

**SUPPLEMENTAL AGREEMENT NO. 3
FOR PROFESSIONAL SERVICES
City of Olathe, Kansas**

This Supplemental Agreement made this _____ day of _____, 201____, by and between the City of Olathe, hereinafter referred to as the "City", and HDR Engineering Inc., hereinafter referred to as the "Consultant".

WITNESSETH:

WHEREAS, the City and Consultant have previously entered into an Agreement, dated November 7, 2017 ("the Agreement"), FOR Professional Services Agreement for the Lone Elm Road, Old 56 Highway to 151st Street Improvements Project; **3-C-084-17** hereinafter referred to as the "Project"; and

WHEREAS, PARAGRAPH/SECTION B – Services Beyond the Scope of Services of the Agreement provides that Consultant will provide, with City's concurrence, services in addition to those listed in the Professional Services Agreement, when such services are requested or authorized in writing by the City.

WHEREAS, this Supplemental Agreement No. 3 between the parties heretofore is to provide Additional Professional Services for the design and construction plans for sidewalk on the south side of Old 56 Highway, from Robinson Street to Lone Elm Road, and from Lone Elm Road to Weaver Street for the Project as outlined in **Exhibit A** of this Supplemental Agreement No. 3, attached hereto and incorporated herein by reference; and

WHEREAS, the City is desirous of entering into Supplemental Agreement No. 3 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 professional services under the Agreement, and necessary funds for the payment of said services related to the Project are available and authorized under the Agreement.

NOW THEREFORE, the parties hereby agree as follows:

- A. The SERVICES in EXHIBIT B of the Agreement is hereby amended as follows:
See Exhibit A.

- B. The total fee for the aforementioned additional professional services provided pursuant to this Supplemental Agreement No. 3 is \$86,561, which raises the total fee for all services provided under the Agreement from One million, one hundred and fifty one thousand, three hundred and fifty-five dollars (\$1,151,355.00) to One million, two hundred and thirty seven thousand, nine hundred and sixteen dollars (\$1,237,916.00).

IN ALL OTHER RESPECTS, the terms and conditions of the Agreement will remain in full force and effect, except as specifically modified by this Supplemental Agreement No. 3, including all policies of insurance which will cover the work authorized by this Supplemental Agreement No. 3.

IN WITNESS WHEREOF, the parties hereto have caused this Supplemental Agreement No. 3 to be executed as of the day and year first above written.

CITY OF OLATHE, KANSAS

By: _____
Michael Copeland, Mayor

ATTEST:

City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney/Deputy City Attorney/
Assistant City Attorney

HDR Engineering, Inc.

By:


Joseph E. Drimmel, Vice President
4435 Main Street, Suite 1000
Kansas City, MO 64111-1856

EXHIBIT A

Description of Services for Supplemental Agreement No. 3

This scope of services includes additional services to the original Design Consultant contract Project No. 3-C-084-17 "Lone Elm Road, Old 56 Highway to 151st Street Improvements" executed on November 7th, 2017. The additional services include the layout and design of pedestrian sidewalk on the south side of Old 56 Highway, between South Robinson Drive and South Weaver Street. The proposed sidewalk will be located as close to the existing southern right-of-way line on Old 56 Highway. The additional services also include structural/bridge design tasks requested at the Field Check submittal stage and include load rating for the existing bridge, and design of decorative columns as aesthetic features at each of the bridge corners. The additional services are outlined below.

The additional services include:

1. **Addition of sidewalk along Old 56 Highway** – Perform additional field topography survey, determination of property boundaries, and design plans for approximately 2700-ft of sidewalk between Robinson Drive and Lone Elm Road, and approximately 1400-ft of sidewalk between Lone Elm Road and Weaver Street. The survey basemapping and property boundary information from the original project design will need to be supplemented to support the additional sidewalk locations (see Location Map 1).

The sidewalk to be added east of Lone Elm and ending at Weaver Street will be located near edge of, but inside, the existing right-of-way limits. No additional temporary or permanent right-of-way will be required for this section of additional sidewalk.

The sidewalk to be added west of Lone Elm and ending at Robinson will require a brief evaluation for determination of the most feasible location. The two options that HDR will evaluate will be to locate the sidewalk either on the north side or south side of the outer road known as Ott Street. For either option, it is anticipated that each of the 10 parcels of land adjacent to Ott Street (see exhibits) will at least require a temporary construction easement. Each scenario will assume the following:

- *A 5-ft sidewalk (6-ft if located directly adjacent to roadway curb) will be required*
- *New roadside curb will be provided to support the sidewalk*
- *The open ditch between Old 56 Highway and Ott Street will not be disturbed or encroached upon in a manner that reduces capacity.*
- *2-12' lanes will be provided on Ott Street.*

East of the termination of Ott Street and the frontage road, the sidewalk will be located just inside existing right-of-way (not requiring additional temporary easements) and eventually connect to the Lone Elm 8-ft sidewalk on the west side of Lone Elm.

