

**AMENDMENT NUMBER 1 TO
AGREEMENT FOR PROFESSIONAL SERVICES
BETWEEN
HUBBELL, ROTH & CLARK, INC.
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 Hubbell, Roth & Clark, Inc., having its offices at 555 Hulet Drive, Bloomfield Hills, Michigan 48303-0824 ("Contractor") agree to amend the professional services agreement for the project Geddes Avenue Improvements Project executed by the parties dated February 3, 2014 as follows:

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

The Consultant agrees to provide professional engineering services ("Services") in connection with the Project as described in Exhibit A **and Exhibit A-1**. 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 IV.A., Compensation of Consultant is amended to read as follows:

The Consultant shall be paid in the manner set forth in Exhibit B **and Exhibit B-1**. Payment shall be made monthly, unless another payment term is specified in Exhibit B, following receipt of invoices submitted by the Consultant, and approved by the Contract Administrator. Total compensation payable for all Services performed during the term of this Agreement shall not exceed \$795,803.

All terms, conditions, and provisions of the original agreement between the parties executed February 3, 2014, unless specifically amended above, are to 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 between the parties shall be binding on the heirs, successors and assigns of the parties.

Dated this _____, 2015.

For Contractor

By _____

Its:

Approved as to form and content

Stephen K. Postema, City Attorney

For City of Ann Arbor

By _____
Christopher Taylor, Mayor

By _____
Jacqueline Beaudry, City Clerk

Approved as to substance

Steven D. Powers, City Administrator

Service Area Administrator



EXHIBIT A-1

June 5, 2015

PRINCIPALS
George E. Hubbell
Thomas E. Biehl
Walter H. Alix
Keith D. McCormack
Nancy M. D. Faught
Daniel W. Mitchell
Jesse B. VanDeCreek
Roland N. Alix

SENIOR ASSOCIATES
Gary J. Tressel
Kenneth A. Melchior
Randal L. Ford
William R. Davis
Dennis J. Benoit
Robert F. DeFrain
Thomas D. LaCross
Albert P. Mickalich

ASSOCIATES
Jonathan E. Booth
Michael C. MacDonald
Marvin A. Olane
Marshall J. Grazioli
James F. Burton
Donna M. Martin
Charles E. Hart
Colleen L. Hill-Stramsak
Bradley W. Shepler
Karyn M. Stickel

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City of Ann Arbor
301 Huron Street
PO Box 8647
Ann Arbor, Michigan 48107

Attn: Elizabeth Rolla, Senior Project Engineer

Re: Geddes Avenue Improvements HRC Job No. 20130893
Design Assistance and Construction Engineering Services

Dear Ms. Rolla:

HRC has completed the design and the City has, or had, requested additional assistance for:

- Additional Design and Support
- Additional Design, Design Support or Scope Changes After Bidding
- Construction Engineering

The development of this project, to ensure success, required that HRC, and the City we believe, employ additional effort. This development resulted in the construction costs being \$1.3M more than HRC anticipated and extending the design phase by 3 months. We had proposed approximately 250 City staff hours for this project through bidding and we assume that substantial time has been spent by all City staff well in excess of these hours. We believe this is indicative of the entire team's effort to successfully complete this project.

Additional Design and Support

The tasks listed below are items that have been, for the most part, previously discussed with the City. These tasks are outside the original scope of the Agreement.

