

**AMENDMENT NUMBER 1
TO THE AGREEMENT FOR PROFESSIONAL SERVICES
ENTERED INTO BETWEEN
THOMPSON & LITTON, INC.,
AND
CITY OF KINGSPORT, TENNESSEE**

On June 23, 2021 an Agreement for Professional Services was entered into by and between Thompson & Litton, Inc. (hereinafter Consultant) and the City of Kingsport, Tennessee (hereinafter Owner). Pursuant to this Agreement Owner secured Consultant’s services relative to the re-roofing of the Dobyns-Bennett High School Dome. The parties now desire to expand the scope of professional services and other provisions of the Agreement for Professional Services and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties have entered into this Amendment Number 1 to the Agreement effective as of the date of its execution by the parties. The terms of the Agreement for Professional Services are hereby amended as set forth herein.

ARTICLE I – SCOPE OF SERVICES AND SCHEDULE shall include the following language:

1.1 Additionally, services to be performed shall include the work listed in the Consultant’s Letter of Understanding dated September 23, 2022, attached hereto as Appendix B and made a part hereof as though fully set out in the body of this Agreement.

ARTICLE IV – COMPENSATION shall include the following language:

4.1 Additionally, Owner agrees to compensate Consultant for services performed pursuant to Appendix B in the aggregate amount of NINETY ONE THOUSAND THREE HUNDRED FORTY THREE DOLLARS AND NINE CENTS (\$91,343.09).

The total agreement price for all services thereof shall not exceed the sum of ONE HUNDRED TWENTY ONE THOUSAND EIGHT HUNDRED SIXTY NINE DOLLARS AND FIFTY THREE CENTS (\$121,869.53).

Except as hereby amended, all other terms and conditions of the Agreement for Professional Services effective June 23, 2021, shall remain in full force and effect.

Thompson & Litton, Inc.

City of Kingsport, Tennessee on behalf of its
Kingsport City Schools

DocuSigned by:
Ron Helton
Signature

DocuSigned by:
Brent Marlock
Brent Marlock, Procurement Manager

10/10/2022

10/11/2022

Date

Date

Ron Helton

Attest:

Printed Name

DS
DocuSigned by:
Angie Marshall
Angie Marshall, Deputy City Recorder

Chairman

Title

Approved as to form:

DocuSigned by:
Rodney B. Rowlett, III
Rodney B. Rowlett, III, City Attorney



**THOMPSON
& LITTON** EST.
1956
ENGINEERS ARCHITECTS

September 23, 2022

Dr. R. Andrew True
Assistant Superintendent - Administration
Kingsport City Schools
400 Clinchfield Street, Suite 200
Kingsport, TN 37660

RE: Letter of Understanding
Dobyns-Bennett Dome Reroofing
Architectural and Engineering Services
T&L Project #: 16051

Dear Mr. True:

Pursuant to our recent discussions and emails on the above project, Thompson & Litton, Inc. wanted to address the recent scope changes which have been required as a result of the dome analysis which has occurred over the last several months.

As a recap to how we have arrived at this point, please see the timeline below.

- On May 5, 2021, Carl Gutschow provided the proposed scope of work to Ms. Michelle Ramey, Assistant Procurement Manager. This information addressed the project scope along with a proposed fee amount of 6% of construction cost.
- Based on discussions with the City of Kingsport, a revised proposed scope of work was provided to Mr. Brent Morelock, Procurement Manager. This information further defined the scope and established a fee amount of \$30,526.44 with \$2,000.00 for reimbursable expenses.
- On June 23, 2021, Thompson & Litton received the signed contract from the City of Kingsport.
- At that point, Thompson & Litton engaged Steve Wilson with Spoden and Wilson Consulting Engineers to consult on the dome structure prior to placing any new material on the dome roof.
- On December 13, 2021, Steve Wilson with Spoden & Wilson provided a report which addressed the possible short-term, medium-term, and long-term repairs which may need to be addressed as part of the reroofing.



