

**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 HNTB Corporation ("Consultant") (collectively, the "Parties").

WHEREAS, the City and Consultant have previously entered into an Agreement, dated June 21, 2023 ("the Agreement"), to furnish Professional Services for the combined Ridgeview Road Arterial Mill and Overlay Project (165th Street to 159th Street, Project No. 3-P-002-24), Sheridan Street Arterial Mill & Overlay Project (Dennis Avenue to Mur-Len Road, Project No. 3-P-003-24), and Santa Fe Street Arterial Mill & Overlay Project (I-35 Highway to Mur-Len Road, Project No. 3-P-004-24) ("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 additional Professional Services in the way of **Final Design and Construction Phase Services** (HNTB Project Number 83361-DS-001) 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 \$68,375, which raises the total fee for all services provided under the Agreement from \$352,015 to \$420,390.

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: \_\_\_\_\_  
Mayor

ATTEST:

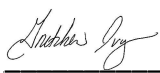
\_\_\_\_\_  
City Clerk

(SEAL)

APPROVED AS TO FORM:

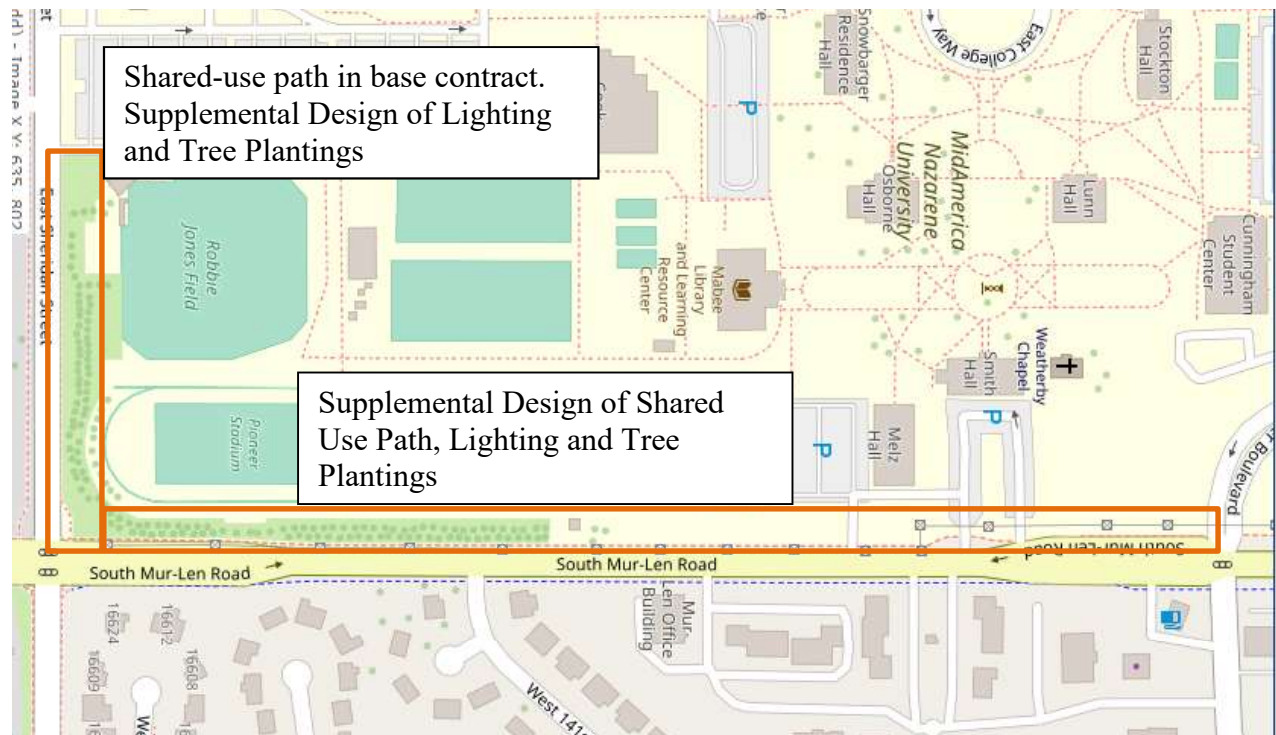
\_\_\_\_\_  
City Attorney or Deputy/Assistant City Attorney

**HNTB Corporation**

By: \_\_\_\_\_  
Gretchen Ivy  
Senior Vice President

**2024 Street Preservation Projects Arterial Mill & Overlay (3-P-002-24 & 3-P-003-24 & 3-P-004-24)  
Supplemental Agreement No. 1 for Final Design Services**

This scope of services outlined below and detailed in the Fee Estimate (attached) is based upon the additional Final Design services requested by the City of Olathe as it relates to the 2024 Street Preservation Mill & Overlay Project. The services are necessary to construct a shared use path along Mur-Len Road and add additional lighting and plantings along the Mid-America Nazarene University (MNU) not included in the original scope of services.



