

**SUPPLEMENTAL AGREEMENT NO. 1  
FOR PROFESSIONAL SERVICES  
City of Olathe, Kansas**

This Supplemental Agreement made this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by and between the City of Olathe ("City") and Affinis Corp ("Consultant") (collectively, the "Parties").

WHEREAS, the City and Consultant have previously entered into an Agreement, dated June 21, 2023 ("the Agreement"), for PN 3-R-001-24, South Hamilton Circle Improvement Project and PN 5-R-001-24, South Hamilton Circle Waterline Rehabilitation Project ("Project"); and

WHEREAS, Section II.B.2 of the Agreement provides that Consultant will provide, with City's concurrence, services in addition to those listed in the Agreement when such services are requested or authorized in writing by the City; and

WHEREAS, this Supplemental Agreement between the Parties is to provide two separate bid packages to split the project, develop utility relocation plans, traffic signal plans for Old 56 Highway, and KDOT permitting for the Project as outlined in **Exhibit A** of this Supplemental Agreement, attached hereto and incorporated herein by reference; and

WHEREAS, the City is desirous of entering into this Supplemental Agreement to pay the Consultant for additional services rendered to the City related to the Project; and

WHEREAS, the City is authorized and empowered to contract with the Consultant for the necessary additional services in this Supplemental Agreement.

NOW THEREFORE, the Parties hereby agree as follows:

- A. The Agreement is hereby amended as follows: The scope of services now includes Exhibit A of this Supplemental Agreement.
- B. The total fee for the additional professional services provided pursuant to this Supplemental Agreement is Ninety-seven thousand, eight hundred eighty-five and 00/100 dollars (\$97,885.00), which raises the total fee for all services provided under the Agreement from Four hundred ninety-seven thousand, nine hundred and 00/100 dollars (\$497,900.00) to five hundred, ninety-five thousand, seven hundred eighty-five and 00/100 dollars (\$595,785.00).

IN ALL OTHER RESPECTS, the terms and conditions of the Agreement will remain in full force and effect, except as specifically modified by any prior written Supplemental Agreement approved by the Parties and by this Supplemental Agreement, including all policies of insurance which will cover the work authorized by this Supplemental Agreement.

IN WITNESS WHEREOF, the Parties have caused this Supplemental Agreement to be executed as of the day and year first above written.

**CITY OF OLATHE, KANSAS**

By: \_\_\_\_\_  
John Bacon  
Mayor


ATTEST:

\_\_\_\_\_  
City Clerk (SEAL)

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney or Deputy/Assistant City Attorney

**AFFINIS CORP**

By:   
Kristen Leathers-Gratton, PE  
President  
8900 Indian Creek Parkway, Suite 450  
Overland Park, Kansas 66210

**Supplement 1**  
**Exhibit A:**  
**Basic Services and Other Matters**

The scope includes additional services performed to split the South Hamilton Circle Improvements into two separate bid packages to accommodate availability of City funding. It also includes the development of utility relocation plans, traffic signal modification plans for Old 56 Highway, and the efforts associated with obtaining the permit to work within KDOT right-of-way.

The work tasks will be performed by Affinis Corp (“Consultant”) for the City of Olathe, Kansas.

**TASK I. FINAL DESIGN – PHASE 1**

**1.01. Utility Relocation Plans**

- A. Developed color-coded utility plans to be included in the bid documents. Plans note abandonments, adjustments, and relocations to take place ahead of, during, and following construction.

**1.02. Adjust Project Limits for Two Bid Packages**

- A. Completed cost estimates and exhibits for options to split project into two phases (2024 and 2025 construction years) due to funding constraints.
- B. Base file modifications and file structure revision to create two plan sets.
- C. Geometric revisions to accommodate temporary tie-in between construction phases.
- D. Revised plan set for selected Phase I project limits. Includes effort beyond that in the original scope to revise plan set for reduced project limits. Sheets impacted include –
  - Cover Sheet, Keymap, and Typical Sections
  - Street Plan & Profile, and Cross Sections
  - Storm Sewer Plan & Profile, Drainage Area Map, and Calculations
  - Erosion Control Plan
  - Street Lighting Plan, Circuit Diagram, and Bill of Materials
  - Pavement Marking & Signing Plan, and Summary of Quantities
  - Traffic Control Plan

**1.03. Permitting**

- A. Prepare the necessary plans and permit application to complete work within KDOT right-of-way at the S. Harrison (K-7) intersection.
- B. Coordinate with KDOT staff on acceptable ramp configurations and pedestrian crossing alignments.

