

[illegible]

**SUPPLEMENTAL CONTRACT NO. 3
TO CONTRACT FOR ENGINEERING SERVICES**

FIRM: BGE, INC. (“Engineer”)
ADDRESS: 101 West Louis Henna Boulevard, Suite 400, Austin, TX 78728
PROJECT: Red Bud Lane North

This Supplemental Contract No. 3 to Contract for Engineering Services is made by and between the City of Round Rock, Texas, hereinafter called the “City” and BGE, Inc., hereinafter called the “Engineer”.

WHEREAS, the City and Engineer executed a Contract for Engineering Services, hereinafter called the “Contract,” on the 12th day of September, 2019 for the Red Bud Lane North Project in the amount of \$436,411.52; and

WHEREAS, the City and Engineer executed Supplemental Contract No. 1 on February 25, 2021 to amend the scope of services and to increase the compensation by \$689,788.50 to a total of \$1,126,200.02; and

WHEREAS, the City and Engineer executed Supplemental Contract No. 2 on May 26, 2022 to amend the scope of services and to increase the compensation by \$49,912.00 to a total of \$1,176,112.02; 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 \$128,389.00 to a total of \$1,304,501.02;

NOW THEREFORE, premises considered, the City 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 C, Work Schedule shall be amended as set forth in the attached Addendum to Exhibit C.

II.

Article 4, Compensation and Exhibit D, Fee Schedule shall be amended by increasing by \$128,389.00 the lump sum amount payable under the Contract for a total of \$1,304,501.02, as shown by the attached Addendum to Exhibit D.

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

BGE, INC.

By: Eric Busker
Eric Busker, Project Manager

09/26/2022
Date

CITY OF ROUND ROCK

APPROVED AS TO FORM:

By: _____
Craig Morgan, Mayor

Stephan L. Sheets, City Attorney

Date

ADDENDUM TO EXHIBIT B

Engineering Services

The work to be performed by the ENGINEER under this contract consists of providing engineering services required for the development of construction plans for the widening and reconstruction of **Red Bud Lane from US 79 to Paloma Lake Blvd** and along CR 122 approximately 500' and along Old Settler's Road approximately 600LF. The project consists of reconstructing approximately 1.5 miles of the existing 3-lane roadway section to a 4-lane divided facility and adding a right turn lane on CR 122. This project involves surveying, geotechnical, environmental, public involvement, engineering analyses, and associated details necessary to produce **PS&E to a 100% design**.

The ENGINEER shall perform all work and prepare all deliverables in accordance with the latest version of the City of Round Rock criteria.

The ENGINEER shall perform quality control and quality assurance (QA/QC) on all deliverables associated with this project.

The ENGINEER shall provide traffic control in accordance with the Texas Manual on Uniform Traffic Control Devices (TMUTCD) when performing onsite activities associated with this contract.

RIGHT OF WAY DATA (Function Code 130)

1. Utility Coordination (Halff Associates, Inc.)

- A. The Engineer shall perform Subsurface Utility Engineering (SUE) Quality Level B and A, Utility Coordination and Utility Engineering services for approximately thirteen (13) utilities as listed below on the Redbud Lane Project:
 - Grande – Line installed after initial field work performed
- B. The work to be performed by the Engineer under this contract shall consist of providing engineering services required for SUE Quality Level B and A, Utility Coordination and Utility Engineering on the Redbud Lane Project.
- C. Initiate one-call (811) and coordinate with utility companies. Halff will initiate utility companies to mark their lines. Markings will be surveyed by Inland Geodetics.
- D. These services include as-needed SUE, utility adjustment coordination, and utility engineering activities including obtaining record information on existing utilities from utility owners to identify all known existing public utilities, updating the Quality level C and D base map depicting the horizontal utility locations, updating and maintaining a Utility Conflict Matrix (UCM) and Utility Layout identifying potential known conflicts.
- E. **Subsurface Utility Engineering (SUE)** including utility investigations subsurface and above ground prepared in accordance with AASHTO standards [ASCE C-1 38-02] and Utility Quality Levels as follows.
 - i. Utility Quality Levels are defined in cumulative order (least to greatest) as follows:

- **Quality Level D - Existing Records:** Utilities are plotted from review of available existing records.
- **Quality Level C - Surface Visible Feature Survey:** Quality level "D" information from existing records is combined with surveyed surface-visible features (performed by surveyor). Includes Quality Level D information. If there are variances in the designated work area of Level D then a new schematic or plan layout, if needed, is required showing the limits of the proposed project and limits of the work area required for this work authorization; including highway stations, limits within existing or proposed right of way, additional areas outside the proposed right of way, and distances or areas to be included down existing intersecting roadways.
- **Quality Level B - Designate:** Two-dimensional horizontal mapping. This information is obtained through the application and interpretation of appropriate non-destructive surface geophysical methods. Incorporates quality levels C and D information to produce Quality Level B. If there are variances in the designated work area of Level D then a new schematic or plan layout, if needed, is required showing the limits of the proposed project and limits of the work area required for this work authorization; including highway stations, limits within existing or proposed right of way, additional areas outside the proposed right of way, and distances or areas to be included down existing intersecting roadways. **(11,000 LF of utilities estimated)**
- **Quality Level A - Locate (Test Hole):** Three-dimensional mapping and other characterization data. This information is obtained through exposing utility facilities through test holes. Actual locations are tied to survey control (performed by surveyor). Incorporates quality levels B, C and D information to produce Quality Level A. **(up to thirty two (32) test holes)**

- F. **Utility Adjustment Coordination** including one (1) utility coordination meeting with the City of Round Rock and individual utility companies.
- i. The Utility Coordinator shall perform utility coordination and liaison activities with involved utility owners, their consultants, and the City of Round Rock.
 - a. The Utility Coordinator shall coordinate all activities with the City of Round Rock, or their designee, and will be responsible for the following:
 - b. The Utility Coordinator shall provide initial project notification letters to all affected utility companies, owners, and other concerned parties, if needed.
 - c. The Utility Coordinator shall provide the City of Round Rock and all affected utility companies and owners a Utility Contact List for each project with all information such as: (a) Owner's Name; (b) Contact Person; (c) Telephone Numbers; (d) Emergency Contact Number; (e) E-mail addresses; (f) as well as all pertinent information concerning their respective affected utilities and facilities, including but not limited to: size, number of poles, material, and other information which readily identifies the utilities companies' facilities.
 - d. The Utility Coordinator shall advise utility companies and owners of the general characteristics of the Project and provide an illustration of the project footprint for mark-

up of the utility facility locations that occupy the project area.

- e. The Utility Coordinator shall coordinate which utilities will conflict with roadway construction and make the utility company aware of these conflicts.

G. **Utility Engineering** including the identification of utility conflicts, coordination, compliance with City of Round Rock standards, and resolution of utility conflicts. The Engineer shall coordinate all activities with the City of Round Rock, or their designee, and will be responsible for the following:

- i. Existing Utility Layout: The Engineer shall maintain a utility layout in the latest version of AutoCAD Civil 3D used by the City of Round Rock. This layout shall include highlighted existing utilities which are to remain in place or be abandoned, and adjusted utilities. This layout will be utilized to evaluate alternatives. The Engineer will utilize the layout of existing utilities as prepared, if available, and make a determination of the following;
 - a. Facilities in conflict with the proposed project that are to be relocated.
 - b. Facilities to be abandoned in place.
 - c. Facilities to remain in service and in place.
 - d. The Engineer shall be responsible for determining if there are additional facilities, not shown in the Subsurface Utility Engineering (SUE) documents, which require relocation. The Engineer shall coordinate this information with the City of Round Rock immediately upon discovery.
- ii. Meetings with Utility Companies: As required, to facilitate utility conflict identification and resolution, the Engineer shall:
 - a. Establish contact with all existing utilities within and adjacent to the project limits and set up utility coordination meetings to discuss concepts and options for construction.
 - b. Prepare and present, in collaboration with the City of Round Rock, instruction and orientation sessions as required. The instruction shall introduce the SUE Plans, the proposed utility layout, processes, demonstrate the technology and facilitate the preparation of work orders, billings, and contract related documentation as it pertains to utility adjustment work.
- iii. Review of Utility's Proposed Adjustments, the Engineer shall:
 - a. Evaluate Alternatives: The Utility Engineer shall evaluate alternatives in the adjustment of utilities balancing the needs of both the City of Round Rock and the Utility.
 - b. Review Estimates and Schedules: The Utility Engineer shall review the utility adjustment estimates for reasonableness of cost and the timely scheduling of the adjustment.
 - c. Review Plans for compliance with City of Round Rock standards and proposed location data. The responsibility for quality and accuracy of Utility adjustment plans will remain with the Utility Company.
 - d. Prepare a Signed and Sealed Proposed Utility Layout in the latest version of Micro Station used by the State that can be overlaid on the base file with drainage

H. Deliverables:

- i. Two (2) Proposed Utility Layouts (11"x17") signed and sealed by a Texas Professional Engineer
- ii. Two (2) sets of Test Hole Data Forms (8.5"x11") signed and sealed by a Texas Professional Engineer
- iii. Utility Contact List
- iv. Utility Conflict Matrix/Exhibit
- v. Notification Letters
- vi. Meeting Minutes for one (1) coordination meeting with the City of Round Rock and individual utility companies
- vii. Meeting Minutes for individual coordination meetings with the utility companies
- viii. AutoCAD Civil 3D electronic project files in US feet (2D) format

UTILITIES DESIGN (Function Code 164)

1. Based on the subsurface utility identification and a conflict matrix (by others) identifying existing water facilities that may be potential conflict with the proposed roadway improvements within the project's limits of construction.

Water Infrastructure:

- STA 29+18: Relocate approx. 100 lf of 16" WL and ARV vent. ARV to remain in place.
- STA 43+28: Relocate approx. 120 lf of 8" WL
- STA 48+22: Relocate approx. 120 lf of 8" WL
- STA 63+06: Relocate approx. 110 lf of 12" WL
- STA 63+06: Relocate approx. 130 lf of 8" WL
- STA 79+75 to 83+46: Relocate approx. 371 lf of 16" WL, FH, and Valves

BID PHASE SERVICES (Function Code 170)

- I. Project Manual Development – Prepare project manual utilizing front-end documents and specifications provided by City (TxDOT or COA can be used as needed) including bid items, contract, and special conditions.
- J. Provide bidding support services, including assistance with responding to bidder questions, attend pre-bid meeting, and prepare minutes.
- K. Prepare Responses to Bidders' questions.
- L. Tabulate, evaluate bids, and make apparent low bidder award recommendation

CONSTRUCTION PHASE SUPPORT SERVICES (Function Code 309)

- A. Engineer shall provide construction support services, including assistance with responding to contractor questions, attend pre-construction meeting, and prepare minutes.
- B. Assist City with Shop Drawing and material review and approval (**assume 16**

submittals)

- C. Assist City with preparation of Change Orders, Alternate Design or Additional Design Details
- D. Respond to Questions related to the Plans - The Engineer shall be available to respond to questions related to the plans and specifications as needed throughout the duration of the construction. The Engineer will document each question in sufficient detail, formulate a response and submit a written version of the response to the City for distribution to all involved parties. Estimate assumes no more than **ten (10)** Requests for Information.
- E. The Engineer representative to attend site visits as needed at the request of the City, estimated at **eight (8)** site visits, not included are visits to resolve E&O issues.
- F. The Engineer shall not at any time supervise, direct, control, or have authority over any contractor's work, nor shall Engineer have authority over or be responsible for the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor, or the safety precautions and programs incident thereto, for security or safety at the construction site, nor for any failure of a contractor to comply with Laws and Regulations applicable to such contractor's furnishing and performing of his work. The Engineer will not bear any responsibility or liability for defects or deficiencies of the contractor.