1. **Additional bridge design and structural engineering services** – These services include, as requested by KDOT, load rating for the existing Lone Elm Road Bridge. Also included is the design and construction details for structural aesthetic measures that include four decorative concrete columns at each of the corners of the widened bridge. The original scope assumed "Bridge Load Rating is not included". HDR assumed the KDOT would load rate the bridge. HDR will load rate the bridge using AASHTOWare Software BrR (KDOT Standard). The widened bridge with overhang brackets will be included in the rating. The rating vehicles will be per KDOT requirements for this City Bridge. HDR will provide the City and KDOT rating files in AASHTOWare and a rating summary sealed by a Kansas PE.

The original scope only identified a Decorative Fence Detail sheet. No decorative posts were included in original fee and contract. Decorative concrete posts will be placed at each corner of bridge at outside of sidewalk to transition from the 10' tall fence to the 4'-6" tall fence from the ends of bridge. The concrete posts will follow a format aesthetic style as College Blvd over BNSF and Lone Elm over I-35. Posts will be mounted either to top of abutment beam over existing piling or built on separate stand-alone footings directly behind the abutments. HDR will present the City with a sketch showing two options for the posts, with fence height transition details for review and approval by the City. Final bridge plans will detail the concrete posts.

EXHIBIT B

Scope of Services – For Supplemental Agreement No. 3

This scope of services is intended to prepare preliminary design plans, final construction plans, and construction phase support for the additional design services described in Exhibit A and as described in more detail herein.

Plans shall be formatted according to the City of Olathe Project Procedures Manual. Plans shall be in ENGLISH units.

General Design Requirements

The consultant shall design the Project in conformity with the state and federal design criteria appropriate for the Project in accordance with the versions (effective as of October 24, 2017) of the following: the City's Project Procedures Manual; KDOT Design Manual, KDOT Bureau of Design's road memorandums; Manual on Uniform Traffic Control Devices (MUTCD) as adopted by the Kansas Secretary of Transportation; and the Standard Specifications for State Road and Bridge Construction with Special Provisions. City specific requirements shall govern over other publications if conflicts exist.

Task 1. Preliminary Design Phase

1.01. General / Project Management

A. General project and contract management

1.02. Surveying

A. Survey:

1. Control and Boundary Surveys
2. Field surveys
 - a) Topographic survey of existing surface features within the project limits (~need additional 325-ft for east sidewalk location, and 1500-ft for west sidewalk location)(approximately 50-60-ft in width for the additional length)
 - b) Download and process design surveys
 - c) Add to and update existing surface from surveys
 - d) Land corner records
3. Contact utilities and obtain record facility maps.
4. Coordinate marking of underground utilities (One-Call)

B. Additional Base Information:

1. Obtain Plat information
2. Obtain, Review and Incorporate Ownership Information (Includes up to 10 additional O&E's)
3. Draw existing road right-of-way, property lines and easements

C. Update the Lone Elm project CAD basemapping

1.03 Preliminary Sidewalk Design

A. Layout preliminary sidewalk horizontal alignment including street and driveway crossings and gaps due to existing parking patterns. Assume consideration and concept layout of south vs. north side of Ott Street may be needed.

- B. Update and Develop sidewalk "model" (and Templates) and construction grading limits. (assume east sidewalk, 1-ft inside right of way line, and following along existing ground)(assume west sidewalk, tied to Ott Street north or south roadside edge by curb)
- C. Locate integral sidewalk retaining walls needed (assume none)
- D. Sidewalk and ADA Curb Ramp Layout (3 street crossings for west sidewalk on Ott Street)
- E. Develop Entrance Horizontal and Vertical Alignments where sidewalk will connect through on Ott Street (assume 5-6 driveways)
 - 1. Make adjustments to profiles during preliminary design to accommodate miscellaneous changes as needed
- F. Storm Sewer Design (For Ott Street sidewalk, and sidewalk matching existing ground to Weaver Street east)
 - 1. Storm structure and pipe layout (assume 2 to 3 pipe crossings and 1 to 2 curb inlets will be needed to accommodate the sidewalk)
 - 2. Storm pipe sizing and hydraulic grade calcs
 - 3. Roadside ditch design and outlet protection
- G. Determine required right-of way, permanent utility easements, and temporary construction easements (ROW only assumed on the Ott Street section. Assume east sidewalk is within existing ROW all the way to Weaver)

1.04 Prepare Field Check Plans

- A. Survey reference sheet (Update)
- B. Typical Sections
- C. Sidewalk Plan Sheets (assume 20 scale, assume 3 additional sheets on Ott Street, and 2 new sheets east to Weaver)
 - 1. General Information
 - 2. Property Lines and Owner Information
 - 3. Incorporate storm sewer, ditches, pipes for drainage and notes
 - 4. Incorporate boring and core information into plans
 - 5. Removals or DNDs
 - 6. Incorporate Existing and Proposed ROW information
- D. Roadway curb and sidewalk profile sheets
- E. Side Road and Entrance profiles
- F. Construction Special Detail Sheets
- G. Storm Sewer/drainage pipe profiles
- H. Preliminary Traffic control plans
- I. Cross sections at 25'
- J. Develop preliminary quantities and unit costs (for additional sidewalk)

1.05. Meet with City (1 additional meeting)

1.06. Field Check site review (field review sidewalk with City)

1.07. Address Field Check review comments and additions

1.08. Right-of-way and easements

A. Right-of-way and easement descriptions (assume all properties on Ott Street may require a temporary easement, either from the sidewalk being on the south side of Ott Street, or by the roadway being widened on the south to accommodate the sidewalk addition to the north side of Ott Street).

