

**FIRST AMENDMENT TO
ENGINEERING DESIGN SERVICES AGREEMENT WITH POGGEMEYER
DESIGN GROUP, INC. FOR VEGAS DRIVE STORM DRAIN**

THIS FIRST AMENDMENT made and entered into as of the _____ day of _____, 20____, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada (herein the "CITY") and POGGEMEYER DESIGN GROUP, INC. (herein the "CONSULTANT")

WITNESSETH

WHEREAS, the CITY and the CONSULTANT have entered into an Engineering Design Services Agreement dated March 21, 2007 (herein the "AGREEMENT"), retaining the services of the CONSULTANT for the design of the Vegas Drive Storm Drain (herein the "PROJECT"), and

WHEREAS, the CITY desires to modify the scope of that AGREEMENT to include additional engineering services to investigate a potential conflict with the existing sanitary sewer laterals and the proposed storm drain in Shadow Mountain Place, to complete a groundwater investigation for construction dewatering permit from the Nevada Division of Environmental Protection, construction services support, and other related services not included in the original scope of the PROJECT.

NOW, THEREFORE, the parties hereto agree that the following changes shall be made to the AGREEMENT:

1. Section Seven, Compensation and Terms of Payment, Paragraph 7.01, General of the AGREEMENT is hereby amended to change the amount set aside as referenced therein from \$1,250,000 to \$1,365,049.

2. Section Seven, Compensation and Terms of Payment, Paragraph 7.02, Compensation: Basic Services (Lump Sum by Task) of the AGREEMENT is hereby amended to change the amount referenced therein for Basic Services of the CONSULTANT from \$1,099,426 to \$1,177,213.

3. Section Seven, Compensation and Terms of Payment, Paragraph 7.03, Compensation: Additional Services of the AGREEMENT is hereby amended to change the not to exceed amount referenced therein for Additional Services of the CONSULTANT from \$150,574 to \$187,836.

3. Insert new Exhibit A-01, Scope of Services; Exhibit C-01, Manpower Task Breakdown; Exhibit D-01, Cost Derivation; Exhibit E-01, Schedule and Exhibit G, Disclosure of Principals; all as attached hereto.

IN WITNESS WHEREOF, the parties have caused this FIRST AMENDMENT to the original AGREEMENT for the Vegas Drive Storm Drain project to be executed the day and year first above written.

CITY OF LAS VEGAS

By _____
Kathleen C. Rainey, Manager
Purchasing & Contracts

ATTEST:

BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

John S. Richella 12/21/10
Deputy City Attorney Date

POGGEMEYER DESIGN GROUP, INC.

By _____
MICHAEL B. HOLLOWAY, P.E.
Principal
"CONSULTANT"

EXHIBIT "A-01"

SCOPE OF SERVICES

BACKGROUND

On March 21, 2007, Poggemeyer Design Group, Inc. entered into an agreement with the City of Las Vegas to provide engineering design services, preparation of Contract Drawings, Special Provisions and Cost Estimates for the Vegas Drive Storm Drain project, Shadow Mountain Place to Rancho Drive. A detailed Scope of Services for the Project is included in the Engineering Design Services Agreement.

This Scope of Additional Services outlines additional work directed to be performed by the City that is necessary to successfully complete the project.

BASIC SERVICES TASKS

The following work is to be included in Basic Services:

TASK V (7) FINAL REVISIONS AND APPROVALS

V (7.a) Final Design.

- 1. Modify final plans to remove RTC and SID funded improvements.**
 - i. Revise construction documents to reflect only replacing the pavement necessary for installation of the underground facilities and to remove the SID design items. This revision is the result that RTC Funding has been removed from this project so the overall street rehabilitation no longer has any funding, and with the current Bond Market, the SID funding has been removed.
 - ii. These revisions require extensive modifications to the plan and profile sheets, as well modifications to detail sheets.
 - iii. Modify Bid Sheet and specifications as required to reflect to design drawings.
 - iv. Modify opinion of probable construction costs to reflect the modifications to the drawings.
 - v. Assist CLV in providing information for coordination of approvals/permits from Clark County for the areas encroaching in the County ROW.
 - vi. Attend additional meetings as necessary.
 - vii. Provide additional utility review/approvals to modified plans.
- 2. Investigate potential conflict with Clark County island properties along Shadow Mountain due to unknown sewer connections to CLV sewer.**
 - i. Develop AEP for sewer laterals.
 - ii. Sub out field work to plumber to video sewer/lateral as required ascertaining exact location, condition, and connections.

