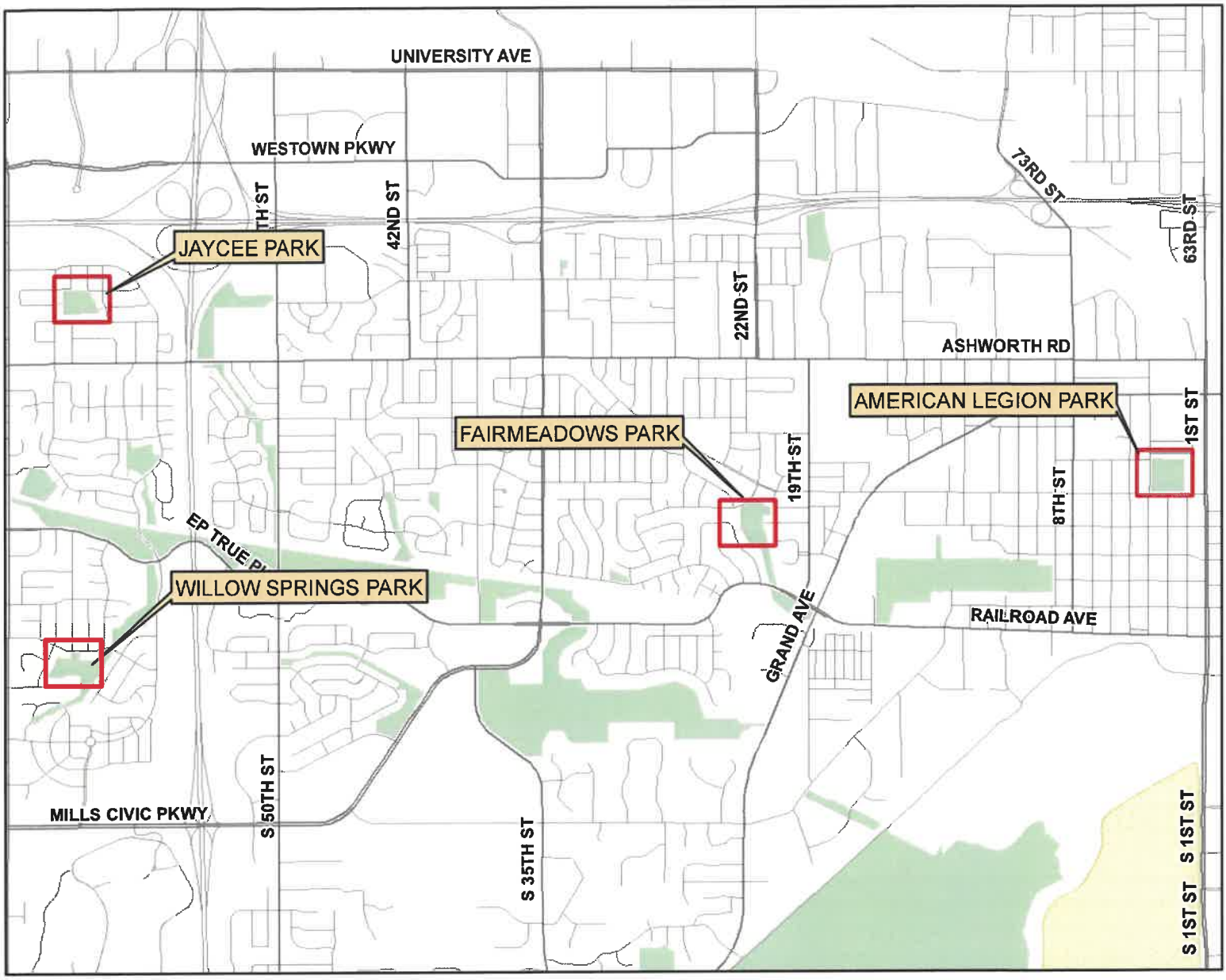
C. SCHEDULE: Reach substantial completion in October 2021.

D. COMPENSATION:

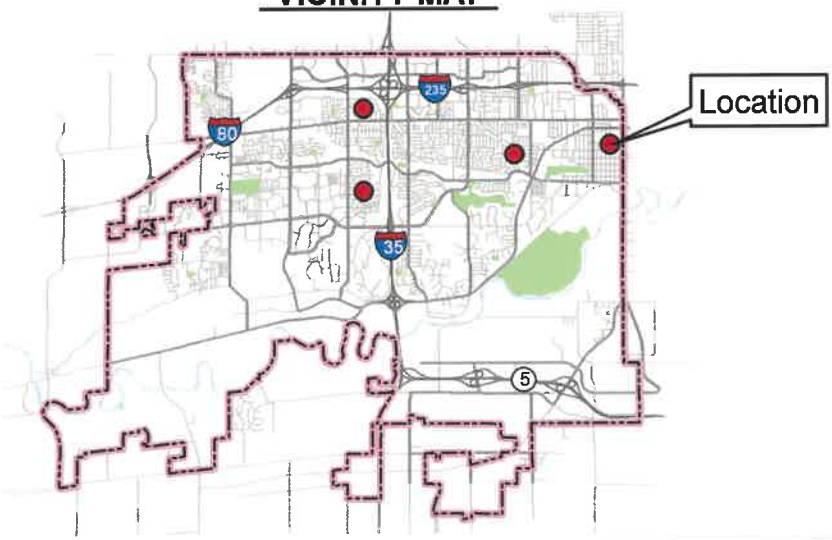
1. **Base Bid:** Increase the fee amount by $13,000 (NTE) to equal $82,800.00.

2. **Alternate Bid:** Increase the fee amount by $7,000 (NTE) to equal $89,800.00.

E. AGREEMENT: This Amendment is subject to all other terms and conditions of the Original Agreement. Return one executed copy to S-H.



VICINITY MAP



LEGEND

Project Location

N

0 3,000 6,000 Feet

THE CITY OF WEST DES MOINES

PROJECT:	PROFESSIONAL SERVICES AGREEMENT 2021 COURT IMPROVEMENT PROJECT		
LOCATION:	AMERICAN LEGION PARK, FAIRMEADOWS PARK, WILLOW SPRINGS PARK, AND JAYCEE PARK		
DRAWN BY: MAA	DATE: 1/13/2021	PROJECT NO.:	SHT. 1 of 1