1. Verify and update O&E reports
2. Legal descriptions (up to 10 tracts)
3. Tract Maps (up to 10 tracts)
4. Revise legals and tract maps per comments or due to project or ownership changes

B. Stake proposed right-of-way and easements for all 10 tracts

Task 2. Final Design Phase

2.01. Prepare final plans and specifications for Old 56 Highway sidewalk

A. Update the existing project layout sheets

B. Typical Sections

C. Roadway Plan Sheets

1. Update General Information
2. Update R/W, Property Lines, Owner Information, Tract Numbers, and Subdivision Titles
3. Update Removals or DNDs
4. Update Existing and Proposed ROW information
5. Add Construction Notes
6. Update Storm Sewer and sidewalk drainage notes

D. Roadway Profile Sheets

E. Storm Sewer profiles

F. Side street, and Entrance profiles

G. Cross sections at 25' (Including updates, annotation, special callouts)

H. Erosion and Sediment control plans and details

I. Standard and special construction details

J. Summary of quantities and recapulation of quantities

2.02. Submit Office Check plans for review

A. Plan modifications based on review comments

2.03. Meet with City (up to 2 additional meetings)

2.04 Bridge Design - Additional Services

A. Per request by KDOT at Field Check Meeting - Prepare load rating for the existing Lone Elm Road bridge over the BNSF

B. Additional bridge aesthetics - Decorative concrete posts at bridge corners. Prepare sketch with 2 options for posts, fence, and transitions.

C. Additional bridge aesthetics - Decorative concrete posts at bridge corners. Prepare final plans and details.

Schedule for Services in Supplemental No. 3:

The Consulting Engineer hereby agrees to maintain the schedule for delivery of Final Bid Plans as agreed to in the original contract dated November 7th, 2017.

1. Any right-of-way documents that are required for the Ott Street sidewalk will be completed at the following schedule:
 - 4 weeks from notice to proceed: Survey, title reports, and property boundaries determined
 - 6 weeks from notice to proceed: concept of Ott Street sidewalk submitted to City
 - 8 weeks from notice to proceed: concept of Ott Street selected by City
 - 10 weeks from notice to proceed: Preliminary plans for Ott Street submitted to City
 - 12 weeks from notice to proceed: Preliminary plans for Ott Street approved by City
 - 15 weeks from notice to proceed: ROW documents for Ott Street submitted to the City

Assuming a notice to proceed date of 3/4/2019 for supplemental agreement no. 3, the right-of-way documents for Ott Street will be delivered by June 17, 2019.

