



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		05/10/10		
Department:		Public Works & Engineering		
Department Head		Alan L. Upchurch		
Agenda Coordinator (include phone #):		Irene Pegues (7198)		Project No. 5387
<b>CAPTION</b>				
To approve and authorize Contract Modification No. 6 for the purchase of Engineering Services for the McDermott Road – Ohio Drive to Coit Road Project in the amount of \$12,965 from Half Associates, Inc.				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR: <b>2009-10</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	34,513	3,140,487	0	<b>3,175,000</b>
Encumbered/Expended Amount	-34,513	-2,230,184	0	<b>-2,264,697</b>
This Item	0	-12,965	0	<b>-12,965</b>
BALANCE	0	897,338	0	<b>897,338</b>
<b>FUND(S):    STREET IMPROVEMENT CIP</b>				
<p><b>COMMENTS:</b> Funds are included in the 2009-10 Street Improvement CIP. This modification (increases the contract to exceed 25% of the original contract), in the amount of \$12,965, will leave a current year balance of \$897,338 for the McDermott – Coit to Ohio project.</p> <p><b>STRATEGIC PLAN GOAL:</b> Engineering design services for street construction relate to the City's Goal of Financially Strong City with Service Excellence.</p>				
<b>SUMMARY OF ITEM</b>				
<p>Additional design services are required for design and revision of existing construction drawings on the McDermott Road project to install additional median openings at the request of an adjacent property owner. The property owner has paid the City \$9,432.00 for their portion of the design fee. The remaining \$3,533 of the fee is the City's portion for the design of a required median opening and left turn lane.</p> <p>The original contract amount was \$308,638.00. The Public Works &amp; Engineering Department is seeking City Council approval of this sixth modification because we have exceeded 25% of the original contract amount with Half Associates, Inc. The revised contract amount is \$389,589.00.</p>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Contract Modification 6			N/A	

## **CONTRACT MODIFICATION**

### **McDERMOTT ROAD WIDENING- COIT ROAD TO OHIO DRIVE PROJECT NO. 5387**

**PURCHASE ORDER NO. 102709  
CIP NO. 31397**

This shall serve as a Sixth Modification to the Contract between the City of Plano, Texas (hereinafter "City"), and Halff Associates, Inc. (hereinafter "Consultant"), dated December 21, 2004, for Professional Engineering for the referenced project (hereinafter "Project").

#### **Services:**

This Modification amends the scope of services as originally set forth in the contract as follows:

#### **TASK 1 – ADDITIONAL MEDIAN OPENINGS & TURN LANES**

1. Adjust Plans – Property Owner's Portion
  - a. Existing plan sheets will be adjusted to add three (3) additional turn lanes and two (2) additional median openings. The Removal, Paving, Signage, Striping, Grading and Illumination Conduit plan sheets will be revised to show the additional turn lanes and median openings to be funded by the developer.
  - b. The Landscaping and Irrigation plans will be adjusted to accommodate the revised median design to be funded by the developer.
2. Adjust Plans –City Portion
  - a. Existing plan sheets will be adjusted to add one additional turn lane and one additional median opening. The Removal, Paving, Signage, Striping, Grading and Illumination Conduit plan sheets will be revised to show the additional turn lane and median opening to be funded by the City of Plano.
  - b. The Landscaping and Irrigation plans will be adjusted to accommodate the revised median design to be funded by the City of Plano.

#### **Compensation:**

For additional services provided pursuant to this Modification, City shall pay Consultant an amount not to exceed \$12,965.00. Such payment shall be made in accordance with the payment terms specified in the Contract.

In the event of any conflict or inconsistency between the provisions set forth in this Modification and the Contract, this Modification shall govern and control. For and in consideration of the covenants, duties and obligations herein contained, the parties do mutually agree that except as provided above, all other terms and conditions of the Contract shall remain unchanged and in full force and effect.

Original Contract Amount	\$ <u>308,638.00</u>
Contract Amount (Including Previous Modifications)	\$ <u>376,624.00</u>
Amount, Modification No. 6	\$ <u>12,965.00</u>
Revised Contract Amount	\$ <u><u>389,589.00</u></u>
Total Percent Increase Including Previous Modifications	<u>26.23%</u>

**CITY OF PLANO**  
OWNER

By: \_\_\_\_\_  
(signature)

Print  
Name: Thomas H. Muehlenbeck

Print  
Title: City Manager

Date: \_\_\_\_\_

**HALFF ASSOCIATES, INC.**  
CONSULTANT

By: \_\_\_\_\_  
(signature)

Print  
Name: Mike Romanowski, P.E.

Print  
Title: Vice President

Date: 4/27/2010

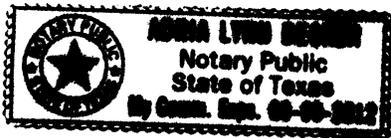
APPROVED AS TO FORM:

By: \_\_\_\_\_  
Diane C. Wetherbee, City Attorney

**ACKNOWLEDGMENTS**

STATE OF TEXAS       §  
                                  §  
COUNTY OF DALLAS   §

This instrument was acknowledged before me on the 27<sup>th</sup> day of April, 2010, by **MIKE ROMANOWSKI, P.E., VICE PRESIDENT** of **HALFF ASSOCIATES, INC.**, a Texas corporation, on behalf of said corporation.



Adria Decker  
Notary Public, State of Texas

STATE OF TEXAS       §  
                                  §  
COUNTY OF COLLIN   §

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2010, by **THOMAS H. MUEHLENBECK, CITY MANAGER** of the **CITY OF PLANO, TEXAS**, a Home-Rule Municipal Corporation, on behalf of said municipal corporation.

\_\_\_\_\_  
Notary Public, State of Texas