The specific services requested for the Sheridan Street (Dennis Avenue to Mur-Len Road) project are described as follows:

- Provide preliminary cost estimate for shared use path, lighting, and landscaping improvements along MNU for Sheridan Street (fronting MNU) and Mur-Len Road (from Sheridan to Pioneer Way). Preliminary cost estimate will be conceptual and utilized to refine the limits of shared use path to be installed which was later determined to be Pioneer Way.
- Obtain survey at entrances necessary for shared use path design (see subconsultant KVE scope)
- Prepare final design and details for shared use path along Mur-Len Road (Sheridan Street to Pioneer Way) including details and profiles for entrance reconstruction, retaining wall modification / reconstruction.
- Prepare final design and details for pedestrian lighting along Sheridan Street (fronting MNU) and Mur-Len Road (Sheridan Street to Pioneer Way). Lighting will supplement existing City / Evergy lighting to provide illumination of the shared use path and will not be designed to vehicular standards. Lighting fixtures and poles will not be City standards but will be as specified by MNU. A new lighting controller

## Description of Project & Map

## Exhibit A

will be included as it is assumed the City will own and maintain the lights.

- Include landscaping (trees) in the plans fronting MNU. Tree species and general layout will be as provided by MNU. HNTB will confirm utility conflicts with tree placement, add trees installation to plans and specifications, and incorporate bid items into the construction cost estimate. Landscaping design of tree and planting layout is not included.
- Create new and Revise right-of-way documents (obtain O&E documents, prepare color tract maps, legal descriptions, and front-end documents) fronting MNU. Assumes 3 total easement documents (2 separate Sidewalk and Utility Easements from Sheridan to Pioneer Way and one Street and Utility Easement).
- Additional Utility Coordination for Shared Use Path along Mur-Len Road

### Schedule:

- Draft plans for improvements fronting MNU will be provided by January 12, 2023 or at least three weeks following notice-to-proceed.
- Final Bid Plans (overall original set including additional work fronting MNU) to be provided by January 26, 2024, or at least two weeks from final comments from City and MNU.
- Right-of-way documents to be provided by January 19, 2024

### Assumptions:

- Retaining wall detail will be City standard for Sidewalk with Abutting Retaining Wall. Assumed retaining wall height does not exceed 2'.
- Any relocation of City fiber will be in advance of project and HNTB is not responsible for design.
- MNU improvements to be included in overall Sheridan / Santa Fe bid plan set and not a separate bid plan set.