- iii. Pothole 15 locations to determine sewer vertical alignment.
- iv. Depending on answers to investigations, mitigate the sewer lateral conflicts by redesign a new segment of sewer to take the lateral flows around the new storm drain to the existing sewer or another sewer, whichever is the most cost effective.
- v. Provide additional survey as required to complete the sewer design.
- vi. Modify bid sheet and specifications as appropriate to match any new design elements.
- vii. Coordinate with utilities on getting modified plan sheets reviewed and approved.
- viii. Attend additional meetings as necessary to coordinate these changes with City Staff and obtain final review approvals.

3. Groundwater investigation for dewatering permitting.

- i. Terracon Consultants have given PDG a proposed scope of services and proposal.
- ii. Does not include permit application, to be done by others.

EXHIBIT "B-01"
ADDITIONAL SERVICES

Additional Services

Upon written authorization by the CITY, the CONSULTANT shall provide additional services as needed for the PROJECT.

The following additional services of the CONSULTANT are added:

TASK VAS (8) TITLE REPORT REVIEW

- i. Since the project was originally surveyed and researched in 2003, reviewing new Title Reports provided by the City would be prudent to ascertain that no new easements or modified easements have occurred that might affect this project.
- ii. PDG to review Title Reports for additions/deletions/modifications from original review.

TASK VAS (9) CONSTRUCTION ADMINISTRATION

- i. **VAS (9.a) Shop Drawing Review and Coordination with Construction Manager.** Review submittals in coordination with Construction Manager.
- ii. **VAS (9.b) Request for Information.** Respond to Contractor's RFI's in coordination with Construction Manager. Conduct construction site investigation as required.
- iii. **VAS (9.c) Final Project Walkthrough.** Participate with the City and the Contractor on the final walkthrough of the project.
- iv. **VAS (9.d) Record Drawings.** Completion of Record Drawings from redlines provided by Contractor. CONSULTANT cannot warrant the accuracy of the Record Drawings in that they are from information provided by a third party.

TASK VAS (10) MISCELLANEOUS ADDITIONAL SERVICES

FIRST AMENDMENT
EXHIBIT C-01
VEGAS DRIVE, SHADOW MTN TO RANCHO ROAD

Date: Time:		16-Dec-10 10:49 AM		Labor Classification											
TASK	Title:	Princ.	Project Mgr.	Project t	Engr.	SrCAD Tech.	CAD Tech	Clerica l	Surv.	PLS	Total Hours				
	Code:	i	ii	Engr. iii	iv	v	vi	ix	x	Surv. Crew					
		Projected Hours													

FIRST AMENDMENT
EXHIBIT D-01
VEGAS DRIVE, SHADOW MTN TO RANCHO ROAD

Task	Date: Time:	16-Dec-10 10:53 AM	Labor Classification & Rate										Totals			
			Title:	Princ. i	Project Mgr. ii	Project Engr. iii	Engr. iv	SrCAD Tech. v	CAD Tech vi	Clerical ix	Surv. Crew x	PLS Surv. xi	Subtotal Labor Costs	Subtotal Direct Costs	TOTAL	
V (7.a.1)				0	4,930	3,780	0	0	2,016	780	0	0	11,506	2,000	13,506	
V (7.a.2)				0	4,930	5,040	1,060	0	5,040	660	5,504	1,872	24,106	17,866	41,972	
V (7.a.3)				0	2,465	1,890	0	1,880	0	120	1,720	234	8,309	14,000	22,309	
				0	12,325	10,710	1,060	1,880	7,056	1,560	7,224	2,106	43,921	33,866	77,787	
VAS 8				0	580	0	0	0	0	480	0	1,872	2,932	0	2,932	
VAS 9				0	4,930	8,820	3,180	0	0	2,400	0	0	19,330	0	19,330	
VAS 10				0	0	0	0	0	0	0	0	0	0	15,000	15,000	
				0	5,510	8,820	3,180	0	0	2,880	0	1,872	22,262	15,000	37,262	
				0	17,835	19,530	4,240	1,880	7,056	4,440	7,224	3,978	66,183	48,866	115,049	

EXHIBIT "E-01"
SCHEDULE

The following milestone dates have been established for the PROJECT:

Groundwater investigation completed	<u>February 1, 2011</u>
Sewer conflict resolved Potholing complete	<u>February 14, 2011</u>
Pre-mylar bond	<u>March 3, 2011</u>
Final Submittal	<u>March 17, 2011</u>
Construction Admin complete (if authorized)	<u>June 30, 2012</u>

*Schedule assumes all CITY reviews are maximum of two (2) weeks.