

**AMENDMENT NUMBER 3 TO  
AGREEMENT FOR PROFESSIONAL SERVICES  
BETWEEN  
BERGMANN ASSOCIATES,  
AND  
THE CITY OF ANN ARBOR**

The City of Ann Arbor, a Michigan municipal corporation, with offices at 301 E. Huron St. Ann Arbor, Michigan 48107-8647 ("City") and Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. having its offices at 7050 West Saginaw Highway, Suite 200, Lansing, MI ("Contractor") agree to amend the professional services agreement for the project Allen Creek Railroad Berm Opening Project executed by the parties dated January 3, 2017 ("Agreement") as follows:

- 1) Article III.A, SERVICES, is amended to read as follows:

The Contractor agrees to provide Professional Engineering Services ("Services") in connection with the Project as described in Exhibit A, Exhibit A1, Exhibit A2 and Exhibit A3. The City retains the right to make changes to the quantities of service within the general scope of the Agreement at any time by a written order. If the changes add to or deduct from the extent of the services, the contract sum shall be adjusted accordingly. All such changes shall be executed under the conditions of the original Agreement

- 2) Article V.A, COMPENSATION OF CONTRACTOR is amended to read as follows:

The Contractor shall be paid in the manner set forth in Exhibit B, Exhibit B1, Exhibit B2, and Exhibit B3. Payment shall be made monthly, unless another payment term is specified in Exhibit B, following receipt of invoices submitted by the Contractor, and approved by the Contract Administrator.

All terms, conditions, and provisions of the Agreement, unless specifically amended above, shall apply to this Amendment and are made a part of this Amendment as though expressly rewritten, incorporated, and included herein.

This Amendment to the Agreement shall be binding on the Parties' heirs, successors, and assigns.

**For Bergmann Associates**

By \_\_\_\_\_

Its:

Date: \_\_\_\_\_

**For City of Ann Arbor**

By \_\_\_\_\_  
Christopher Taylor, Mayor

By \_\_\_\_\_  
Jacqueline Beaudry, City Clerk

**Approved as to form and content**

\_\_\_\_\_  
Stephen K. Postema, City Attorney

**Approved as to substance**

\_\_\_\_\_  
Howard S. Lazarus, City Administrator

\_\_\_\_\_  
Craig Hupy, Service Area Administrator

## **EXHIBIT A3 SCOPE OF SERVICES**

This document expands Exhibit A to include Task 29, as outlined below:

**29) Updates to FEMA Benefit Cost Analysis (BCA)** - This task is comprised of effort to determine additional benefits to the project which can be used to justify a Benefit-Cost ratio of 1.0 or higher with increased costs seen from actual bids received in September 2019. Items included in this task include:

- Updates to the FEMA BCA Tool, using the same (~32) parcels as previously used for calculating the Allen Creek Berm Removal BCA.
- Manually entry of data for each parcel as the latest version of the BCA Tool, Version 6.0, is an Excel-based tool that is significantly different than the previous version used (Version 5.3).
- Receive updated parcel assessments/valuations from the City of Ann Arbor (the previous BCA calculation was based on valuations provided in August 2018)
- Recreate the parcel data in the BCA Tool (Version 6.0) for approximately 32 individual parcels. All of the data will remain the same with the exception of the updated parcel valuation data (as provided by the City)
- Using the updated project cost data, calculate the Benefit-Cost ratio using the Version 6.0 BCA Tool
- Review the updated results with the project team
- Submit the updated results to the Michigan Hazard Mitigation Office (HMO) for review
- Make any changes to the BCA Tool as requested by the Michigan HMO prior to their submittal to FEMA
- Provide technical assistance and consultation throughout FEMA's review of the updated BCA Tool

**EXHIBIT B3**

DERIVATION OF PRIME CONSULTANT COSTS									
Summary of all Prime Costs for Task 29									
City of Ann Arbor RFP No. 984							FIRM ROLE: Prime Firm		
PRIME CONSULTANT NAME: Bergmann Associates					PROJECT DESCRIPTION: Allen Creek Berm Opening				
SUMMARY OF PERSON HOURS									
Task Code	Task Description	Project Manager	Senior Engineer (Structural)	Engineer (Structural)	Engineer (Civil)	Cadd Technician	Landscape Architect		HOURS FOR TASK
Task 29	Updates to FEMA Benefit Cost Analysis	10	8						18
DERIVATION OF PRIME CONSULTANT COSTS									
Summary of all Prime Costs for Task 29.									
City of Ann Arbor RFP No. 984							FIRM ROLE: Prime Firm		
PRIME CONSULTANT NAME: Bergmann Associates					PROJECT DESCRIPTION: Allen Creek Berm Opening				
PRIME LABOR:									
CLASSIFICATION	CODE	Hours	RATE/HR	=	LABOR COST				
Project Manager	PM	10	\$195.00		\$1,950.00				
Senior Engineer (Structural)	SES	8	\$150.00		\$1,200.00				
	Total Hours:	18		Total Prime	\$3,150.00				

DERIVATION OF SUBCONSULTANT COSTS									
Summary of all Subconsultant Costs for Task 29									
City of Ann Arbor RFP No. 984							FIRM ROLE: Tier 1 Sub - Hydraulics		
SUBCONSULTANT NAME: OHM Advisors					PROJECT DESCRIPTION: Allen Creek Berm Opening				
SUMMARY OF PERSON HOURS									
Task Code	Task Description	Senior Associate	Professional Eng. II	Graduate Engineer II					HOURS FOR TASK
Task 29	Updates to FEMA Benefit Cost Analysis	6	10	40					56
DERIVATION OF SUBCONSULTANT COSTS									
Summary of all Sub Costs for Task 29.									
City of Ann Arbor RFP No. 984							FIRM ROLE: Prime Firm		
PRIME CONSULTANT NAME: Bergmann Associates					PROJECT DESCRIPTION: Allen Creek Berm Opening				
PRIME LABOR:									
CLASSIFICATION	Hours	RATE/HR	=	LABOR COST					
Senior Associate	6	\$190.00		\$1,140.00					
Professional Engineer II	10	\$145.00		\$1,450.00					
Graduate Engineer II	40	\$125.00		\$5,000.00					
	Total Hours:	56	Total Sub	\$7,590.00					
<b>TOTAL COSTS TASK 29 \$10,740</b>									