## **TASK II. FINAL DESIGN – PHASE 2**

### **2.01. Data Collection**

- A. Field data collection for the project limits to supplement existing survey including any new construction within the right-of-way limits.
- B. Survey of traffic signal at Public Safety and Old 56 Highway.
- C. Processing of data and incorporating updated data collection into the basemap for design purposes.

### **2.02. Utility Relocation and Coordination**

- A. Additional utility coordination due to phasing of improvements.
  - 1. Schedule and attend three (3) utility coordination meetings. These include one (1) joint coordination meeting following the final plan submittal for Phase 2. There will also be up to two (2) one-on-one meetings, scheduled as needed.
  - 2. Correspondence with the Utilities on project related items via phone and email. Assume one (1) hour per week for 12 weeks.
- B. Development of color-coded utility plans to be included in the bid documents. Plans note abandonments, adjustments, and relocations to take place ahead of, during, and following construction.

### **2.03. Prepare Details Plans and Specifications**

- A. Create new sheets and revise existing sheets for Phase 2 plan set. Sheets include –
  - Cover Sheet, Keymap, and Typical Sections
  - Street Plan & Profile, and Cross Sections
  - Storm Sewer Plan & Profile, Drainage Area Map, and Calculations
  - Erosion Control Plan
  - Street Lighting Plan, Circuit Diagram, and Bill of Materials
  - Pavement Marking & Signing Plan, and Summary of Quantities
  - Traffic Control Plan
  - Standard & Special Details
- B. Traffic signal modifications at Old 56 Hwy for Public Safety Drive reconfiguration.

### **2.04. Permitting**

- A. Prepare the necessary plans and applications for permit submission to and approval of NPDES through KDHE.

**2.05.** The Consultant shall provide the schedule of values (bid form), measurement and payment section, and special conditions. The City will prepare the project manual.

**2.06.** Perform final plan quantity takeoffs and develop quantity summary tables.

**2.07.** Perform quality assurance review.

**2.08.** Stormwater Pollution Prevention Plan (SWPPP), including erosion and sediment control plans. SWPPP shall conform to KDHE requirements. Provide 2 copies of SWPPP manual to the City at time of bidding.

**2.09.** Prepare a detailed opinion of probable cost.

- 2.10. Submit final plans and OPCC to City for review.
- 2.11. Address final plan review comments and prepare bid documents.
- 2.12. Submit bid documents to City in reproducible format.
- 2.13. Furnish up to 8 copies of detailed plans and specifications. These shall include half-size plan sets (11" x 17"). These Contract Documents are to be used for the Contractor's execution and City's distribution.
- 2.14. Meet with City as necessary during preparation of detailed plans. One (1) meeting with three (3) people for two (2) hours with meeting minutes prepared and distributed.
- 2.15. Public Information.
  - A. Prepare for and attend two (2) public meetings to explain the project to property owners and key stakeholders, and to receive public comments at a time and place arranged by the City. The meetings will be held prior to construction start. One (1) of the public meetings shall be held virtually.
    - 1. The City will prepare and mail information letters for public meetings.
    - 2. Prepare exhibits appropriate for each meeting. Exhibits will include construction plans and overall project map illustrating the improvements and takings.
    - 3. Have persons available to explain the proposed work and to answer questions. Two (2) people for two (2) hour meetings along with setup time is budgeted.

**TASK III. BIDDING – PHASE 2**

- 3.01. Respond to bidder's requests for information during the bidding process.
- 3.02. Prepare written addenda to the bidding documents as required and or requested.
- 3.03. Arrange for, attend, and prepare meeting minutes for a pre-construction conference with City representatives, the successful bidder, and utility companies.

