

EXHIBIT**"A"**

STATE OF TEXAS

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COUNTY OF WILLIAMSON

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**SUPPLEMENTAL CONTRACT NO. 4
TO CONTRACT FOR ENGINEERING SERVICES**

FIRM: CDM Smith, Inc. ("Engineer")
ADDRESS: 12357-A Riata Trace Parkway, Suite 210, Austin, TX 78727
PROJECT: Water Treatment Plant for the Cedar Park/Round Rock/Leander
Regional Water System Improvement

This Supplemental Contract No. 4 to Contract for Engineering Services is made by and between the CITY OF ROUND ROCK, (hereinafter referred to as "Round Rock"), the CITY OF CEDAR PARK, (hereinafter referred to as "Cedar Park"), the CITY OF LEANDER, (hereinafter referred to as "Leander"), (all collectively referred to hereinafter as "Owners") and CDM Smith, Inc., formerly dba Camp Dresser & McKee, Inc., (hereinafter called the "Engineer").

WHEREAS, the Owners and Engineer executed a Contract for Engineering Services, hereinafter called the "Contract", on the 21st day of December, 2006 for the Water Treatment Plant for the Cedar Park / Round Rock / Leander Regional Water System Improvement Project in the amount of \$703,112.00; and

WHEREAS, the Owners and Engineer executed Supplemental Contract No. 1 on April 12, 2007 to modify the provisions for the scope of services, to increase the compensation by \$2,606,800.00 to a total of \$3,309,912.00; and

WHEREAS, the Owners and Engineer executed Supplemental Contract No. 2 on September 13, 2007 to modify the provisions for the scope of services, to increase the compensation by \$850,693.00 to a total of \$4,160,605.00; and

WHEREAS, the Owners and Engineer executed Supplemental Contract No. 3 on October 23, 2008 to modify the provisions for the scope of services, to increase the compensation by \$953,804.00 to a total of \$5,114,409.00; and

WHEREAS, it has become necessary to amend the Contract to modify the provisions for the scope of services and to increase the compensation by \$159,855.00 to a total of \$5,274,264.00;

NOW THEREFORE, premises considered, the Owners and the Engineer agree that said Contract is amended as follows:

I.

Article 2, Engineering Services and Exhibit B, Engineering Services shall be amended as set forth in the attached Addendum To Exhibit B. Exhibit D, Work Schedule shall be amended as set forth in the attached Addendum To Exhibit D.

II.

Article 4, Compensation and Exhibit E, Fee Schedule shall be amended by increasing by \$159,855.00 the lump sum amount payable under the Contract for a total of \$5,274,264.00, as shown by the attached Addendum to Exhibit E.

IN WITNESS WHEREOF, the Owners and the Engineer have executed this Supplemental Contract.

CITY OF ROUND ROCK, TEXAS

APPROVED AS TO FORM:

By: _____
Alan McGraw, Mayor

Stephan L. Sheets, City Attorney

ATTEST:

By: _____
Sara L. White, City Clerk

CITY OF CEDAR PARK, TEXAS

APPROVED AS TO FORM:

By: _____
Brenda Eivens, City Manager

Charles Rowland, City Attorney

ATTEST:

By: _____
LeAnn Quinn, City Secretary

CITY OF LEANDER, TEXAS

APPROVED AS TO FORM:

By: _____
Chris Fielder, Mayor

Paige Saenz, Attorney

ATTEST:

By: _____
Debbie Haile, City Secretary

CDM SMITH, INC. (Formerly dba CAMP DRESSER & McKEE INC.)

By: _____
Allen D. Woelke, P.E., Vice President

ADDENDUM TO EXHIBIT B
Engineering Services

Task 1: Provide Additional General Contractor Pre-Qualification Packages

1. Updated and reviewed Pre-Qualification package with OWNER.
2. Coordinated Pre-Qualification legal advertisements with Round Rock Leader and Hill Country News for publication.
3. Pre-qualified an additional contractor making it eight pre-qualified general contractors.
4. Reviewed contractor follow-up information and distributed to OWNER.
5. Reviewed, verified, and summarized pre-qualification packages in matrix form.
6. Conducted Pre-Qualification Workshop with OWNER and revised questionnaire and clarifications.
7. Assigned Pre-Qualification approval to eight general contractors.
8. Responded to follow-up questions and communications as necessary.

Task 2: Update Preliminary Design Report to Incorporate VE Items

1. Revise Preliminary Design Report (PDR), as required, to incorporate PDR Addendum prepared for Texas Water Development Board (TWDB) that describes Phase 1A (i.e., 17 MGD capacity) and how it differs from the original PDR phasing (i.e., Phase 1 - 30 MGD capacity).
2. Prepared TWDB Supplemental Information Submittal, dated February 2009. This document was delivered to the OWNER and TWDB/TCEQ on February 26, 2009.
3. Submit six (6) copies to the OWNER for review and comment.
4. Address comments and submit ten (10) final copies to the OWNER.