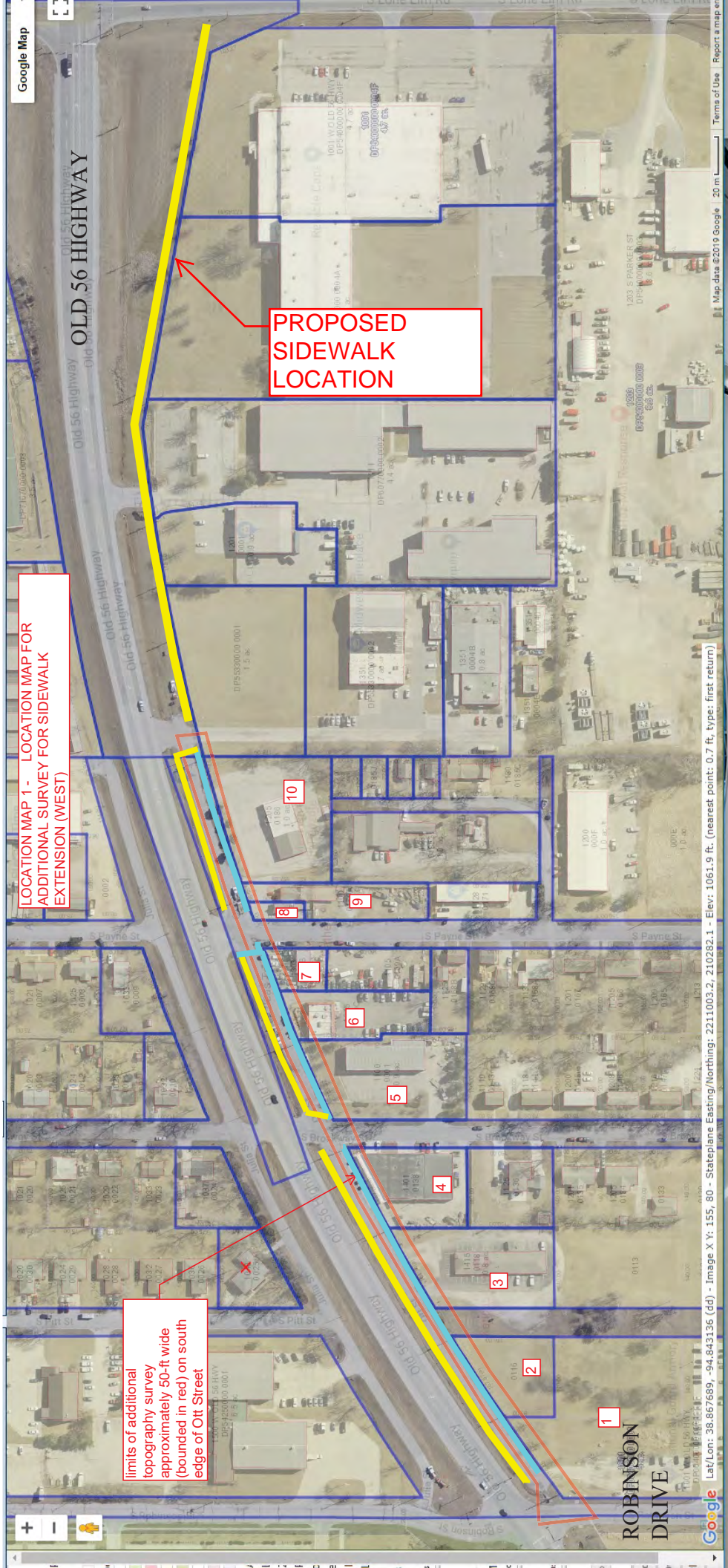
The preliminary sidewalk plans will be submitted as part of the "Lone Elm Road" project Office Check plans, which are scheduled for submittal to the City in May 2019. Final bid sidewalk plans will be submitted at the same date of the final bid plans for the overall Lone Elm Road project.

Item of Work	Sr. Project Manager	Senior Engineer	Project Engineer	Engineer / Landscape Arch.	CADD / Survey Technician II	Surveyor	CADD / Survey Technician I / Admin.	Total
Task 1. Preliminary Design Phase								
1.01. General / Project Management								
A. General project and contract management	2			2			2	6
1.02. Surveying								0
A. Survey:								0
1. Control and Boundary Surveys					8	2	8	18
2. Field surveys								
a. Topographic survey of existing surface features within the project limits (~need additional 325-ft for east sidewalk location, and 1500-ft for west sidewalk location)(approximately 50-60-ft in width for the additional length)					25		25	50
b. Download and process design surveys					2	2		4
c. Add to and update existing surface from surveys					1	1		2
d. Land corner records					1	1		2
3. Contact utilities and obtain record facility maps.				1	1	1		3
4. Coordinate marking of underground utilities (One-Call)						2	2	4
B. Additional Base Information:								
1. Obtain Plat information						1		1
2. Obtain, Review and Incorporate Ownership Information (Includes up to 10 additional O&E's)					10	2		12
3. Draw existing road right-of-way, property lines and easements					2	8		10
C. Update the Lone Elm project CAD basemapping					4	2		6
1.03 Preliminary Sidewalk Design								
A. Layout preliminary sidewalk horizontal alignment including street and driveway crossings and gaps due to existing parking patterns. Assume consideration and concept layout of south vs. north side of Ott Street may be needed.	2			20				22
B. Update and Develop sidewalk "model" (and Templates) and construction grading limits. (assume east sidewalk, 1-ft inside right of way line, and following along existing ground)(assume west sidewalk, tied to Ott Street north or south roadside edge by curb)	1		2	12	6			21
C. Locate integral sidewalk retaining walls needed (assume none)								0
D. Sidewalk and ADA Curb Ramp Layout (3 street crossings for west sidewalk on Ott Street)				4	2			6
E. Develop Entrance Horizontal and Vertical Alignments where sidewalk will connect through on Ott Street (assume 5-6 driveways)	1		1	8	2			12
1. Make adjustments to profiles during preliminary design to accommodate miscellaneous changes as needed				2	2			4
F. Storm Sewer Design (For Ott Street sidewalk, and sidewalk matching existing ground to Weaver Street east)								
1. Storm structure and pipe layout (assume 2 to 3 pipe crossings and 1 to 2 curb inlets will be needed to accommodate the sidewalk)	1	1	2	4	4			12
2. Storm pipe sizing and hydraulic grade calcs			2	2				4
3. Roadside ditch design and outlet protection			2	2				4
G. Determine required right-of way, permanent utility easements, and temporary construction easements (ROW only assumed on the Ott Street section. Assume east sidewalk is within existing ROW all the way to Weaver)	1		2	2				5
1.04 Prepare Field Check Plans								
A. Survey reference sheet (Update)					1			1
B. Typical Sections			2	2	2			6

