

AMENDMENT NO. 1 TO L30008

Contract Start Date:	10/12/2017	Original Total Amount:	\$72,448.00
Original Completion Date:	4/30/2018	As Previously Amended:	0
Amendment Completion Date:	12/31/2019	Current Amendment:	\$194,500.00
Resolution:	18-0503R	New Total Contract Amount:	\$266,948.00

This amendment, effective as of the date of attestation by the City Clerk (the “Effective Date”), by and between the City of Duluth, hereinafter referred to as “City”, and LHB, Inc. located at 21 West Superior Street, Suite 500, Duluth MN 55802, hereinafter referred to as “Consultant”, for the purpose of rendering services to the City.

WHEREAS, on October 12, 2017, City and Consultant entered into an agreement bearing City of Duluth Contract No. L30008 for professional engineering services for the 9th/8th Street Rehabilitation Project, which Contract has not been previously amended, and is hereinafter referred to as the “Contract”; and

WHEREAS, both parties desire to amend the Contract.

NOW THEREFORE, in consideration of the mutual covenants and conditions hereinafter set forth, the parties hereto hereby agree as follows:

In this Amendment changes in the language of the Contract which delete language will be shown as stricken and language added to the contract language will be underlined.

Revision 1. Phase F – Construction Survey and Layout Phase, is now included in the services to be provided under this agreement. The Completion Time described in Section II.F. of the Contract is hereby amended as follows:

The construction survey & layout phase shall be completed by ~~N/A~~ December 31, 2018.

Revision 2. Phase G – Construction Administration and Inspection Phase, is now included in the services to be provided under this agreement. The Completion Time described in Section II.G. of the Contract is hereby amended as follows:

The construction administration and inspection phase shall be completed by ~~N/A~~ December 31, 2019.

Revision 3. The Basis of Billing described in Section V.A. of the Contract is hereby amended as follows:

City shall pay the Engineer an amount based on hourly rates not to exceed ~~\$ 72,448.00~~ \$266,948.00 for all services rendered under Section II Phases A through H, including any and all Project-related expenses such as travel, reproduction of reports and drawings, tolls, mileage, etc. For the purposes of this agreement, the principals and employees of the Engineer and their hourly rates are set forth in Exhibit A.

Revision 4. The Standard Payment described in Section V.C. of the Contract is hereby amended as follows:

<u>Section II</u>	<u>Description</u>	<u>Estimated Compensation</u>	
A.	Study and Report Phase	\$	10,214
B.	Preliminary Survey Phase	\$	12,334
C.	Preliminary Design Phase	\$	11,432
D.	Final Design Phase	\$	34,644 <u>\$59,504</u>
E.	Bidding Phase	\$	3,824
F.	Construction Survey and Layout Phase	\$	<u>\$21,119</u>
	Construction Administration and	\$	<u>\$148,521</u>
G.	Inspection Phase		
TOTAL		\$	72,448 <u>\$266,948.00</u>

The maximum compensation for all phases A through G shall not exceed ~~seventy two thousand, four hundred forty eight and 00/100 dollars~~ Two Hundred Sixty-Six Thousand Nine Hundred Forty-Eight and no/100ths Dollars.

Revision 5. The Total Not To Exceed described in Section V.E. of the Contract is hereby amended as follows:

All payments under this Contract are not to exceed ~~\$72,448.00~~ \$266,948.00 payable under funding: 411-035-5530, PI2017-0855.

In all other respects the contract, together with all of its terms, covenants and conditions, is hereby confirmed in its entirety.



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June 8, 2018

Patrick Loomis
 Project Manager
 411 1st Avenue West, Room 211
 Duluth, MN 55802

**EAST 9TH STREET / EAST 8TH ST RECONDITION FROM E 6TH AVE TO WOODLAND AVE
 CONSTRUCTION ADMINISTRATION AND ADDITIONAL DESIGN SERVICES**

The City has requested LHB provide construction administration services for the East 8th and East 9th project. This is a federal aid project (118-134-017) and must be administered in accordance with MnDOT’s DCP and federal aid requirements. The overall project length is approximately 8,000 lineal feet and includes mill and overlay, curb and gutter replacement, ADA, and storm sewer work.

WORK PLAN

The following is a general project work plan. Included where applicable are project deliverables and required City responsibilities and action items.

Task 1 Construction Project Management	
LHB	<ul style="list-style-type: none"> • Prepare and distribute project correspondence. • Monitor project budget. • Communication with City staff and the public.
City	<ul style="list-style-type: none"> • Assist with communication with City Staff and the public.
Deliverable(s)	<ul style="list-style-type: none"> • Project correspondence.

Task 2 On Site Observation	
LHB	<ul style="list-style-type: none"> • Monitor the Contractor’s performance and quality/ conformance of materials utilized. • Lead construction meetings including preconstruction and weekly construction meetings between the Contractor, Owner(s), Engineer, and other interested parties such as utility owners, permitting agencies and area residents. • Observe all aspects of the construction. • Provide experienced personnel on-site with required Mn/DOT training and certification to assure the work is monitored properly and that funding requirements are met.

City	<ul style="list-style-type: none"> • Participation in pre-construction and weekly meetings. • Provide input and feedback on construction issues.
Deliverable(s)	<ul style="list-style-type: none"> • Meeting minutes.