ADDENDUM TO EXHIBIT C
Work Schedule

Attached Behind This Page

ADDENDUM TO EXHIBIT D
Fee Schedule

Attached Behind This Page

FC	DESCRIPTION	BGE	Half	Inland	TOTAL
FC 120	ENVIRONMENTAL	\$ -	\$ -	\$ -	\$ -
FC 130	ROW	\$ -	\$ -	\$ 7,870.00	\$ 7,870.00
	UTILITY COORDINATION	\$ -	\$ 14,775.00	\$ -	\$ 14,775.00
	GENERAL MANAGEMENT / COORDINATION	\$ -	\$ -	\$ -	\$ -
FC 145	FIELD SURVEYING	\$ -	\$ -	\$ -	\$ -
FC 150	ROADWAY DESIGN CONTROLS	\$ -	\$ -	\$ -	\$ -
FC 160	DRAINAGE	\$ -	\$ -	\$ -	\$ -
FC 161	SIGNING, PAVEMENT MARKINGS AND SIGNALIZATION	\$ -	\$ -	\$ -	\$ -
FC 162	MISCELLANEOUS ROADWAY	\$ -	\$ -	\$ -	\$ -
FC 163	UTILITIES DESIGN	\$ 44,754.00	\$ -	\$ -	\$ 44,754.00
FC 164	BID PHASE SERVICES	\$ 22,648.00	\$ -	\$ -	\$ 22,648.00
FC 170	CONSTRUCTION PHASE SUPPORT SERVICES	\$ 38,342.00	\$ -	\$ -	\$ 38,342.00
FC 309	EXPENSES	\$0.00	\$ -	\$ -	\$ -
	TOTAL	\$105,744.00	\$14,775.00	\$7,870.00	\$128,389.00

BGE, INC.

PROJECT NAME: RED BUD NORTH

FROM US 79 TO CR 117

EXHIBIT D-3 - FEE SCHEDULE

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		Respond to Contractor Questions (RFIs) (10 ea)												8	\$9,690.00																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																								
		Project Walk-Thru/Close-out												4	\$3,718.00																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																								
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FUNCTION CODE		TOTAL COSTS	TOTAL DIRECT EXPENSE	TOTAL LABOR COSTS	Senior Project Manager	Project Manager	Project Engineer	QC Manger	EIT	Senior Engineer Tech	Senior CADD Op	Senior ENV	ENV Scientist	Admin/ Clerical	Total	TOTAL MH BY FC
BGE		\$105,744.00	\$0.00	\$105,744.00	82	84	170	32	138	202	0	0	0	16	724	
SUBTOTAL LABOR HOURS					82	84	170	32	138	202	0	0	0	16	724	

OTHER DIRECT EXPENSES		QUANTITY	UNIT	RATE	TOTAL
	Mileage		mile	\$ 0.56	\$0.00
	GPS rental		day	\$ 45.00	\$0.00
	GeoSearch Radius Report		each	\$ 250.00	\$0.00
	Photocopies (11"x17")		each	\$ 0.10	\$0.00
	Photocopies B/W (11" X 17")		each	\$ 0.20	\$0.00
	Photocopies Color (8 1/2" X 11")		each	\$ 0.75	\$0.00
	Photocopies Color (11" X 17")		each	\$ 1.25	\$0.00
	Large Format Plotting		SF	\$ 2.25	\$0.00
SUBTOTAL DIRECT EXPENSES					\$0.00

SUMMARY	
TOTAL LABOR COSTS	\$105,744.00
NON-SALARY (OTHER DIRECT EXPENSES)	\$0.00
GRAND TOTAL	\$105,744.00

