

AMENDMENT NUMBER 1 TO THE AGREEMENT BETWEEN CLIENT AND KIMLEY-HORN AND ASSOCIATES, INC.

This is Amendment number 1 dated April 26, 2023 to the agreement between City of Burleson ("City") and Kimley-Horn and Associates, Inc. ("Engineer") dated June 16, 2020 ("the Agreement") concerning SH 174 Final Design, City Project No. 187398 ("Project").

The Engineer has entered into the Agreement with City for the furnishing of professional services, and the parties now desire to amend the Agreement.

The Agreement is amended to include services to be performed by Engineer for compensation as set forth below in accordance with the terms of the Agreement, which are incorporated by reference.

Engineer will provide the services specifically set forth in the Scope of Services Attachment A.

The services currently authorized to be performed by Engineer in accordance with the Agreement and previous amendments.

Engineer and City agree to the following general schedule in connection with the services set forth in Attachment A:

- 60% Plan Submittal completed by end of August 2023
- 90% Plan Submittal completed by end of November 2023
- Final Design Plans completed by end of February 2024

For the services set forth in Attachment A, City shall pay Engineer a lump sum total of: \$449,985. A breakdown by task is provided in Attachment A.

CITY:

ENGINEER:

CITY OF BURLESON, TEXAS

KIMLEY-HORN AND ASSOCIATES, INC.

By: _____

By: *Scott R. Arnold*

Title: _____

Title: Vice President

Date: _____

Date: April 26, 2023

ATTACHMENT A

I. Scope of Services

The Consultant understands that the City wishes to prepare plans, specifications and estimates (PS&E) for SH 174 widening from Hulen Street to Wicker Hill Road. SH 174 will be widened to six lanes, the widening will be within the median. Turn lanes will be added at key intersections as determined by the Traffic Study previously performed, intersection improvements and traffic signal for Wicker Hill Road and SH 174 is not included in this scope of services. Sidewalks will not be designed for the limits.

The original contract included schematic design and environmental from Elk Drive to Wicker Hill Road and PS&E development from Elk Drive to Hulen Street. This scope will include 60% PS&E, 90% PS&E and final design plans to incorporate into the current PS&E package. TxDOT coordination, meetings, survey and geotechnical engineering will also be included.

The Consultant will complete the following tasks:

Task 1 – Design Survey

The Consultant, through its subconsultant, Gorrondona and Associates, Inc. will provide topographic survey for the following limits: six hundred feet west Wicker Hill Drive to Wicker Hill Drive along the right-of-way, three hundred feet north along Wicker Hill Drive along the right-of-way and twenty feet on each side of the right of way, and the intersection of Commons Drive and SH 174. Other subtasks for this task consist of:

A. Topographic Survey

- 1) Making a topographic survey of all existing features above ground level by using both Mobile LIDAR and on the ground survey. These features will consist of telephone poles, power poles, utilities, utility markers, fences, retaining walls, water meters, detector check valves, manholes, vaults, sprinkler heads, structures, culvert pipes and any other facilities in close proximity to the anticipated construction limits. Also, all buildings, trees, and other topographical features.
- 2) Determining horizontal and vertical location of all underground utilities or other underground structures where they cross any part of the proposed project.
- 3) Making of all surveys necessary to determine limits of any existing right-of-way or easements.
- 4) Tie all public improvements to existing City monument system.

Task 2– Preliminary and Final Design

- A. Preliminary Design Construction Plans (60%) for Preliminary plans will consist of the following:
- 1) Updated cover sheet, sheet index, and project control
 - 2) Typical sections for all proposed and existing roadways and cross streets. Typical

sections to include width of travel lanes, shoulders, outer separations, border widths, curb offsets, sidewalk and ROW.

