EXHIBIT
"A"

STATE OF TEXAS §
COUNTY OF WILLIAMSON §

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

FIRM: <u>HALFF ASSOCIATES, INC.</u> ("Engineer")

ADDRESS: 13620 Briarwick, Suite 100, Austin, TX 78729

PROJECT: Wyoming Springs Segment 1

This Supplemental Contract No. 4 to Contract for Engineering Services is made by and between the City of Round Rock, Texas, hereinafter called the "City" and Halff Associates, Inc., hereinafter called the "Engineer."

**WHEREAS,** the City and Engineer executed a Contract for Engineering Services, hereinafter called the "Contract," on the 22nd day of August, 2019 for the Wyoming Springs Segment 1 Project in the amount of \$546,776.54; and

**WHEREAS,** the City and Engineer executed Supplemental Contract No. 1 on January 14, 2021 to amend the scope of services and to increase the compensation by \$1,641,846.00 to a total of \$2,188,622.54; and

**WHEREAS,** the City and Engineer executed Supplemental Contract No. 2 on November 12, 2021 to amend the scope of services and to increase the compensation by \$42,481.75 to a total of \$2,231,104.29; and

**WHEREAS,** the City and Engineer executed Supplemental Contract No. 3 on October 12, 2023 to amend the scope of services and to increase the compensation by \$398,323.31 to a total of \$2,629,427.60; 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 \$98,435.42 to a total of \$2,727,863.02;

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

I.

<u>Article 1, City Services</u> and <u>Exhibit A, City Services</u> shall be amended as set forth in the attached Addendum To Exhibit A.

<u>Article 2, Engineering Services</u> and <u>Exhibit B, Engineering Services</u> shall be amended as set forth in the attached <u>Addendum to Exhibit B</u>. <u>Exhibit C, Work Schedule</u> shall be amended as set forth in the attached <u>Addendum to Exhibit C</u>.

III.

<u>Article 4, Compensation</u> and <u>Exhibit D, Fee Schedule</u> shall be amended by increasing by \$98,435.42 the lump sum amount payable under the Contract for a total of \$2,727,863.02, as shown by the attached <u>Addendum to Exhibit D</u>.

**IN WITNESS WHEREOF,** the City and the Engineer have executed this Supplemental Contract in duplicate.

[signature pages follow]

#### HALFF ASSOCIATES, INC.

Date	
06/14/2024	
Eric J. Ratzman	
By: Eric J. Ratzman Eric J. Ratzman (Jun 14, 2024 10:33 CDT)	

CITY OF ROUND ROCK	APPROVED AS TO FORM:
By:Craig Morgan, Mayor	Stephanie L. Sandre, City Attorney
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#### **ADDENDUM TO EXHIBIT A**

#### **CITY SERVICES**

# WYOMING SPRINGS SEGMENT 1 CONSULTATION WITH US FISH & WILDLIFE FROM CREEK BEND BLVD / BRIGHTWATER BLVD TO SAM BASS ROAD

The City will furnish to the Engineer the following information and/or perform the following tasks:

- Attend meetings and communicate with Engineer if city receives correspondence from the USFWS or USACE.
- Notify Engineer if karst voids are discovered during construction.

#### ADDENDUM TO EXHIBIT B

#### **ENGINEERING SERVICES**

## WYOMING SPRINGS SEGMENT 1 CONSULTATION WITH US FISH & WILDLIFE FROM CREEK BEND BLVD / BRIGHTWATER BLVD TO SAM BASS ROAD

For the scope of services for this contract, the Engineer shall provide professional services for consultation with the US Fish & Wildlife Service (USFWS) as follows:

#### Task 13 - Biological Assessment (BA) Revisions in Consultation with USFWS

13.1 Agency Coordination: correspondence, meetings with USACE and USFWS. 13.2 Splitting the BA: As required by the USACE, **SWCA** shall split the BA from a single document into two with USACE Action Area and Applicant Action Area. 13.3 Splitting the BA: As required by the USACE, **Halff** shall provide linework, calculations, and exhibits needed to split the BA into two documents and addressed two rounds of comments from USFWS.