C. Sidewalk Plan Sheets (assume 20 scale, assume 3 additional sheets on Ott Street, and 2 new sheets east to Weaver)								
1. General Information			1	4	2			7
2. Property Lines and Owner Information				1	2			3
3. Incorporate storm sewer, ditches, pipes for drainage and notes			1	2	2			5
4. Incorporate boring and core information into plans								0
5. Removals or DNDs				1	1			2
6. Incorporate Existing and Proposed ROW information				4	2			6
D. Roadway curb and sidewalk profile sheets	1		1	4	4			10
E. Side Road and Entrance profiles	1			4	2			7
F. Construction Special Detail Sheets	1			4	2			7
G. Storm Sewer/drainage pipe profiles		1	2	2	2			7
H. Preliminary Traffic control plans	1	1		6	6			14
I. Cross sections at 25'	1			6	6			13
J. Develop preliminary quantities and unit costs (for additional sidewalk)	1		2	12	2			17
1.05. Meet with City (1 additional meeting)	2			2				4
1.06. Field Check site review (field review sidewalk with City)	2			2				4
1.07. Address Field Check review comments and additions	1			4	4			9
1.08. Right-of-way and easements								
A. Right-of-way and easement descriptions (assume all properties on Ott Street may require a temporary easement, either from the sidewalk being on the south side of Ott Street, or by the roadway being widened on the south to accommodate the sidewalk addition to the north side of Ott Street).								
1. Verify and update O&E reports						2		2
2. Legal descriptions (up to 10 tracts)					10	24		34
3. Tract Maps (up to 10 tracts)					24	10		34
4. Revise legals and tract maps per comments or due to project or ownership changes					5	5		10
B. Stake proposed right-of-way and easements for all 10 tracts					6	2	6	14
Subtotal	19	3	20	119	155	65	43	424
Labor								
Sr. Project Manager @ \$207.00/hr.								\$3,933
Senior Engineer @ \$180.00 /hr.								\$540
Project Engineer @ \$175.00 /hr.								\$3,500
Engineer / Landscape Arch @ \$105.00 /hr.								\$12,495
CADD / Survey Tech II @ \$100.00 /hr.								\$15,500
Surveyor @ \$140.00 /hr.								\$9,100
CADD / Survey Tech I / Admin. @ \$90.00 /hr.								\$3,870
Preliminary Design Estimated Labor Costs:								\$48,938
Expenses								
Survey Equipment/Materials/Mileage								\$200
Printing and Reproduction								\$250
Travel / Miscellaneous								\$0
Ownership and Encumbrance (O&E) Reports (up to 10)								\$5,000
Preliminary Design Estimated Expenses:								\$5,450
Estimated Preliminary Design Fee								\$54,388
Task 2. Final Design Phase								
2.01. Prepare final plans and specifications for Old 56 Highway sidewalk								
A. Update the existing project layout sheets				1	1			2
B. Typical Sections				1	2			3
C. Roadway Plan Sheets								
1. Update General Information				1	2			3

2. Update R/W, Property Lines, Owner Information, Tract Numbers, and Subdivision Titles				1	1			2
3. Update Removals or DNDs				2	2			4
4. Update Existing and Proposed ROW information				1	2			3
5. Add Construction Notes	1	1	2	10	10			24
6. Update Storm Sewer and sidewalk drainage notes		1	1	6	8			16
D. Roadway Profile Sheets	1		2	8	8			19
E. Storm Sewer profiles			1	4	2			7
F. Side street, and Entrance profiles		1		4	4			9
G. Cross sections at 25' (Including updates, annotation, special callouts)		1		6	6			13
H. Erosion and Sediment control plans and details	1		2	2	6			11
I. Standard and special construction details	1			4	4			9
J. Summary of quantities and recapulation of quantities		1		8	4			13
2.02. Submit Office Check plans for review								
A. Plan modifications based on review comments	1			6	6			13
2.03. Meet with City (up to 2 additional meetings)	4			4				8
2.04 Bridge Design - Additional Services								0
A. Per request by KDOT at Field Check Meeting - Prepare load rating for the existing Lone Elm Road bridge over the BNSF		4	16	24				44
B. Additional bridge aesthetics - Decorative concrete posts at bridge corners. Prepare sketch with 2 options for posts, fence, and transitions.		10						10
C. Additional bridge aesthetics - Decorative concrete posts at bridge corners. Prepare final plans and details.		4	8	16	20			48
Subtotal	9	23	32	109	88	0	0	261
Labor								
Sr. Project Manager @ \$207.00/hr.								\$1,863
Senior Engineer @ \$180.00 /hr.								\$4,140
Project Engineer @ \$175.00 /hr.								\$5,600
Engineer / Landscape Arch @ \$105.00 /hr.								\$11,445
CADD / Survey Tech II @ \$100.00 /hr.								\$8,800
Surveyor @ \$140.00 /hr.								\$0
CADD / Survey Tech I / Admin. @ \$90.00 /hr.								\$0
Final Design Estimated Labor Costs:								\$31,848
Expenses								
Survey Equipment/Materials								\$75
Printing and Reproduction								\$250
Travel / Miscellaneous								\$0
Final Design Estimated Expenses:								\$325
Estimated Final Design Fee								\$32,173
Task 3. Bidding Phase								
** no additional services**								
Subtotal	0	0	0	0	0	0	0	0
Labor								
Sr. Project Manager @ \$207.00/hr.								\$0
Senior Engineer @ \$180.00 /hr.								\$0
Project Engineer @ \$175.00 /hr.								\$0
Engineer / Landscape Arch @ \$105.00 /hr.								\$0
CADD / Survey Tech II @ \$100.00 /hr.								\$0
Surveyor @ \$140.00 /hr.								\$0
CADD / Survey Tech I / Admin. @ \$90.00 /hr.								\$0
Bidding Estimated Labor Costs:								\$0