1. Providing City with support and documentation for the special assessments for this project including curb and storm water.
2. Public engagement meetings (includes individual resident meetings held) – HRC had 70 hours proposed. Expended 146.5 hours. (FYI, HRC had 25 design meeting proposed and that is exactly how many we had.)
3. Public engagement design work including displays, expert opinions and options and cutting edge treatment. Examples of this work includes, roundabout at Shipman, speed bumps, traffic calming measures, alternate for bike lanes and sidewalks (putting on other side, offsets), lawn extensions, shifting road centerline, chicanes, and coordinating much of this with City staff to ensure compliance with City policies.
4. Design around existing features – While HRC anticipated a complex design along this roadway the level of detail and expertise required exceeded our scope. This was primarily due to the individual attention required to provide sufficient detail to area residents at the majority of affected properties.
5. Public engagement responses. Includes individual emails from residents, stakeholders, Council members.
1. Ongoing design, design support or scope changes after bidding. This task is

unpredictable at this time but based on the public involvement through the design phase HRC anticipates this work could be substantial. This could include senior design staff and management time required to develop concepts, meet with stakeholders, redesign and preparation of displays and costs. At this time we would recommend that the City budget an amount of \$30,000 for this work. HRC will track this work separately and will bill on a time and material basis for this as directed work.

2. Additional survey including staking of ROW for resident meeting.
3. Managing late changes while developing plans. Required more redo in plan development and more overtime that was anticipated. Job was supposed to be completed in January of 2015 and actually completed in mid-April 2015. Many changes were done in these last few months which required staff to work a high number of hours to not only complete the change but all the other plan development tasks that are affected by changes.
4. Public engagement development of plan for website.
5. Preparation of construction Critical Path Schedule as requested by City staff.
6. Extension of retaining wall along railroad (includes additional MDOT permitting) – changed lawn, survey research for ROW
7. Combination of the water main concepts for Riverview and the relocation of the 20” water main on Geddes exceeded our scope. Special details, utility coordination and sequencing considerations/shutdown considerations for the 20” line. HRC had proposed 1100 feet of water main work and 2200 feet was designed. This amount includes the amount bid (1250’) and the Riverview concept (950’).
8. Extension of design at POE and POB
9. Storm system down Apple Way – Based on the information reviewed during our proposal HRC anticipated the outlet at Apple Way to be a viable outlet as it existed. It was assumed that the outlet at Huntington could be used but constructing a new trunk line outlet down Apple Way was not anticipated. This trunk line included storm water detention and replacement of the existing Apple Way cross culvert. This task required a highly experienced designer that performed modeling, field evaluations and site specific detailed designs. This detailed effort was due to the outlet situation at Huntington.
10. Sanitary sewer, road, & wall for Heather Way, including additional survey work.
11. Evaluation and improvements to the existing 36” and 54” storm crossings east of Gallup Park. Coordinated with City staff, site evaluations, special details, developed options for rehabilitation to the 36”. Storm water evaluation of the existing tributary area. Development of slip lining of existing 36” storm

Construction Engineering

- Inspection 2015 and 2016
 - 2015 - 18 weeks at 40 hrs/wk + 10 weeks of 10 hrs/wk OT + 120 hrs as-builts, paperwork, start up
 - 2016 – 29 weeks at 8 hours per week
- Construction Administration 2015 and 2016
 - Review of cut sheets

Elizabeth Rolla
May 6, 2015
HRC Job Number 20130893
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- Weekly field meetings/progress
- Design support
- Support from our subconsultant, Material Testing Consultants for the wall construction

It is assumed layout and material testing will be done by the City or others.

City of Ann Arbor - Geddes Avenue Improvements

Hubbell, Roth & Clark, Inc.

Exhibit B-1

June 5, 2015

Additional Design Engineering & Public Engagement

Public Engagement	Additional Costs
Special Assessments Support	\$ 2,300
Additional Meetings	\$ 11,300
Design Concepts, Options and Special Treatment Research	\$ 19,890
Detailed Design Around Numerous Special Features	\$ 3,600
Responding to Emails & Correspondence	\$ 14,040
Survey Staking of Existing ROW for Resident Meeting	\$ 4,670
Late Changes Resulted in Overtime Work to Complete Plans	\$ 10,800
Development of Special Plans for City Website	\$ 5,400
Critical Path Method Construction Schedule	\$ 1,000
Sub-Total	\$ 73,000