- 3) Estimate summary sheets.
 - 4) Summary of small signs sheets.
 - 5) Removal sheets.
 - 6) Paving Plan and Profile Sheets showing:
 - a. Pavement edges for all improvements (mainlanes, cross streets, and driveways if applicable).
 - b. Sidewalk, retaining walls, and curb ramps.
 - c. Calculated roadway centerlines for mainlanes and cross streets, as applicable. Horizontal control points must be shown. The alignments must be calculated using GEOPAK.
 - d. Lane and pavement width dimensions.
 - e. Radii call outs, curb location, Concrete Traffic Barrier (CTB), guard fence, crash safety items and Texas Accessibility Standards (TAS) compliance items.
 - f. Direction of traffic flow on all roadways. Lane lines and arrows indicating the number of lanes must also be shown.
 - g. ROW lines and easements.
 - h. Begin and end superelevation transitions and cross slope changes.
 - i. Limits of rip-rap, block sod, and seeding.
 - j. Existing utilities and structures.
 - k. Edge of existing pavement, existing structures, mailboxes, water meters, utility poles, fire hydrants, existing driveways, existing utilities, existing and proposed rights-of-way and easements, proposed centerline, proposed curb line on plan and profile sheets, and existing ground elevation in profile at the proposed centerline and right-of-way lines.
 - l. Benchmark information.
 - 7) Cross-sections of existing ground surface line and proposed ground surface lines.
 - 8) Drainage area map and runoff calculations.
 - 9) Storm sewer modifications such as extension of existing box culverts or storm drain pipe and headwalls.
 - 10) All drainage computations within TxDOT ROW will be in accordance with TxDOT criteria.
 - 11) Traffic control sequencing plan
 - 12) Traffic control typical sections
 - 13) Traffic control phasing layouts
 - 14) Erosion control layouts
 - 15) Pavement markings, striping and signage plans.
 - 16) Plans to comply with TxDOT PS&E Checklists.
 - 17) An opinion of probable construction cost.
- B. Final Design Construction Plans - Final plans will contain all information and requirements of the preliminary plans and will incorporate comments from City and TxDOT. The Consultant will also prepare contract documents, specifications, and special provisions. In addition, the following will be submitted:
- 1) Detail and standard sheets for all elements of the Project.
 - 2) Special provisions and specifications.
 - 3) An opinion of probable cost based upon the items and quantities listed in the proposal in the contract documents. This estimate will be based on current unit prices bid on similar projects.

- 4) Prepare Project Manual and Specifications.
- C. Project Management - Perform general project management related tasks such as routine communication with the City, project status updates, quality control efforts, internal team meetings, project invoicing, project planning efforts, preparation of the project schedule and updates to the project schedule.

Task 3 – TxDOT Documentation

- A. TxDOT and Federal Documentation
 - 1) Update Design Summary Report (DSR) to reflect update to the project limits.
 - 2) PS&E comment response form for the 60% submittal.
 - 3) Coordinate with TxDOT during the duration of the project via email correspondence and phone calls.

Task 4 – Meetings

- A. Meetings
 - 1) The Consultant will attend one monthly virtual progress meeting with the City PM to discuss project progress.
 - 2) The Consultant will attend up to ten (10) coordination meetings with the City and TxDOT, NCTCOG or other project stakeholders to discuss progress, design and/or coordination items beyond in addition to the review meetings listed above.
 - 3) The Consultant will prepare an agenda and meeting notes for all meetings.

Task 5 -Franchise Utility Coordination and Utility Clearance

- A. Document and verify existing utilities, prepare utility conflict matrix.

Task 6 – Geotechnical Investigation

The Consultant, through its subconsultant (CMJ Engineering), will provide geotechnical services as follows:

- A. The Consultant will perform geotechnical investigations and analyses necessary to complete the design. The Consultant will prepare a geotechnical report describing existing geotechnical conditions and considerations necessary for design and construction of the project for City and TxDOT review and approval. The report will consist of up to eight (8) pavement borings in the outside shoulder.

II. Method of Compensation

The Consultant will perform the services in Tasks 1 - 6 for the total lump sum fee below. Individual task amounts are informational only. All permitting, application, and similar project fees will be paid directly by the City.

Task 1 – Design Survey	\$ 16,520
Task 2 – Preliminary and Final Design	\$365,360
Task 3 – TxDOT Documentation	\$ 19,650
Task 4 – Meetings	\$ 25,630
Task 5 – Franchise Utility Coordination	\$4,800
<u>Task 6 – Geotechnical Investigation</u>	<u>\$18,025</u>
Total Lump Sum Fee	\$449,985

Lump sum fees will be invoiced monthly based upon the overall percentage of services performed.

The Consultant will not exceed the total maximum labor fee shown without authorization from the Client. Individual task amounts are provided for budgeting purposes only. The Consultant reserves the right to reallocate amounts among tasks as necessary.

Labor fee will be billed on an hourly basis according to our then-current rates. As to these tasks, direct reimbursable expenses such as express delivery services, fees, air travel, and other direct expenses will be billed at 1.15 times cost. An amount equal to 6% of our labor fee added to each invoice to cover certain other expenses as to these tasks such as telecommunications, in-house reproduction, postage, supplies, project related computer time, and local mileage. Administrative time related to the project may be billed hourly.

Kimley-Horn and Associates, Inc.
Hourly Labor Rate Schedule

Classification	Rate
Analyst	\$125 - \$210
Professional	\$200 - \$250
Senior Professional I/Project Manager	\$250 - \$310
Senior Professional II/Senior Project Manager	\$330 - \$390
Support Staff	\$100 - \$160