

SECOND AMENDMENT

THIS SECOND AMENDMENT is made and entered into this ____ day of _____, _____, by and between the City of Las Vegas, a municipal corporation of the State of Nevada (herein the "City"), and Poggemeyer Design Group, Inc., a Corporation (herein the "Consultant").

WHEREAS, the City and the Consultant have entered into an Agreement dated October 27, 2011, (herein the "Agreement"), retaining the services of the Consultant for preparation of contract drawings, special provisions, and cost estimates more fully described therein in connection with the improvements for the project Sidewalk Infill, Area 1 and 6 (herein "Project") and Amendment No. 1 dated November 15, 2012, to split the project into three phases requiring three separate contract drawings, special provisions, and cost estimates.

WHEREAS, since entering into the Agreement the City desires to modify the services of the Consultant to perform additional design services related to coordinating multiple phases of the contract with a Construction Manager at Risk (CMAR) and to making various design changes to meet varying field conditions as requested by City staff.

NOW, THEREFORE, in consideration of the above premises, the parties hereto agree that the following changes shall be made to the Agreement:

1. See Exhibit "A" Scope of Services for additional design work required for this project.
2. For Exhibit "B" Required Submittals, see Deliverables included in Exhibit "A"
3. See Exhibit "C" Performance Schedule
4. Exhibit "D" Fee Breakdown is hereby amended to increase the total compensation of the entire Agreement referenced herein by \$136,659, from \$880,000 to \$1,016,659.
5. No allowance for Exhibit "E", Additional Compensation
6. No changes to Exhibit "F" Key Personnel

7. Exhibit "G" Disclosure of Ownership/Principals is attached.
8. All other provisions of the Agreement remain in force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be
executed the day and year first above written.

CITY OF LAS VEGAS

Poggemeyer Design Group, Inc.

By: _____
Yolanda Jones, C.P.M., CPPO, Manager
Purchasing and Contracts
"CITY"

By: _____
Larry Carroll, P.E., Managing Principal
"CONSULTANT"

ATTEST:

Beverly K. Bridges, MMC Date
City Clerk

APPROVED AS TO FORM:

John S. Ridilla 5/7/14
Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

EXHIBIT "A"
SCOPE OF SERVICES
CONTRACT AMENDMENT NO. 2
ARTICLE 104: 100% DESIGN PHASE (Phase 2)

BACKGROUND

On October 19, 2011, Poggemeyer Design Group (PDG) entered into an agreement with the City of Las Vegas (City) to provide Engineering Design Services including preparation of contract drawings, special provisions, cost estimates and reports for the Sidewalk Infill, Areas 1 and 6 project as a single project package. A detailed scope of services for the Project is included in the Prime Design Services Agreement.

Pursuant to Exhibit "D" – Basic Services Fee Breakdown, this Scope of Basic Services Contract Amendment outlines additional work that is necessary to successfully complete the project.

Amendment No. 1 – In January 2012, the City of Las Vegas found that CDBG funds did not allow the CMAR method of construction and advised PDG that the project would be split into two (2) phases, one being design, bid, build for CDBG and the other being CMAR funded by the city. On March 22, 2012, the City directed PDG to phase the project into three (3) phases known as Phase 1, Phase 2, and Phase 3.

Amendment No. 2 – On July 9, 2013 PDG met with the City to discuss how the project had been broken into three (3) phases, as previously directed by the City. Phase 1 consisted of Areas 1A and 6B and was a design-bid-build approach that was then under construction. Phase 2 consisted of Areas 6A and 1B and was a CMAR project. Phase 3 consisted of Area 1C and was a design-bid-build format. PDG expressed concern about the additional effort required to remove portions of Phases 2 and 3 that require right-of-way takes, CMAR coordination, and the effects of various additional design requirements the City desired. What follows hereafter is a description of the additional effort comprising Contract Amendment No. 2.

104.1 Matrices

- 104.1.1** The Consultant will prepare the matrices for sidewalk inventories, additional topography requests, utility conflicts, detectable tactile warning strips, right-of-way takes, driveway removals, sign removal and replacement, authorizations to enter property, sidewalk removal and replacement, and physical encroachments for Areas 1 and 6. A brief description of each matrix follows.
- Sidewalk inventories – identifies locations and property addresses where sidewalk is missing and/or sidewalk in need of replacement
 - Topography requests – identifies where additional topography is needed for design
 - Utility conflicts – identifies locations and types of utility infrastructure (poles, pedestals, pull boxes, etc.) that conflict with installation of new sidewalk and mitigation of ADA barriers
 - Detectable tactile warning strips – identifies locations of ramps that are adequate from an ADA design standpoint, but are missing detectable tactile warning strips
 - Right-of-way takes – identifies location, address, APN, and square footage of right of way needed for improvements
 - Driveway removals – identifies locations of vacant lots that have existing driveway depressions that are going to be removed and replaced with "L" curb and gutter
 - Sign removal and replacement – identifies locations and types of signs that are being relocated with installation of new or replaced sidewalks
 - Authorizations to enter property – identifies APN, owner, and address of properties requiring authorization to enter property for construction of improvements
 - Sidewalk removal and replacement – identifies locations where existing sidewalk is to be removed and replaced that do not appear on the construction plans
 - Physical encroachments – identifies locations and types of encroachments that interfere with construction of improvements. i.e. trees, shrubs, turf, irrigation systems, rock, walls, fences, etc.

