

**SUPPLEMENTAL AGREEMENT NO. 1
TO
ENGINEERING SERVICES CONTRACT**

This Supplemental Agreement is made part of an agreement dated June 1, 2023 between the City of Cape Girardeau and Bacon Farmer Workman Engineering & Testing, Inc. for design of project TAP-1501(021). The purpose of this Supplemental Agreement is to: 1) Revise the scope of work specified in the Original Agreement to include additional surveying, design, and environmental/cultural review as necessary for the preparation of right of way plans for City acquisition of temporary construction easements to accomodate driveway grade adjustments, or as otherwise needed, and; 2) To update the delivery Milestone specified in Original Agreement which remains to be accomplished. These additional services shall be in an amount not to exceed Thirty Thousand, Five Hundred Seventy Three Dollars and Fifty Six Cents (\$30,573.56) without further authorization. The total design services shall be in an amount not to exceed Ninety Nine Thousand, One Hundred Sixty Five Dollars and Sixty Eight Cents (\$99,165.68). Attachment A outlines the cost breakdown for this Supplemental Agreement.

The right of way line is located 12 feet, more or less, beyond the back side of the street curb through much of the project. A significant number of driveways have existing grades which exceed 8%, therefore there is insufficient room within the available right of way to modify the driveway grades to accommodate the sidewalk crossings and yet achieve an acceptable grade on the driveway tie-ins at the back side of the sidewalk crossings. In February 2024, the City's original assumption for resolving the grade issues via a separate city project was determined by MoDOT to not meet the intent of the TAP program guidelines. As a result, the preparation of right of way plans has been deemed necessary.

The Final PS&E Approval delivery Milestone of 12/01/23 in the Original Agreement was arbitrarily set to preceed the Final PS&E Approval date in the Program Agreement by 5 months, leaving little buffer time for potential delays. Acquisition of field survey data by the project subconsultant occurred 3 months later than scheduled resulting in less than planned project development time. The delivery Milestone is being revised to accommodate the earlier survey field work delay plus the additional work in this Supplemental Agreement, plus time needed for City acquisition and right of way clearance.

Revised date for delivery Milestone under Article V shall be established as follows:

	<u>Original Date</u>	<u>Supp. #1 Date</u>
PS&E Approval by MoDOT	12/01/23	2/28/25

Supplement Agreement No. 1 accepted as defined herein:

OWNER: City of Cape Girardeau

ENGINEER: Bacon Farmer & Workman
Engineering & Testing, Inc

BY: _____

BY: 

TITLE: _____

TITLE: Executive VP

DATE: _____

DATE: 4/22/2024

ATTEST:

BY: _____

BY: 

TITLE: _____

TITLE: Benefits & Wellness Coordinator

DATE: _____

DATE: 04/22/2024

Executed by the City on the _____ day of _____, 2024.

ATTACHMENT A
SUPPLEMENTAL AGREEMENT NO. X
April 22, 2024

DESIGN Phase Services (Additional):

	<u>Hours</u>	<u>Rate</u>	<u>Cost</u>
Project Manager	21	\$70.42	\$1,478.82
Environmental Manager	22	\$57.34	\$1,261.48
Historic Preservation Specialist	40	\$49.91	\$1,996.40
GIS Specialist	4	\$21.78	\$87.12
Project Engineer	25	\$70.33	\$1,758.25
Staff Engineer	50	\$38.73	\$1,936.50
Senior Transportation Designer	8	\$42.91	\$343.28
Professional Land Surveyor	28	\$48.03	\$1,344.84
Instrument Operator	24	\$31.35	\$752.40
Subtotal	222		\$10,959.09
Payroll Overhead (est. at 44.30%)			\$4,854.88
General and Administrative Overhead (est. at 99.61%)			\$10,916.35
Other Direct Costs			
Mileage, etc			\$131.00
Subtotal			\$26,700.32
Fixed Fee (available only for significant supplemental agreements)			\$3,742.24
Total Supplemental Agreement No. 1			\$30,573.56
Summary Design Phase:			
Original Agreement			\$68,592.12
Supplemental Agreement			\$30,573.56
Total			\$99,165.68

FIG. VI - 4

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Revised 02-14-00