Task 3 Construction Staking	
LHB	<ul style="list-style-type: none"> • Establish project benchmarks and working points. • Detailed field survey staking of necessary control and grades to facilitate construction of the project. • Creation of staking data files. • Staking of ADA curb and utility structures.
City	<ul style="list-style-type: none"> • Utility locate services. • Facilitate coordination with City survey staff.
Deliverable(s)	<ul style="list-style-type: none"> • Survey files and data, as required.

Task 4 Construction Documentation	
LHB	<ul style="list-style-type: none"> • Prepare and distribute project correspondence. • Documentation and record keeping of construction conformance, construction progress and payment processing. • Daily and Weekly Diaries. • Quantity Measurements and Computations. • Preparation and updating of Quantity Item Record Accounts. • Review and processing of Materials Testing Reports. • Preparation of Work Orders, Change Orders, Supplemental Agreements and Pay Estimates. • Final Record Drawings and completion of the One-Year Warranty Inspection.
City	<ul style="list-style-type: none"> • Review and approve contract changes, partial estimates and final estimate. • Participate in final inspection and walk-through.
Deliverable(s)	<ul style="list-style-type: none"> • Project documentation. • Material data and testing reports. • Project Record Drawings.

TASK 5 – STORMWATER DESIGN SERVICES

LHB’s original proposal for design work on the project did not include stormwater design as the scope of work required at the time of the proposals was not determined. As the design progressed the City determined that the project required the removal and replacement of all catch basins within the project limits due to condition and/or ADA project scope requirements.

City of Duluth Project No. 855TR (East 9th / East 8th)

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LHB prepared plans for the removal and replacement of the storm structures including drainage and paving details, quantity tabulations, estimated quantities, cost estimating and special provisions.

COST PROPOSAL

A cost proposal and summary of hours and proposed work plan are attached.

Please review and comment. We are available to review and reconsider any items within this proposal at your convenience.

We appreciate the opportunity to work on this project and look forward to delivering a successful project.

LHB



Brad Scott, Civil Group Lead

Attachments:

1. Work Plan & Summary of Hours by Task – Construction & Add'l Design (2 pages)
2. Geotechnical Investigation and Construction Materials Testing Twin Ports Testing Proposal (1 page)

c: File #170650

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COST PROPOSAL

Project Name **East 8th / East 9th**
 Client **City of Duluth**
 Preparer **LHB**

Project Number **170650**
 Date **6/8/2018**

Work Task	Description	Project Principal	Project Manager	Stormwater Engineer	Lead Technician	Asst. Technician	Licensed Surveyor	Survey Tech	Survey Tech	Admin Asst.	Total Labor (\$)	
		\$ 175	\$ 159	\$ 128	\$ 86	\$ 84	\$ 148	\$ 91	\$ 85	\$ 75		
1	Construction - Project Management	4	25	0	0	0	0	0	0	0	\$ 4,675	
2	On-Site Observation	6	88	0	702	60	0	0	0	16	\$ 81,654	
3	Construction Staking	0	0	0	0	0	8	135	90	0	\$ 21,119	
4	Construction Documentation	7	53	0	136	8	0	0	0	0	\$ 22,020	
5	Stormwater Design & Revisions	0	24	54	94	72	0	0	0	0	\$ 24,860	
TOTALS		17	190	54	932	140	8	135	90	16	\$ 154,328	
OTHER DIRECT COSTS (ODC)								SUMMARY				
Description		Cost								LHB Labor Cost		\$ 154,328
Travel		\$ -								Other Direct Costs		\$ 8,455
Mail / Delivery		\$ -								Total LHB Est Cost		\$ 162,783
Printing		\$ -								Subconsultant Costs		
Supplies		\$ -								TPT -- Matls. Testing		\$ 31,717
Survey Equipment		\$ -										
Construction (See Task 6)		\$ 8,455										
Total ODC		\$ 8,455								Total Est Costs		\$ 194,500



Cost Estimate 18M8127 - 4/30/2018
 for: LHB Inc.
 Attn: Brad Scott PE - Civil Group Lead

Construction Materials Testing Services
 E 8th and E 9th Street Reconditioning
 Duluth, MN

Concrete Testing (MNDOT)				
	Quantity	Units	Rate	Extension
Field Testing of Concrete	165	Hours	\$65.00	\$10,725.00
Concrete Plant Inspection	66	Hours	\$65.00	\$4,290.00
Concrete Cylinder Pick-up	20	Hours	\$65.00	\$1,300.00
Gradation Test (MNDOT Method)	44	Each	\$118.00	\$5,192.00
Compressive Strength Tests and Reports (ASTM C39)	200	Cylinders	\$15.00	\$3,000.00
Trip Charge - CMT (vehicle & mileage)	55	Trips	\$25.00	\$1,375.00
Subtotal				\$25,882.00

Bituminous Testing (MNDOT)				
	Quantity	Units	Rate	Extension
Observation and Sampling (contractor split sample)	8	Hours	\$65.00	\$520.00
Bituminous Pavement Testing (Mixture Properties)	4	Each	\$650.00	\$2,600.00
Bituminous Density Testing (cores obtained by contractor)	15	Each	\$50.00	\$750.00
Trip Charge - CMT (vehicle & mileage)	5	Trips	\$25.00	\$125.00
Subtotal				\$3,995.00

Project Management				
	Quantity	Units	Rate	Extension
Project Management	20	Hours	\$92.00	\$1,840.00
Subtotal				\$1,840.00

Estimated Project Total	\$31,717.00
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Reviewed by: Gregg Patterson - Manager of Materials Testing Services