**TASK IV. CONSTRUCTION SERVICES – PHASE 2**

- 4.01. Be available for discussion and consultation during the construction phase, but construction observation will be the responsibility of the City.
- 4.02. Review shop drawings. (Included in original scope of services.)
- 4.03. Prepare minor plan revisions as necessitated by conditions encountered in the field during construction, except for traffic control plans.
- 4.04. Prepare final record drawings which reflect:
  - A. All change orders.
  - B. Minor design changes.
  - C. Changes made in the field by City representatives and are marked on the construction plan set.
- 4.05. Submit updated CAD drawing files and PDF of the revised sheets.

**4.06.** Attend construction progress meetings as directed by the City. Two (2) meetings with one (1) person for two (2) hours are budgeted.

**Completion time:** Task 1 has been completed for Phase 1 outside of the original scope of services. The Consulting Engineer hereby agrees to complete all the additional work necessary to and including final plans (Task 2) by **November 1, 2024**. All tasks are to be done by **December 31, 2025**

EXHIBIT B - SCOPE OF SERVICES AND PROJECT FEE ESTIMATE (SUPPLEMENTAL)															
City of Olathe															
South Hamilton Circle Improvements (P.N. 3-R-001-24)															
Item of Work	Job Titles											TOT LABOR COSTS	REIMB. EXPENSES	SUB CONS EXPENSES	TOTAL MHS
	PROJECT MANAGER II	PROJECT MANAGER I	ENGINEER I	INTERN ENG II	DESIGN TECH II	UTILITY COORD	CADD TECH I	LAND SURVEY II	SURVEY CREW II	SURVEY CREW I	ADMIN SUPPORT I				
	\$250	\$230	\$170	\$145	\$200	\$130	\$110	\$165	\$130	\$110	\$100				
TASK 1. Final Design - Phase 1															
1.01. Utility Relocation Plans															
A. Developed color-coded utility plans to be included in bid documents.	2	4		16		6	8					5,400			36
1.02. Adjust Project Limits for Two Bid Packages															
A. Complete cost estimates and exhibits for phased options.	2	4		16	4							4,540			26
B. Base file modifications and file structure revisions.	2	2		8	8							3,720			20
C. Geometric revisions for phase break.		2		8	4							2,420			14
D. Revised plan set for Phase 1.												0			0
1.03. Permitting															
A. Prepare plans and application to complete work within KDOT right-of-way.		6		4							1	2,060			11
B. Coordinate with KDOT staff on ramp configurations and pedestrian crossings.	2	4		4	4							2,800			14
SUBTOTAL FINAL DESIGN - PHASE 1	8	22	0	56	20	6	8	0	0	0	1	\$20,940	\$0	\$0	121
TASK 2. Final Design - Phase 2															
2.01. Data Collection		2					8	4	8	8		3,920	150		30
A. Supplement field data collection.															
B. Survey of traffic signal at Old 56 Hwy.															
C. Process data and update basemap.															
2.02. Utility Relocation and Coordination															
A. Additional utility coordination due to phasing of improvements.															
1. Schedule and attend three (1) utility coordination meetings.		1		2		3						910	50		6
2. Correspondence with the Utilities on project related items via phone and email. Assumes one (1) hour per week for 12 weeks.		2		2		8						1,790			12
B. Development of color-coded utility plans to be included in bid documents.		4		12		8	8					4,580			32
2.03. Prepare Detailed Plans and Specifications															
A. Create new sheets and revise existing sheets for Phase 2 plan set.	4	8	8	24	8		16					11,040			68
B. Traffic signal modifications for Public Safety reconfiguration.		8	16	16			24					9,520	50		64
2.04. Permitting															
A. Prepare the necessary plans and applications for permit submission to and approval of NPDES through KDHE.		2		4			2				2	1,460	60		10
2.05. Provide schedule of values (bid form), measurement and payment section and special conditions.		4	8		4						2	3,280			18
2.06. Perform final quantity takeoffs and develop summary tables.		2	4	6	6							3,210			18
2.07. Perform quality assurance review.	4	4		8			8					3,960			24
2.08. Stormwater Pollution Prevention Plan (SWPPP).		2		4			2					1,260			8
2.09. Prepare a detailed opinion of probable cost.		2		6								1,330			8
2.10. Submit final plans and OPCC to City for review.				2	2							690			4
2.11. Address final plan review comments and prepare bid documents.	2	4	2	16	8		16					7,440			48
2.12. Submit bid documents to City in reproducible format.				1	2							545			3
2.13. Furnish up to 4 copies of detailed plans and specifications. These shall include half-size plan sets (11" x 17"). These Contract Documents are to be used for the Contractor's execution and City's distribution.				4	2		2					1,200	250		8
2.14. Meet with City as necessary during preparation of detailed plans. One (1) meeting with three (3) people for two (2) hours with meeting minutes prepared and distributed.	2	4		4								2,000	50		10
2.15. Public Information															
A. Prepare for and attend two (2) public meetings to explain the project to residents of the project area, and to receive public comments at a time and place arranged for by the City.															
1. The City will prepare and mail information letters for public meetings.															
2. Prepare all necessary exhibits, documents and plans.		4		6			8				2	2,870	100		20
3. Have persons available to explain the proposed work and to answer questions. Two (1) people for two (2) hour meetings along with setup time is budgeted.	2			6								1,370	50		8
SUBTOTAL FINAL DESIGN- PHASE 2	14	53	38	123	32	19	94	4	8	8	6	\$62,375	\$760	\$0	399