**EXHIBIT A - Scope of Services - 3-P-002-24,3-P-003-24,3-P-004-24 - Supplemental Agreement No. 1**

2024 Street Preservation Program Projects 12/13/2023		Project Manager	Senior Technical Advisor	Project Engineer	Engineer	Technician	Total	Total Costs
Item of Work		\$200	\$230	\$155	\$115	\$130		
3-P-003-24 - Sheridan Street (Dennis Avenue to Mur-len)								
2.3	Final Design							
2.3.17	Provide preliminary cost estimate for shared use path, lighting, and landscaping improvements along MNU for Sheridan Street (fronting MNU) and Mur-Len Road (from Sheridan to Pioneer Way). Preliminary cost estimate will be conceptual and utilized to refine the limits of shared use path to be installed, which was later determined to be Pioneer Way.	2		4	8		14	\$ 1,940
2.3.18	Preliminary design for horizontal and vertical impacts for 8' shared use path design west side of Mur-Len Road from Sheridan Street to Pioneer Way. Assumes no earthwork or cross sections, with vertical information conveyed on typical sections and with plan notes in isolated areas as needed. Develop construction limits for shared use path using roadway modeler in areas of anticipated easements or grading impacts.	4		4	16	2	26	\$ 3,520
2.3.19	Develop horizontal and vertical geometry for entrances impacted by shared use path and create driveway profile sheets and intersection detail sheets. (Assumes 4 driveways/entrances)	4		8	32	16	60	\$ 7,800
2.3.20	Retaining Wall Design and Profiles (Assumes modifications for up to 2 walls, City standard sidewalk with abutting retaining wall)	2		4	16	12	34	\$ 4,420
2.3.21	Incorporate trees from MNU improvement plans (show location and species, with review for utility conflicts)	1		1	4	4	10	\$ 1,335
2.3.22	Create Plan Sheets for Mur-Len Road (Sheridan Street to Pioneer Way)	2		6	12	16	36	\$ 4,790
2.3.23	Pedestrian Lighting Design and Details for shared use path fronting MNU (Sheridan Street and Mur-Len Road, 3000 LF)	4	32			8	44	\$ 9,200
2.3.24	Mur-Len and Pioneer Way Signal Modifications (Relocate Pedestrian Pole / Controller)	2	12			6	20	\$ 3,940
2.3.25	Revise and create additional project detailed cost estimate and breakout tables to include improvements fronting MNU	2		4	12	8	26	\$ 3,440
2.3.26	Revise project specifications to include additional bid items	2		2	2		6	\$ 940
2.3.27	Additional Utility Coordination for conflicts along Mur-Len Road (assumes 5 owners) - Includes additional conflict analysis and 5 meetings (Assumes only minor relocations)	5		24			29	\$ 4,720
2.3.28	Milestone Plan Review and Submit Draft of Improvements fronting MNU for review by City and MNU	4		2			6	\$ 1,110
2.3.29	Address Comments, Changes from right-of-way / utility coordination on improvements fronting MNU and incorporate into bid documents.	4		6	12	8	30	\$ 4,150
Final Design		38	44	65	114	80	341	\$ 51,305
2.4	Construction Engineering Assistance							
2.4.6	Review Shopping Drawings for non-standard lighting	2	4				6	\$ 1,320
Construction Engineering Assistance		2	4				6	\$ 1,320
3-P-003-24 - Sheridan Street (Dennis Avenue to Mur-len)		40	48	65	114	80	347	\$ 52,625
3-P-002-22 Fee Summary								
Labor:		<div> <div>Project Manager @ \$200/hour</div> <div>8,000</div> </div> <div> <div>Senior Technical Advisor @ \$230/hour</div> <div>11,040</div> </div> <div> <div>Project Engineer @ \$155/hour</div> <div>10,075</div> </div> <div> <div>Engineer @ \$115/hour</div> <div>13,110</div> </div> <div> <div>Technician @ \$130/hour</div> <div>10,400</div> </div> <div> <div>Construction Plans Labor Costs:</div> <div>\$ 52,625</div> </div>						
Expenses:		<div> <div>Additional Printing and Plotting</div> <div></div> </div> <div> <div>Obtain additional Survey and Prepare Legal Descriptions (KVE)</div> <div>15,750</div> </div> <div> <div>Total Expense =</div> <div>\$ 15,750</div> </div>						
3-P-003-24 Supplement No. 1 Total=		\$ 68,375						
Original 3-P-003-24 Upper Total (6/15/2021)=		\$ 160,365						
Supplement No. 1 Total=		\$ 68,375						
Revised 3-P-003-24 Total =		\$ 228,740						
Original Contract Upper Limit (6/15/2021)=		\$ 352,015						
Supplement No. 1 Total=		\$ 68,375						
Revised Contract Total =		\$ 420,390						



**KAW VALLEY ENGINEERING, INC.**

Office: 913.894.5150

Fax: 913.894.5977

Web: www.kveng.com

Address: 14700 West 114<sup>th</sup> Terrace  
Lenexa, KS 66215

November 16, 2023

**C23S1731-R**

Mr. Zach Jarchow  
HNTB Corporation  
6300 Sprint Parkway, Suite 300  
Overland Park, Kansas 66211

RE: **REQUEST FOR CHANGE FOR ADDITIONAL SERVICES**  
**2024 ARTERIAL MILL & OVERLAY PROJECTS / HNTB PROJECT NO. 83361**  
- **RIDGEVIEW RD (167TH TO 159TH) – 3-P-002-24**  
- **SHERIDAN ST (DENNIS AVE TO MUR-LEN RD) - 3-P-003-24**

Dear Mr. Jarchow:

Kaw Valley Engineering, Inc. (KVE) is pleased to provide this proposal for additional survey services associated with the City of Olathe, Kansas, Lindenwood project, HNTB Project Number 83361. Reference is made to the Subconsultant Agreement dated June 21, 2023 between HNTB and KVE (the "Agreement"). This Request for Change is being written pursuant to §6.2 of the Agreement.