Task 3: Provide Responses to Texas Water Development Board (TWDB) Information Requests

1. Prepared and submitted five (5) resubmittals/revisions to the Environmental Assessment (EA) to TWDB and OWNER dated October 15, 2008, December 4, 2008, March 9, 2009, April 27, 2009 and June 19, 2009. Each of these submittals addressed Action Items from previous TWDB project meetings.
2. Received comments, revised EA and transmitted copies of revised EA to TWDB and OWNER.
3. Provide TWDB Funding Application Assistance
 - a. Prepared and provided TWDB Loan Closing Documents and related matters.
 - b. Prepared briefing materials and attended a meeting with TWDB staff on June 17, 2009 to discuss finalization of OWNER's loan and the requirements for acquiring Distribution Lines 2A and 2B.
 - c. Prepared and provided the final Phase 1A Loan Closing Funding Allocation spreadsheet to TWDB on June 24, 2009.
 - d. Prepared briefing materials and attended a meeting with OWNER's Finance Department personnel regarding the Phase 1A Loan Closing Funding Allocation.

4. Provide TWDB Water Rights Determination Assistance
 - a. In response to TWDB's Water Rights Determination Information Request on March 25, 2009, ENGINEER provided assistance and prepared detailed written memorandums to TWDB, dated May 4, 2009, May 5, 2009 and May 8, 2009.
 - b. CDM Smith communicated with OWNER and TWDB, as necessary to prepare the responses and provide all information requested by TWDB.

Task 4: Revise General Conditions (Division 0) - Bid Documents

1. Prepared a draft version of Division 0 based on City of Round Rock's General Conditions, Section 00700.
2. Prepared meeting materials and conducted meetings with Jacobs Engineering, Lockwood, Andrews & Newnam (LAN), Karen Friese & Associates (KFA) and OWNER on April 24, 2009 and May 5, 2009 to review and coordinate the revised Division 0 documents.
3. Revised Round Rock's Section 00800 based on the City's input and submitted the document to other subconsultants on May 12, 2009.
4. Conducted follow-up meetings with the OWNER and other design firms to review the revised documents and to establish final Phase 1A Supplemental General Conditions and other Division 0 specifications.

Task 5: Revise Size of the Sludge Dewatering Facility (SDF) to Decrease Cost

1. Revise the Contract Documents (plans and specifications) by reducing the floor area of the Sludge Dewatering Facility by 25 percent and the height by about six-feet that resulted in an estimated construction cost savings of \$240,000.
2. This work included changes to the civil, structural, architectural, process mechanical and electrical drawings.

Task 6: Incorporate the Elevated Storage Tank (EST) into the Phase 1A Project

1. Revise the Contract Documents (plans and specifications) by adding four new specification sections, modifying approximately 15 specification sections, adding approximately 18 new Drawings, and modifying approximately 32 Drawings to incorporate the following changes:
 - a. Include the Elevated Storage Tank (EST) in the base bid, and show it being removed as a deductive alternate.
 - b. Include the (3) 500HP Booster Pumps with 24" control valves and discharge piping in the base bid, and show the (1) 500HP Booster Pump with 24" control valve and discharge piping and (2) 250HP Booster Pumps with 18" control valves and discharge piping as a deductive alternate.
 - c. Locate the telemetry antenna atop the EST in the base bid, and show it being relocated to the TSC in a deductive alternate.
 - d. Locate a site access roadway to the EST in the base bid, and show it being removed in a deductive alternate.
 - e. Revise Division 0's Bid Form and Section 01026, Measurement and Payment and all related specification sections to include the EST in the Base Bid and as a Deductive Alternate Bid Item.

ADDENDUM TO EXHIBIT D
Work Schedule

| TASK No. | TASK DESCRIPTION | END DATE |
|-------------|---|----------|
| 1.0 | PROVIDE ADDITIONAL GENERAL CONTRACTOR PRE-QUALIFICATION PACKAGES | COMPLETE |
| 2.0 | UPDATE PRELIMINARY DESIGN REPORT (PDR) TO INCORPORATE VE/DEFERRAL RECOMMENDATIONS | COMPLETE |
| 3.0 | PROVIDE RESPONSES TO TEXAS WATER DEVELOPMENT BOARD (TWDB) INFORMATION REQUESTS | COMPLETE |
| 4.0 | REVISE GENERAL CONDITIONS (DIVISION 0) - BID DOCUMENTS | COMPLETE |
| 5.0 | REVISE SIZE OF THE SLUDGE DEWATERING FACILITY (SDF) TO DECREASE COST | COMPLETE |
| 6.0 | INCORPORATE THE ELEVATED STORAGE TANK (EST) INTO THE PHASE 1A PROJECT | COMPLETE |

ADDENDUM TO EXHIBIT E
Fee Schedule

| TASK No. | TASK DESCRIPTION | TASK COST |
|-------------|---|--------------|
| 1.0 | PROVIDE ADDITIONAL GENERAL CONTRACTOR PRE-QUALIFICATION PACKAGES | \$8,361 |
| 2.0 | UPDATE PRELIMINARY DESIGN REPORT (PDR) TO INCORPORATE VE/DEFERRAL RECOMMENDATIONS | \$31,948 |
| 3.0 | PROVIDE RESPONSES TO TEXAS WATER DEVELOPMENT BOARD (TWDB) INFORMATION REQUESTS | \$34,394 |
| 4.0 | REVISE GENERAL CONDITIONS (DIVISION 0) - BID DOCUMENTS | \$9,573 |
| 5.0 | REVISE SIZE OF THE SLUDGE DEWATERING FACILITY (SDF) TO DECREASE COST | \$21,273 |
| 6.0 | INCORPORATE THE ELEVATED STORAGE TANK* (EST) INTO THE PHASE 1A PROJECT | \$54,306 |
| TOTAL | | \$159,855 |