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- On December 15, 2021, employees of Thompson & Litton and Spoden & Wilson met with the Kingsport City Schools to review this document. It was determined in this meeting that testing of the dome structure should occur before any additional weight was added to the roof.
- On April 25, 2022, an RFQ was sent to four contractors. This RFQ addressed the request to provide destructive or non-destructive testing of the wood members which support the dome roof.
- Bids on this RFQ were received on May 6, 2022.
- On June 7, 2022, it was agreed on the recommendation to have Foundation Systems Engineering, P.C. provide this testing.
- On June 8, 2022, the Kingsport City Schools provided a letter of acceptance to Foundation Systems Engineering, P.C.
- A preconstruction meeting occurred at the site on June 21, 2022, and the testing began on June 27, 2022. This testing took approximately three days and on June 29, 2022, the Kingsport City Schools was provided with preliminary information on the "condition" of the dome structure.
- Thompson & Litton and Spoden & Wilson received the Foundation Systems Engineering, P.C. report on August 1, 2022, and provided that report to the Kingsport City Schools for their review.
- Thompson & Litton and Spoden & Wilson reviewed this report with the Kingsport City Schools and the City of Kingsport on August 3, 2022, at the Kingsport City Hall.
- On August 5, 2022, a letter initiated by Thompson & Litton and written by Spoden & Wilson recommended that the Kingsport City Schools should not occupy the building until further testing occurs.
- On August 8, 2022, Thompson & Litton and Spoden & Wilson reviewed this letter with the Kingsport City Schools and the City of Kingsport at Dobyns-Bennett High School. It was on this day that the public first became aware of what the report concluded.
- On August 10, 2022, based on discussions with Spoden & Wilson, Thompson & Litton provided information to the Kingsport City Schools that noted that the spaces outside of the dome proper could be used for classes.
- On August 11, 2022, Thompson & Litton and Spoden & Wilson brought on Dome Technologies to provide additional dome experience. The cost for their initial work is \$16,500.00 and this amount will be paid by Thompson & Litton from the original approved contract.
- On August 15, 2022, Barge Design Solutions was contacted by Spoden & Wilson due to a request from Dome Technology on the need for an interior 3D scan of the dome. The cost for this work is \$6,500.00 and this amount will be paid by Thompson & Litton from the original approved contract.



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- On August 18, 2022, the representatives of Dome Technology arrived on-site to review the situation and obtain information.
- On August 22, 2022, Barge Design Solutions was on-site completing the 3D scan of the dome interior. This information is being exported and will be sent to Dome Technology for their use as part of the initial dome review.

Moving forward and based on our meeting with the Kingsport City Schools and the City of Kingsport on August 23, 2022, please see the below preliminary schedule to complete the investigation phase of the work.

Phase I Investigation

- Dome Technologies receives the scan on August 29, 2022.
- Thompson & Litton and Spoden & Wilson will begin discussions with representative shoring companies during the week of August 29, 2022 - September 2, 2022.
- Dome Technologies provides the Phase 1 report to Thompson & Litton by September 6, 2022.
- Foundation Systems Engineering provides the wood sampling analysis to Thompson & Litton by September 6, 2022.
- Thompson & Litton and Spoden & Wilson will review the Phase 1 report and provide a response letter to the City of Kingsport by September 12, 2022.
- Thompson & Litton and Spoden & Wilson will review the Phase 1 report at the regularly scheduled dome meeting on September 13, 2022.

Phase 2 Investigation

- Dome Technologies begins the Phase 2 work on September 19, 2022.
- Foundation Systems Engineering provides the additional wood testing analysis to Thompson & Litton by September 30, 2022.
- Thompson & Litton and Spoden & Wilson will provide an update on a shoring plan or shoring direction at the regularly scheduled dome meeting on October 11, 2022.
- Dome Technologies provides the Phase 2 report to Thompson & Litton by October 24, 2022.
- Thompson & Litton and Spoden & Wilson will review the Phase 2 report and develop a proposed dome remediation report by October 31, 2022.



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- Thompson & Litton and Spoden & Wilson will review the Phase 2 report at the regularly scheduled dome meeting on November 1, 2022. The City of Kingsport and the Kingsport City Schools will be provided with remediation options, estimated costs, and schedules for repairs at this meeting.
- Thompson & Litton and Spoden & Wilson will review the Phase 2 dome remediation report with options to address at the regularly scheduled BOE meeting on November 8, 2022 if requested.
- The City of Kingsport and the Kingsport City Schools will provide a response to the Phase 2 dome remediation report and will direct Thompson & Litton/Spoden & Wilson/Dome Technologies to proceed with a dome remediation option by December 13, 2022.

Based on the work which has been required because of the Foundation Systems Engineering report dated August 1, 2022, Thompson & Litton has incurred the following costs thus far:

- Dome Technology - Lump Sum \$16,500.00 (Phase 1) + \$1,650.00 Contractor Markup
- Dome Technology – Reimbursable Expenses of \$6,229.53
- Barge - Lump Sum \$6,500.00 + \$650.00 Contractor Markup
- Spoden & Wilson - Lump Sum \$6,000.00
- Thompson & Litton – Lump Sum \$15,940.00

Estimated upcoming additional work between September 15, 2022 and December 2022 includes:

- Dome Technologies – Lump Sum \$30,000.00 (Phase 2) + \$3,000.00 Contractor Markup
- Spoden & Wilson – Lump Sum \$16,000.00
- Thompson & Litton – Lump Sum \$19,400.00

Estimated total from August 1, 2022 to December 2022 - \$121,869.53

This amount \$121,869.53 - \$30,526.44 (Original Contract) would require an additional \$91,343.09 added to our original contract from June 23, 2021. Please understand that the existing fee is for the re-roofing design, which will be re-evaluated and quantified in the Phase 2 efforts described above.

As a result of the above, we are submitting this letter of understanding to address this additional scope and costs which need to be addressed in order to continue with this work. Please let us know if any additional contract instrument is desired by the City. If you have any questions or concerns on the above or if we need to discuss in more detail, please do not hesitate to contact me.

Sincerely,

Brian C. Alderson, AIA, NCARB, LEED AP
Senior Architect