



City of Grand Island

Tuesday, October 9, 2012

Council Session

Item G21

#2012-296 - Approving Supplemental No. 1 for Engineering Consulting Services Related to State Street and Capital Avenue Connector Trail Project

Staff Contact: Terry Brown, Interim Public Works Director

Council Agenda Memo

From: Scott Griepenstroh, PW Project Manager

Meeting: October 9, 2012

Subject: Approving Supplemental No. 1 for Engineering Consulting Services Related to the State Street and Capital Avenue Connector Trail

Item #'s: G-21

Presenter(s): Terry Brown, Interim Public Works Director

Background

Any amendments to an agreement must be approved by the City Council. On August 9, 2011 the City Council approved a resolution to enter into an agreement with The Schemmer Associates, Inc. for engineering consulting services related to the State Street and Capital Avenue Connector Trail. The agreement provided for work to be completed at actual costs with a maximum amount of \$87,043.56.

Discussion

The Supplemental No. 1 for the above referenced agreement provides for an extension to the completion deadline for this project.

The Consultant shall complete all work required under the Original Agreement in a satisfactory manner by August 31, 2013. Any costs incurred by Consultant after the completion deadline is not eligible for federal funding reimbursement unless the Consultant has received an extension of time in writing from the Local Public Agency (LPA).

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve Supplemental No. to the agreement with The Schemmer Associates, Inc.

Sample Motion

Move to approve the resolution.

SUPPLEMENTAL AGREEMENT #1
PRELIMINARY ENGINEERING AND
ENVIRONMENTAL DOCUMENTATION SERVICES

CITY OF GRAND ISLAND, NEBRASKA
THE SCHEMMER ASSOCIATES, INC.
PROJECT NO. ENH-40(59)
CONTROL NO. 42650
GRAND ISLAND CONNECTOR TRAIL
STATE STREET AND CAPITAL AVENUE

THIS SUPPLEMENTAL AGREEMENT, made and entered into by and between the city of Grand Island, Nebraska, hereinafter referred to as the Local Public Agency or "LPA," and The Schemmer Associates, Inc., hereinafter referred to as the "Consultant."

WHEREAS, the Consultant and the LPA entered into Engineering Agreement BK1167 executed by the Consultant on July 29, 2011 and executed by the LPA on August 9, 2011, hereinafter referred to as the "Original Agreement", providing for preliminary engineering and environmental documentation services for Project No. ENH-40(59), and

WHEREAS, it is necessary to extend the completion deadline under this supplemental agreement, and

WHEREAS, it is the desire of the LPA that the project be constructed under the designation of Project No. ENH-40(59), as evidenced by the Resolution of the LPA dated the 17th day of October, 2012, attached and identified as EXHIBIT "A" and made a part of this agreement, and

NOW THEREFORE, in consideration of these facts, the Consultant and LPA agree as follows:

SECTION 1. The Consultant shall complete all work required under the Original Agreement in a satisfactory manner by August 31, 2013. Any costs incurred by Consultant after the completion deadline are not eligible for federal funding reimbursement unless the Consultant has received an extension of time in writing from the LPA.

SECTION 2. Except as specifically amended by this supplemental agreement, all terms and conditions of the Original Agreement, BK1167, on Project No. ENH-40(59), executed by the Consultant on July 29, 2011 and executed by the LPA on August 9, 2011 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused these presents to be executed by their proper officials thereunto duly authorized as of the dates below indicated.

After being duly sworn on oath, I do hereby acknowledge the foregoing certification and state that I am authorized to sign this agreement for the firm.

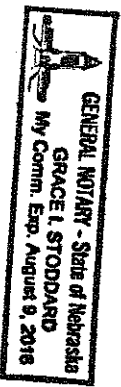
EXECUTED by the Consultant this 25 day of September, 2012.

THE SCHEMMER ASSOCIATES, INC.
Steve Kathol

[Signature]
Principal

STATE OF NEBRASKA)
)ss.
DOUGLAS COUNTY)

Subscribed and sworn to before me this 25 day of September, 2012.



[Signature]
Notary Public

EXECUTED by the LPA this 14 day of October, 2012.

CITY OF GRAND ISLAND
Jay Vavricek

Mayor

Subscribed and sworn to before me this _____ day of _____, 2012.

Clerk

STATE OF NEBRASKA
DEPARTMENT OF ROADS
Form of Agreement Approved for
Federal Funding Eligibility:

Date

Project No. ENH-40(59)
Control No. 42650
Grand Island Connector Trail
State Street and Capital Avenue

RESOLUTION 2011-296

WHEREAS, on August 9, 2011 the City Council of the City of Grand Island approved entering into an agreement with The Schemmer Associates, Inc. for engineering consulting services related to the State Street and Capital Avenue Connector Trail; and

WHEREAS, the original agreement is being supplemented to allow for an extension to the completion deadline for this project; and

WHEREAS, the Consultant shall complete all work required under the Original Agreement in a satisfactory manner by August 31, 2013; and

WHEREAS, any costs incurred by Consultant after the completion deadline are not eligible for federal funding reimbursement unless the Consultant has received an extension of time in writing from the Local Public Agency (LPA).

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Supplemental Agreement No. 1 with The Schemmer Associates, Inc. for engineering consulting services related to the State Street and Capital Avenue Connector Trail is hereby approved.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute such agreement on behalf of the City of Grand Island.

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Adopted by the City Council of the City of Grand Island, Nebraska, October 9, 2012.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☒ _____
October 5, 2012	☒ City Attorney