EXHIBIT B - SCOPE OF SERVICES AND PROJECT FEE ESTIMATE (SUPPLEMENTAL)															
City of Olathe															
South Hamilton Circle Improvements (P.N. 3-R-001-24)															
Item of Work	Job Titles											TOT LABOR COSTS	REIMB. EXPENSES	SUB CONS EXPENSES	TOTAL MHS
	PROJECT MANAGER II	PROJECT MANAGER I	ENGINEER I	INTERN ENG II	DESIGN TECH II	UTILITY COORD	CADD TECH I	LAND SURVEY II	SURVEY CREW II	SURVEY CREW I	ADMIN SUPPORT I				
	\$250	\$230	\$170	\$145	\$200	\$130	\$110	\$165	\$130	\$110	\$100				
TASK 3. Bidding - Phase 2															
3.01. Respond to bidder's requests for information during the bidding process.	4	4	2		2							2,660			12
3.02. Prepare written addenda to the bidding documents as required and or requested. (Included in original scope of service.)												0			0
3.03. Arrange for, attend, and prepare meeting minutes for a pre-construction conference with City representatives, the successful bidder, and utility companies.		4		6		4						2,310	50		14
SUBTOTAL BIDDING - PHASE 2	4	8	2	6	2	4	0	0	0	0	0	\$4,970	\$50	\$0	26
TASK 4. Construction Services - Phase 2															
4.01. Be available for discussion and consultation during the construction phase, but construction observation will be the responsibility of the City.	4	4	4	4	4	2						4,240			22
4.02. Review shop drawings. (Included in original scope of service.)															
4.03. Prepare minor plan revisions as necessitated by conditions encountered in the field during construction, with the exception of traffic control plans. (Included in original scope of service.)												0			0
4.04. Prepare one set of final record drawings which reflect: a) All change orders, b) Minor design changes, c) Changes made in the field by City representatives and which are clearly marked on the construction plan set.		2	2	8	4		8					3,640			24
4.05. Submit updated CAD drawing files and PDF of the revised sheets. (Included in original scope of service.)												0			0
4.06. Attend construction progress meetings as directed by the City. Two (2) meetings with one (1) person for two (2) hours are budgeted.		2			2							860	50		4
SUBTOTAL CONSTRUCTION SERVICES - PHASE 2	4	8	6	12	10	2	8	0	0	0	0	\$8,740	\$50	\$0	50
TOTAL	30	91	46	197	64	31	110	4	8	8	7	\$97,025	\$860	\$0	596
GRAND TOTAL															
\$97,885															