

**AMENDMENT NUMBER 2 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, and Exhibit A2. 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, and Exhibit B2. 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**

**Approved as to substance**

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

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

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

**EXHIBIT A2**  
**SCOPE OF SERVICES**

This document expands Exhibit A to include Task 28, as outlined below:

**28) Construction Support Services** - This task is comprised of continued support during construction. Items included in this task include:

- Review of shop drawings submitted by the contractor for conformance to the design and project requirements (60 hours estimated).
  - a. Pedestrian bridge
  - b. Culvert (three different sections)
  - c. Railing/Fencing (5 different sections)
  - d. Lighting materials/fixtures
  - e. Wall formliners
  - f. Miscellaneous elements (benches, trash receptacles, bollards, etc.)
- Answering questions to clarify design intent (100 hours budgeted).
- Addressing changes to the design and coordination plan changes/revisions for changed field conditions (100 hours budgeted).
- Attendance at progress meetings (2 meetings in person and 10 meeting by phone/video) (20 hours budgeted).

EXHIBIT B2

DERIVATION OF PRIME CONSULTANT COSTS									
Summary of all Prime Costs for Task 28									
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 28	Continued Support Throughout Construction	64		172		44		280	
DERIVATION OF PRIME CONSULTANT COSTS									
Summary of all Prime Costs for all services provided.									
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	64	\$195.00		\$12,480.00				
Engineer (Structural)	ES	172	\$110.00		\$18,920.00				
Cadd Technician	CT	44	\$80.00		\$3,520.00				
		Total Hours:			Total Labor	\$34,920.00			
					TOTAL PRIME FIRM COSTS \$ 34,920.00				