

**AMENDMENT NO. 3  
TO  
ENGINEERING SERVICES AGREEMENT  
FOR  
CONSTRUCTION OF PUBLIC IMPROVEMENTS  
19TH STREET RECONSTRUCTION PROJECT  
PROJECT PW1535**

AMENDMENT NO. 3 TO ENGINEERING SERVICES AGREEMENT for PROJECT PW1535 is made in Douglas County, Kansas, by and between the City of Lawrence, Kansas, hereinafter called the CITY, and Professional Engineering Consultants, P.A., hereinafter called the CONSULTANT this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

WHEREAS, the CITY is desirous of expanding the scope of the CONSULTANT'S services to include the following:

- Final design of the 19<sup>th</sup> Street Reconstruction Project, as further defined in Article E1 of Exhibit E attached.

WHEREAS, CONSULTANT is prepared to provide said services;

NOW, THEREFORE, IT IS AGREED that the CITY authorizes the CONSULTANT to provide additional services, and that the original AGREEMENT shall be amended as follows:

1. AGREEMENT, SECTION II – PAYMENT, PARAGRAPH A  
COMPENSATION: Add subparagraph 1B as follows:

- 1B. Maximum Total Fee and Expense: For Final Design and Bidding of Phase 2 of Project PW1535, the City agrees to pay the Consultant a fee based on the actual hours expended on the Project at the rates indicated in the attached Hourly Rate Schedule - Exhibit B PW 1535 and the actual reimbursable expenses permitted under this Agreement and incurred on this Project, but not to exceed a maximum fee of \$153,000.00 for Design Services and Bid Phase Services. Construction Phase Services shall be completed under separate negotiated agreement or through Amendment of this Agreement. Professional fees are based on the amended scope of services as detailed in Items 3 & 4 below, for basic and non-basic engineering design services, as well as the detailed Manhour estimate included as Exhibit F. Work shall be completed in general accordance with the attached Exhibit G – Production Schedule.

2. AGREEMENT, SECTION II – PAYMENT, PARAGRAPH A  
COMPENSATION: Add subparagraph 1C as follows:

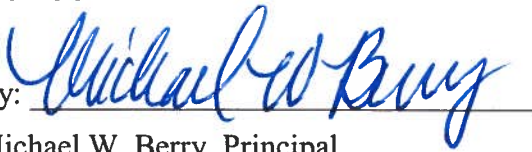
- 1C. Maximum Total Fee and Expense: For Final Design and Bidding of Phase 3 of Project PW1535, the City agrees to pay the Consultant a fee based on the actual hours expended on the Project at the rates indicated in the attached Hourly Rate Schedule - Exhibit B PW 1535 and the actual reimbursable expenses permitted under this Agreement and incurred on this Project, but not to exceed a maximum fee of \$136,000.00 for Design Services and Bid Phase Services. Construction Phase Services shall be completed under separate negotiated agreement or through Amendment of this Agreement. Professional fees are based on the amended scope of services as detailed in Items 3 & 4 below, for basic and non-basic engineering design services, as well as the detailed Manhour estimate included as Exhibit F. Work shall be completed in general accordance with the attached Exhibit G – Production Schedule.
3. EXHIBIT A, SCOPE OF SERVICES, BASIC ENGINEERING DESIGN SERVICES: shall be amended to add new Task Nos. 24 through 32 as identified in Article E2 of Exhibit E attached.
4. EXHIBIT A, SCOPE OF SERVICES, NON-BASIC ENGINEERING DESIGN SERVICES: shall be amended to add new Task Nos. 3 through 12 as identified in Article E3 of Exhibit E attached.
5. EXHIBIT A, SCOPE OF SERVICES, SUPPLEMENTAL SERVICES: shall be amended to remove Task Nos 1 through 26 as identified in the original Exhibit A and replace with Task Nos 1 through 18 as identified in Article E5 of Exhibit E attached.
6. EXHIBIT B, HOURLY RATE SCHEDULE: shall be removed and replaced with the attached EXHIBIT B PW 1535 – 2016 RATE SCHEDULE.

All other portions of the aforementioned AGREEMENT are unchanged by this AMENDMENT.

IN WITNESS WHEREOF, the parties have executed this AMENDMENT the day and year first written above.

**EXECUTION OF AMENDMENT**

**CONSULTANT**

By:   
Michael W. Berry, Principal  
Vice President  
Professional Engineering Consultants P.A.

**CITY OF LAWRENCE, KANSAS**

By: \_\_\_\_\_

Thomas M. Markus  
City Manager

APPROVED AS TO FORM:

\_\_\_\_\_  
Toni Ramirez Wheeler  
City Attorney

ATTEST:

Robert A. Koopman  
Professional Engineering Consultants P.A.

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