#### **ADDITIONAL SCOPE OF SERVICES**

The following scope of services shall be governed by the previously submitted Subconsultant Quality Plan Cover Sheet:

1. Existing project control shall be extended as deemed necessary by KVE Professional Surveyor to encompass the additional survey areas. Any such control shall be an addendum to the control point table referred to in TASK 2 (vii).
2. Additional topographic survey area is **outlined in red on attached Exhibit D**. Survey shall conform to the requirements of TASK 3 of the Agreement.
3. Additional surface location of utilities as **outlined in brown on attached Exhibit D**. The surface locations shall conform to the requirements of TASK 3 (iv) (a), (b), (c) and (d).
4. Where sanitary and/or storm structures are encountered in the areas **outlined in brown on attached Exhibit D**, only the surface location and elevation shall be reported.
5. Three (3) easements/takings (one revision and two additional) will be created by KVE. This effort shall conform to the requirements of TASK 6 of the Agreement.

## COMPENSATION

The following is a breakdown of the fees associated with the services by Task:

### TASK 3.1

<u>Description</u>	<u>Hours</u>	<u>Unit Price</u>	<u>Extension</u>
Principal	1	\$225.00	\$225.00
Professional Land Surveyor	2	\$135.00	\$270.00
Survey Supervisor	2	\$140.00	\$280.00
Survey Crew	8	\$175.00	\$1,400.00
CADD Supervisor	1	\$120.00	\$120.00
CADD Technician	8	\$110.00	\$880.00
		<b>Subtotal</b>	<b>\$3,175.00</b>

### TASK 3.2

<u>Description</u>	<u>Hours</u>	<u>Unit Price</u>	<u>Extension</u>
Principal	1	\$225.00	\$225.00
Professional Land Surveyor	2	\$135.00	\$270.00
Survey Supervisor	2	\$140.00	\$280.00
Survey Crew	16	\$175.00	\$2,800.00
CADD Supervisor	2	\$120.00	\$240.00
CADD Technician	16	\$110.00	\$1,760.00
		<b>Subtotal</b>	<b>\$5,575.00</b>

### TASK 3.3

<u>Description</u>	<u>Hours</u>	<u>Unit Price</u>	<u>Extension</u>
Principal	1	\$225.00	\$225.00
Professional Land Surveyor	2	\$135.00	\$270.00
Survey Supervisor	2	\$140.00	\$280.00
Survey Crew	16	\$175.00	\$2,800.00
CADD Supervisor	2	\$120.00	\$240.00
CADD Technician	16	\$110.00	\$1,760.00
		<b>Subtotal</b>	<b>\$5,575.00</b>

### TASK 6.1

<u>Description</u>	<u>Hours</u>	<u>Unit Price</u>	<u>Extension</u>
Principal	0	\$225.00	\$0.00
Professional Land Surveyor	3	\$135.00	\$405.00
Survey Supervisor	0	\$140.00	\$0.00
Survey Crew	0	\$175.00	\$0.00
CADD Supervisor	3	\$120.00	\$360.00
CADD Technician	6	\$110.00	\$660.00
		<b>Subtotal</b>	<b>\$1,425.00</b>
		<b>Total</b>	<b>\$15,750.00</b>

This increase shall change the contract amount as follows:

Services	Authorized Fee	Total Contracted Fee
Master Agreement	\$58,480	\$58,480
Proposed Supplemental 1	\$15,750	\$15,750
Total Not to Exceed Amount		\$74,230

We will proceed upon receipt of an executed copy of this proposal and complete the topographic survey within twenty-one (21) working days of the same, provided however this schedule shall be equitably adjusted for delays or other causes beyond KVE's reasonable control.

If you have any questions concerning this proposal, please do not hesitate to contact me at (913) 894-5150.