#### Task 14 - Presence/Absence Surveys During Construction

- 14.1 Biota Surveys:
- **SWCA** will provide field surveys and reports for up to five (5) karst features if encountered during construction, as described in the attached proposal.
- 14.2 Nesting Surveys:
- Halff will provide field surveys of migratory bird nest to comply with TPWD.

#### **EXHIBIT B OVERALL SUMMARY OF DELIVERABLES:**

- Two Separate Biological Assessments
- Presence/Absence field survey reports

#### Services Excluded from this Scope of Services:

- Mitigation plans, fees, or documentation beyond the revised Bas
- Individual USACE Permit (the project is currently being permitted under NWP14)

The Engineer will perform the services to be provided under this agreement out of Engineer's office(s) as listed below:

Office Location 13620 Briarwick Drive, Suite 100 Austin, TX 78729

**Sub-Consultants:** 

SWCA

#### ADDENDUM TO EXHIBIT C

#### **WORK SCHEDULE**

## WYOMING SPRINGS SEGMENT 1 CONSULTATION WITH US FISH & WILDLIFE

#### FROM CREEK BEND BLVD / BRIGHTWATER BLVD TO SAM BASS ROAD

Task 13 Consultation: May 2023 through December 2024 (estimated)

Task 14 Construction: September 2024 through December 2025 (estimated)

#### ADDENDUM TO EXHIBIT D

#### **FEE SCHEDULE**

## WYOMING SPRINGS SEGMENT 1 CONSULTATION WITH US FISH & WILDLIFE

#### FROM CREEK BEND BLVD / BRIGHTWATER BLVD TO SAM BASS ROAD

Task 13 to be billed on a lump sum basis monthly as a percentage of work completed to date. Task 14 to be billed on an hourly not-to-exceed basis.

TASK 13 – Agency Coordination	\$ 27,103.16
TASK 14 – Presence/Absence Surveys	\$ 71,332.26
TOTAL FEE	\$ 98,435.42

## EXHIBIT D SC#4 Detailed Fee Schedule

	Project	Sr Review	Project	Graduate	Senior	Project	Junior	Task	LABOR	SUB	DIRECT	
Wyoming Springs Design	Principal	Engineer	Engineer	Engineer	Environmental	Environmental	Environmental	Hours	COSTS	COSTS	COSTS	TOTAL
				(EIT)	Manager	Scientist	Scientist					
HOURLY RATES	\$290.00	\$229.00	\$185.00	\$135.00	\$198.00	\$148.00	\$98.00					
TASK DESCRIPTIONS												
TASK 13 - BA and FWS consultation												
13.1 Agency coordination	2					8		10	\$1,764.00			\$1,764.00
13.2 Splitting the BA (SWCA)								0	\$0.00	\$15,009.16		\$15,009.16
13.3 Splitting the BA (Halff)	4	2	4	24	2	24	8	68	\$10,330.00			\$10,330.00
TASK 13 SUBTOTAL	6	2	4	24	2	32	8	78	\$12,094.00	\$15,009.16	\$0.00	\$27,103.16
TASK 14 - Presence/Absence Surveys in Cosntruction												
14.1 Biota Surveys								0	\$0.00	\$69,752.26		\$69,752.26
14.2 Migratory bird nesting surveys.					2	8		10	\$1,580.00			\$1,580.00
TASK 14 SUBTOTAL	0	0	0	0	2	8	0	10	\$1,580.00	\$69,752.26	\$0.00	\$71,332.26
TOTAL Estimated Hours	6	2	4	24	4	40	8	88				
TOTAL Estimated Fee	\$ 1,740.00	\$ 458.00	\$ 740.00	\$ 3,240.00	\$ 792.00	\$ 5,920.00	\$ 784.00		\$13,674.00	\$84,761.42	\$0.00	\$98,435.42
HOURLY RATES	\$290.00	\$229.00	\$185.00	\$135.00	\$198.00	\$148.00	\$98.00					

Halff Associates, Inc.