Additional Retaining Wall Design & Water Main Relocation

Additional Design for Wall	\$ 34,000
Design for the Relocation of 20" Water Main	\$ 7,200
Sub-Total	\$ 41,200

Additional Sidewalk & Road Design

Additional Survey	\$ 2,000
Additional Design for Project Extension at Beginning & End	\$ 7,000
Sub-Total	\$ 9,000

Evaluation of Apple Way Storm System

Hydraulic Analysis and Design	\$ 7,200
Sub-Total	\$ 7,200

Additional Sanitary Sewer Design

Additional Survey of Heather Way	\$ 800
Design of Sanitary, Road & Retaining Wall	\$ 4,700
Sub-Total	\$ 5,500

TOTAL \$ 135,900

EXHIBIT B-1

City of Ann Arbor - Geddes Avenue Improvements

Hubell, Roth & Clark, Inc.

Exhibit B-1 Construction Administration

June 5, 2015

2015 - 18 Weeks

Task	Nancy Faught	Chuck Hart	Brad Shepler	James Surhigh	Andrea Pike	Richard Nacey	Robert DeFrain	Sr. Constr. Observer	Total
	Hours								Hours
Inspection									
Management							20		20
Inspection								940	940
Construction Administration									
Progress Meetings- Weekly	32	40							72
Design Assistance	20	126		36	72				254
TOTAL HOURS	52	166	0	36	72	0	20	940	1,286
Hourly Rate	\$ 47.50	\$ 44.00	\$ 38.00	\$ 43.00	\$ 27.80	\$ 45.00	\$ 48.00	\$ 29.30	
Direct Costs	\$ 2,470.00	\$ 7,304.00	\$ -	\$ 1,548.00	\$ 2,001.60	\$ -	\$ 960.00	\$ 27,542.00	

Sub-Total Direct Costs for Standard Time \$ 41,825.60

Over Time for Inspection

OT Rate	\$ 43.95
OT Hours	100

Sub-Total Direct Costs for OT \$ 4,395.00

Sub-Total Direct Costs \$ 46,220.60

Indirect Costs/Overhead @ 2.00x \$ 92,441.20

Total HRC Costs 2015 \$ 138,661.80

Material Testing Consultants \$ 3,500.00

Total 2015 Costs \$ 142,161.80

2016 - 29 Weeks

Task	Nancy Faught	Chuck Hart	Brad Shepler	James Surhigh	Andrea Pike	Richard Nacey	Robert DeFrain	Sr. Constr. Observer	Total
	Hours								Hours
As-Needed Inspection									
Management							8		8
Inspection - Assume - 6 weeks								240	240
Construction Administration									
Progress Meetings- Weekly	36	80							116
Design Assistance	40	209	26	86	118	92			571
TOTAL HOURS	76	289	26	86	118	92	8	240	935
Hourly Rate	\$ 47.50	\$ 44.00	\$ 38.00	\$ 43.00	\$ 27.80	\$ 45.00	\$ 48.00	\$ 29.30	
Direct Costs	\$ 3,610.00	\$ 12,716.00	\$ 988.00	\$ 3,698.00	\$ 3,280.40	\$ 4,140.00	\$ 384.00	\$ 7,032.00	

Sub-Total Direct Costs for Standard Time \$ 35,848.40

Over Time for Inspection

OT Rate	\$ 43.95
2016 Hours	60

Sub-Total Direct Costs for OT \$ 2,637.00

Sub-Total Direct Costs \$ 38,485.40

Indirect Costs/Overhead @ 2.00x \$ 76,970.80

Total HRC Costs 2016 \$ 115,456.20

Material Testing Consultants \$ 3,500.00

Total 2016 Costs \$ 118,956.20

Total Inspection \$ 148,270.00
 Total Construction Engineering \$ 112,848.00
 \$ 261,118.00

Total HRC Costs \$ 261,118.00