Expenses									
Printing and Reproduction									
Travel / Miscellaneous									
Bidding Estimated Expenses:								\$0	
Estimated Bidding Fee								\$0	
Task 4. Construction Phase									
<i>** no additional services**</i>									
Subtotal									0
Labor									
Sr. Project Manager @ \$207.00/hr.									\$0
Senior Engineer @ \$180.00 /hr.									\$0
Project Engineer @ \$175.00 /hr.									\$0
Engineer / Landscape Arch @ \$105.00 /hr.									\$0
CADD / Survey Tech II @ \$100.00 /hr.									\$0
Surveyor @ \$140.00 /hr.									\$0
CADD / Survey Tech I / Admin. @ \$90.00 /hr.									\$0
Construction Phase Estimated Labor Costs:								\$0	
Expenses									
Printing and Reproduction									
Travel / Miscellaneous									
Construction Phase Estimated Expenses:								\$0	
Estimated Construction Phase Fee								\$0	
Total Estimated Fee									\$86,561



Google Map

LOCATION MAP 1 - LOCATION MAP FOR
ADDITIONAL SURVEY FOR SIDEWALK
EXTENSION (WEST)

PROPOSED
SIDEWALK
LOCATION

limits of additional
topography survey
approximately 50-ft wide
(bounded in red) on south
edge of Ott Street

ROBINSON
DRIVE

Google

Lat/Lon: 38.867689, -94.843136 (dd) - Image X Y: 155, 80 - Stateplane Easting/Northing: 2211003.2, 210282.1 - Elev: 1061.9 ft. (nearest point: 0.7 ft, type: first return)