104.2 Additional Topo/Survey Requests

- 104.2.1** The Consultant will identify areas that require topographical survey and prepare exhibits for those areas that illustrate and describe the extents of the information needed. The City will perform the required survey work and supply PDG with the electronic data to incorporate into the contract drawings.

104.3 Topo File Revisions

- 104.3.1** The Consultant will revise the electronic topography files to accurately reflect what exists before the construction phase. Additions and revisions include blocks and symbology, traffic striping, traffic indicator loops, bike lanes and facilities, reviews of Google Earth, and changing City provided line work to plot with correct linetypes and lineweights.

104.4 Field Investigation & Photos

- 104.4.1** The Consultant will provide the additional design services for the additional field investigation and photographs. This entails additional field investigations and photo documentation, identifying and noting encroachments, and mitigation of ADA barriers identified for sidewalk, ramps, point obstructions, utility conflicts, etc. Nearly four thousand photographs were taken, catalogued, and sent to the city on compact discs.

104.5 Street Light Revisions

- 104.5.1** The Consultant will prepare the additional design plans, specifications and cost estimate for the additional street lights. Original estimates called for 47 street lights. After field investigations were conducted, it was determined that 257 street lights would be needed. This resulted in an increase of 210 street lights. Field investigations were critical for identifying potential conflicts and obstacles that then could be avoided during the design placement of street lights. Physical observation of the existing street light infrastructure allowed for use of existing electrical services, conduit runs, and street light pull boxes. The information gathered was used to implement a design that is safe, functional, and consistent with existing field conditions. Street light revisions were done at the request of the CMAR contractor and City.

104.6 Additional Design Requirements

- 104.6.1** The Consultant shall revise the design plans to include multiple areas not previously identified as part of the Project. This task includes, but is not limited to the following items:
1. CMAR contractor comments and revisions
 2. Commercial areas added to Area 6A (N Street and Owens); identified during the 90% field walk
 3. Portions of curb and gutter
 4. Valley gutter replacements and additions
 5. Southwest corner of Maryland and Ogden; multiple design iterations to reconfigure the ramp to the corner, pedestrian signal, crosswalk, and sidewalk
 6. Southwest corner of Maryland and Stewart; multiple design iterations for the driveway entrance to an existing trailer park
 7. Stewart and 11th stacked block wall concepts and design
 8. Monitoring well – driveway revisions at Fremont and 10th
 9. LVVWD comments
 10. 7th and Bonneville law office sidewalk
 11. Redesign of 1200 Cunningham
 12. Alley design and concepts at 17th and Fremont

104.7 Add Adjacent Projects

- 104.7.1 The Consultant shall revise the design plans to incorporate multiple adjacent and overlapping projects provided by the City.

ARTICLE 104: 100% DESIGN PHASE (Phase 3)

104.1 Matrices

- 104.1.1 The Consultant will prepare the matrices for sidewalk inventories, additional topography requests, utility conflicts, detectable tactile warning strips, right-of-way takes, driveway removals, sign removal and replacement, authorizations to enter property, sidewalk removal and replacement, and physical encroachments for Areas 1 and 6. A brief description of each matrix follows.

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Topography requests – identifies where additional topography is needed for design

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Sign removal and replacement – identifies locations and types of signs that are being relocated with installation of new or replaced sidewalks

Authorizations to enter property – identifies APN, owner, and address of properties requiring authorization to enter property for construction of improvements

Sidewalk removal and replacement – identifies locations where existing sidewalk is to be removed and replaced that do not appear on the construction plans

Physical encroachments – identifies locations and types of encroachments that interfere with construction of improvements. i.e. trees, shrubs, turf, irrigation systems, rock, walls, fences, etc.

104.2 Phase 4 Removal

- 104.2.1 The Consultant will remove all areas identified as requiring right-of-way takes from the contract drawings and place them into a future Phase 4.

104.3 Topo File Revisions

- 104.3.1 The Consultant will revise the electronic topography files to accurately reflect what exists before the construction phase. Additions and revisions include blocks and symbology, traffic striping, traffic indicator loops, bike lanes and facilities, reviews of Google Earth, and changing City provided line work to plot with correct linetypes and lineweights.

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END OF EXHIBIT "A"