Respectfully submitted,  
**Kaw Valley Engineering, Inc.**



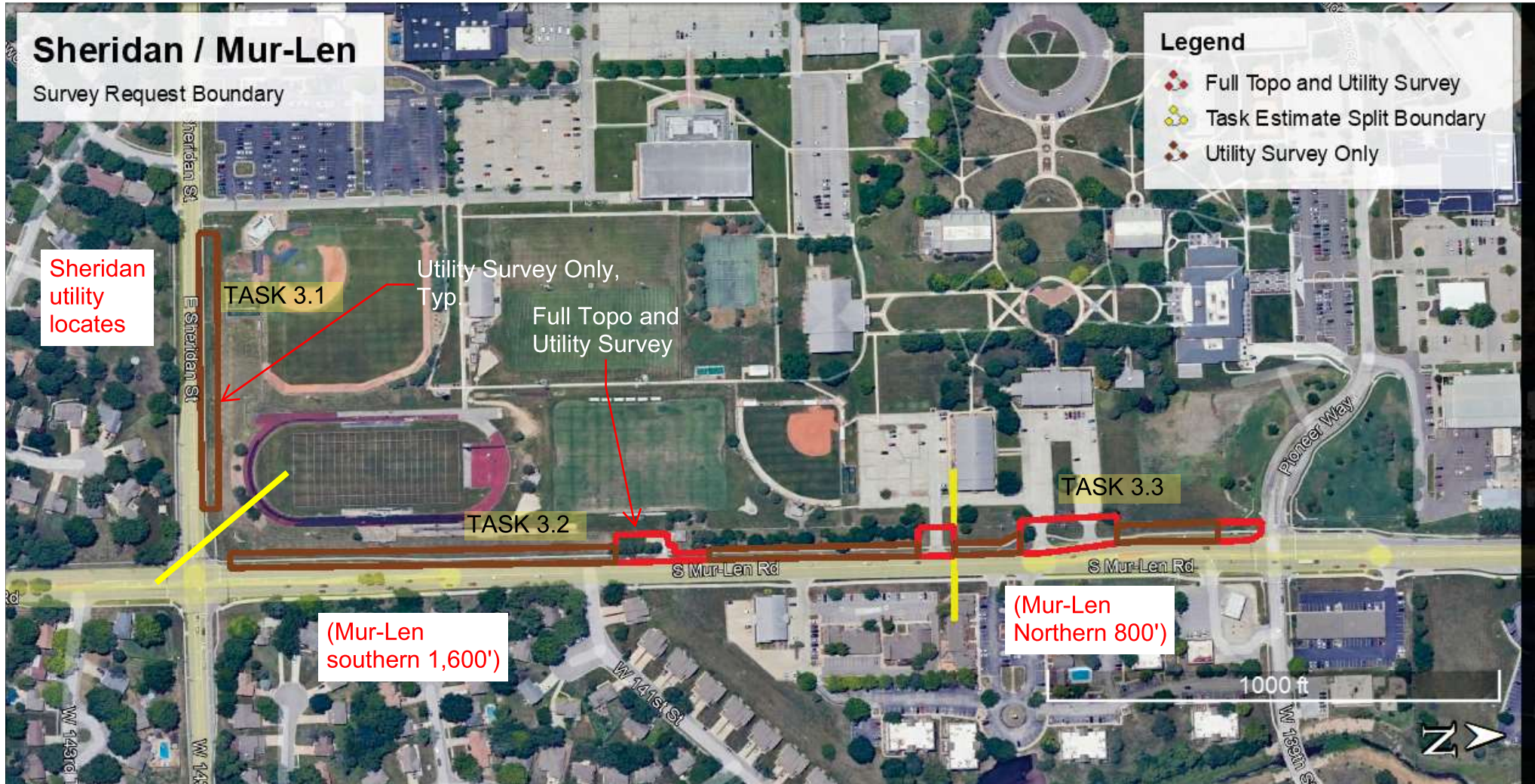
Kenneth Dedrick, PLS  
Manager of Survey Services

Attachment: Exhibit D

\\VMLX-FILE\Projects\C23\_1731\_Proposal\2023-11-16 Rev SUR Proposal 2024 Arterial Mill & Overlay - Change Request #1.docx



# EXHIBIT D



Work is part of 3-P-003-24 (Sheridan Street, Dennis Ave to Mur-Len Road)