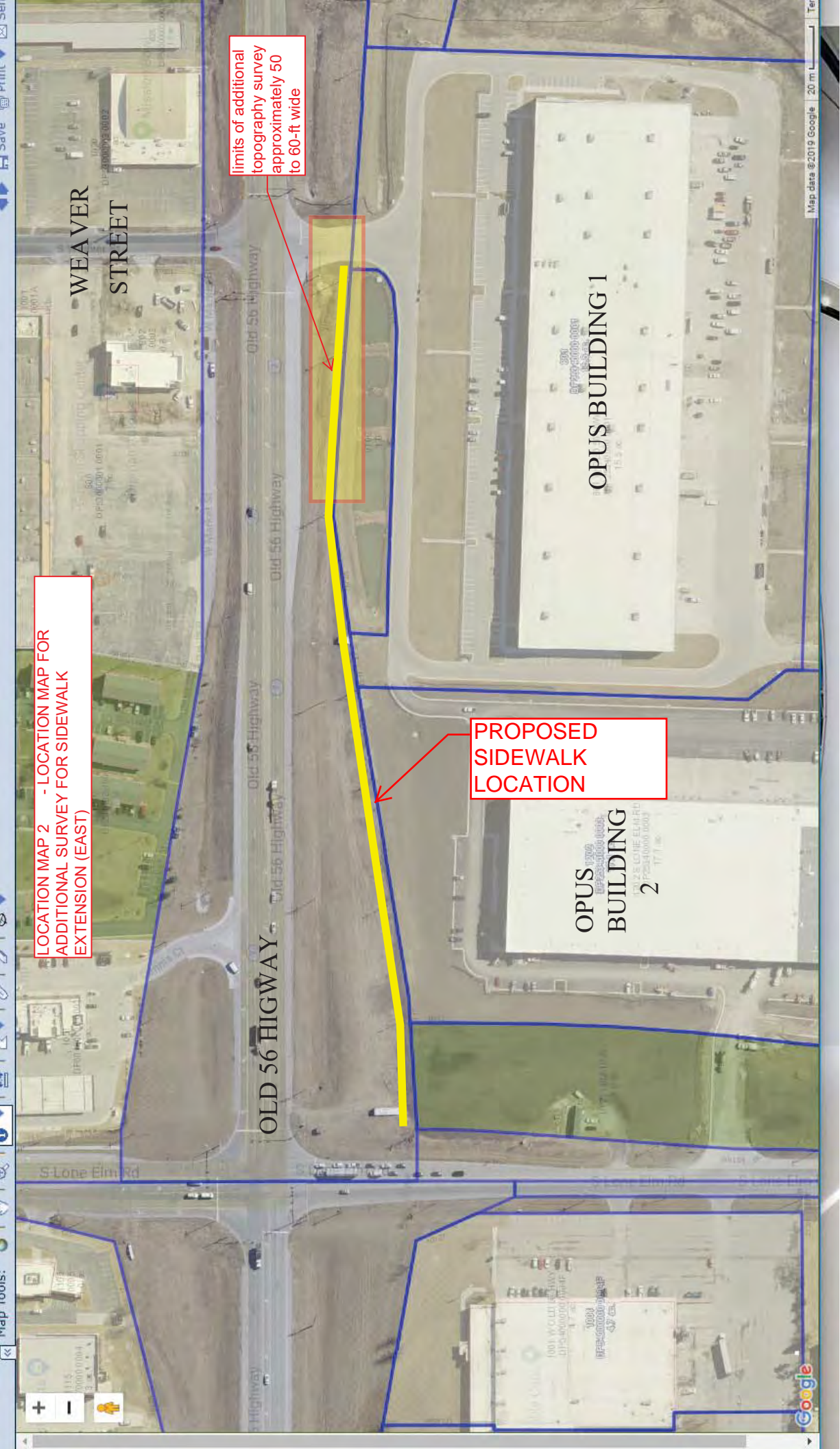
Map data ©2019 Google

Terms of Use | Report a map error

LOCATION MAP 2 - LOCATION MAP FOR
ADDITIONAL SURVEY FOR SIDEWALK
EXTENSION (EAST)

limits of additional
topography survey
approximately 50
to 60-ft wide

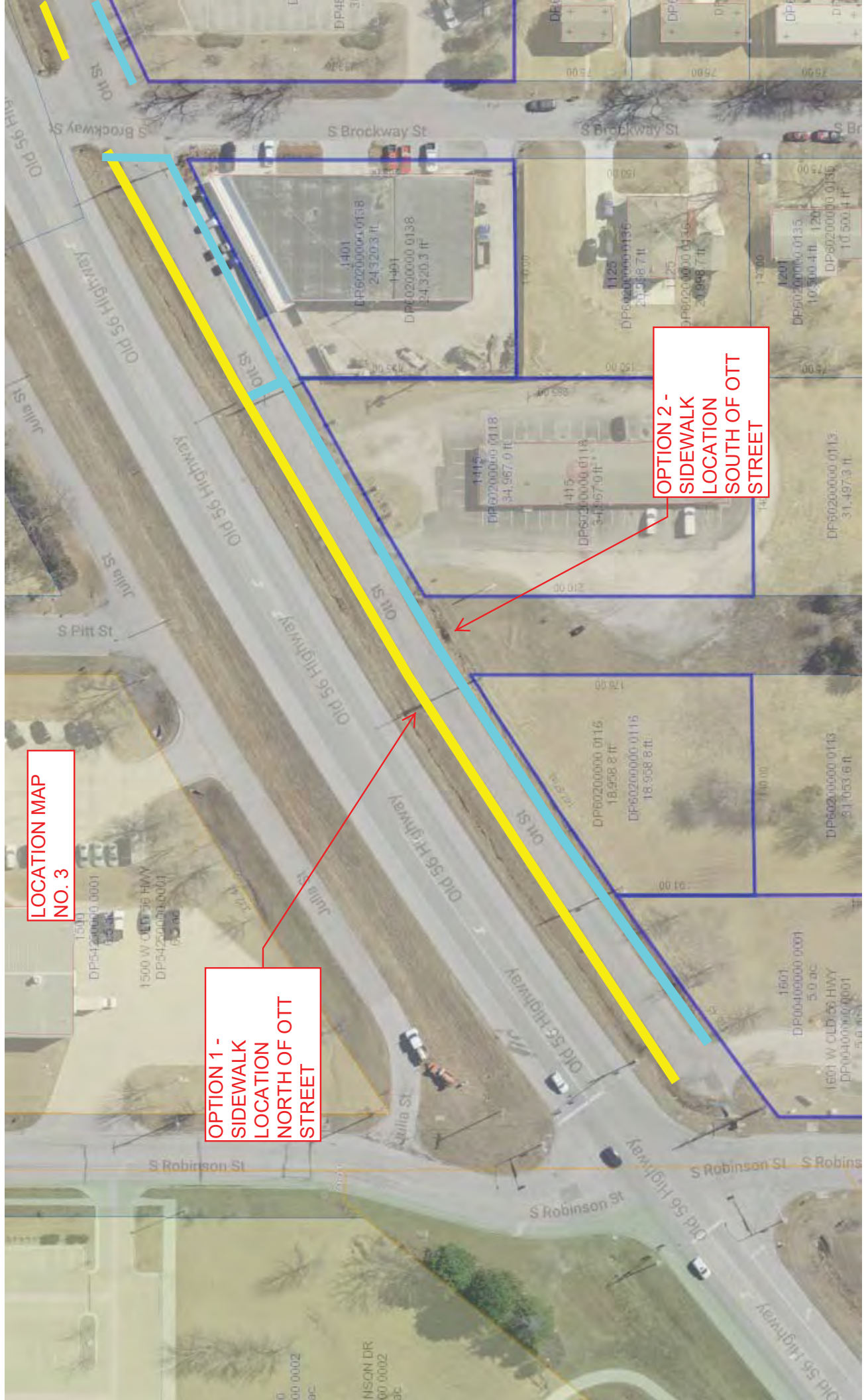
PROPOSED
SIDEWALK
LOCATION

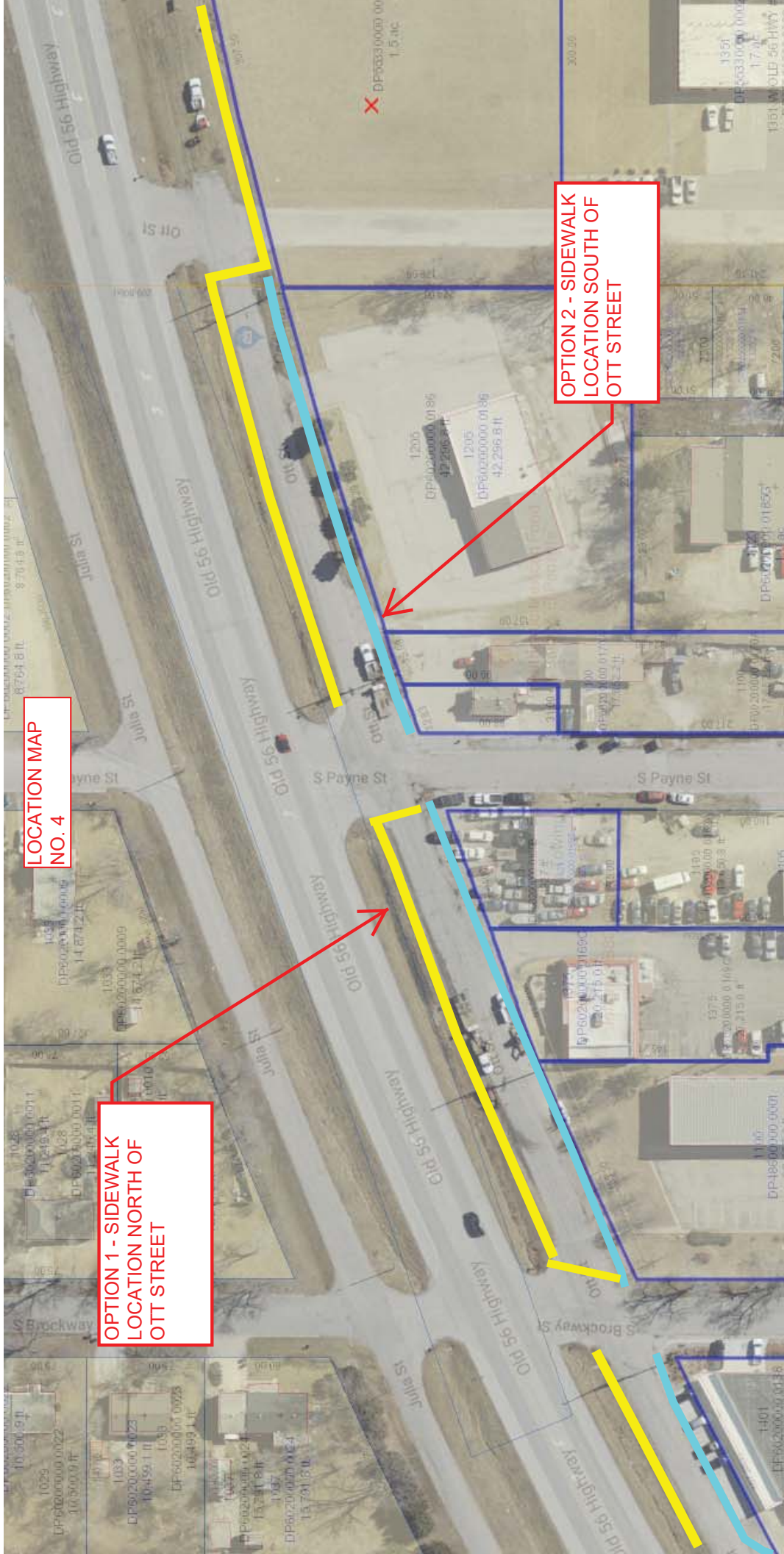


LOCATION MAP
NO. 3

OPTION 1 -
SIDEWALK
LOCATION
NORTH OF OTT
STREET

OPTION 2 -
SIDEWALK
LOCATION
SOUTH OF OTT
STREET





LOCATION MAP
NO. 4

OPTION 1 - SIDEWALK
LOCATION NORTH OF
OTT STREET

OPTION 2 - SIDEWALK
LOCATION SOUTH OF
OTT STREET