

12/001253

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

RESOLUTION APPROVING SUPPLEMENTAL AGREEMENT #2 (ENGINEERING)
FOR SAFE ROUTES TO SCHOOL PROGRAM – RUMSEY STATION

WHEREAS, pursuant to Neb. Rev. Stat. § 23-104 (Reissue 2007), the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. § 23-103 (Reissue 2007), the powers of the County as a body are exercised by the County Board; and,

WHEREAS, general supervision and control of the public roads of each county is vested in the County Board by virtue of Neb. Rev. Stat. §39-1402 (Reissue 2007); and,

WHEREAS, Sarpy County had previously entered into an agreement approved by the board of funding from the SAFE ROUTES TO SCHOOL PROGRAM and under the designation of Project Number SRTS-77(53), and State Control No. 22270 for improvements fo the school sidewalk route near the Rumsey Station Elementary School, said agreement having been subsequently amended: and,

WHEREAS, an additional Supplemental Agreement has been proposed to said previous agreement for further engineering services necessary for said project.

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS THAT the Chair and Clerk are hereby authorized to execute on behalf of Sarpy County, Supplemental Agreement #2 (Engineering) to the Agreement with the Sate of Nebraska for safety improvements under the SAFE ROUTES TO SCHOOL PROGRAM, Project No. SRTS-77(53) State Control No. 22270, which is attached hereto, the same being approved buy the board

The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on the

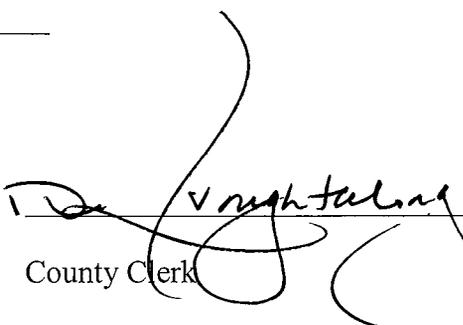
7th day of August, 2012.



Sarpy County Board Chairman

Attest:
SEAL





County Clerk



SARPY COUNTY

Dennis L. Wilson P.E.
Sarpy County Engineer

PUBLIC WORKS DEPARTMENT
15100 South 84th Street • Papillion, Ne 68046-2895
Phone (402) 537-6900 • FAX (402) 537-6955 • www.sarpy.com

MEMORANDUM

To: Sarpy County Board of Commissioners

From: Dennis L. Wilson, P.E., PhD, Sarpy County Engineer 

Subject: Rumsey Station Safe Routes to School Program, Supplemental Agreement #2 for Preliminary Engineering.

Date: August 3, 2012

I recommend approval of the Supplemental Agreement #2 for Preliminary Engineering services for the above referenced project. This supplement increases the scope and fee to meet additional requirements not contemplated in the Original Agreement. The not to exceed increase is \$4,900.00 which will increase the total from \$24,953.43 to \$29,853.43.

BJH/bjh

SUPPLEMENTAL AGREEMENT NO. 2
PRELIMINARY ENGINEERING SERVICES

SARPY COUNTY, NEBRASKA
FELSBURG HOLT & ULLEVIG
PROJECT NO. SRTS-77(53)
CONTROL NO. 22270
PAPILLION-RUMSEY STATION ELEMENTARY
SRTS INFRASTRUCTURE PROJECT

THIS SUPPLEMENTAL AGREEMENT, made and entered into by and between Sarpy County, Nebraska, hereinafter referred to as the Local Public Agency or "LPA," and Felsburg Holt & Ullevig, hereinafter referred to as the "Consultant."

WHEREAS, the Consultant and the LPA entered into Engineering Agreement YK0825 executed by the Consultant on March 13, 2008 and executed by the LPA on March 13, 2008, hereinafter referred to as the "Original Agreement", and a supplemental agreement executed by the Consultant on August 12, 2010 and by the LPA on August 17, 2010, hereinafter referred to as "Supplemental Agreement No. 1", providing for preliminary engineering services for Project No. SRTS-77(53), and

WHEREAS, it is necessary that additional documentation and specification development, not contemplated in the Original Agreement or Supplemental Agreement No.1 be added under this supplemental agreement, and

WHEREAS, it is necessary to increase the Consultant's compensation by this supplemental agreement for the additional work necessary to complete the project, and

WHEREAS, it is the desire of the LPA that the project be constructed under the designation of Project No. SRTS-77(53), as evidenced by the Resolution of the LPA dated the 7th day of August, 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. A Written Notice-to-Proceed was issued to the Consultant on June 27, 2012 to perform the additional work through Consultant Work Order 1. Any additional work or services performed by Consultant on the project prior to the date specified in the written Notice-to-Proceed is not eligible for reimbursement.

SECTION 2. The Consultant will perform the additional work stipulated in Consultant Work Order 1, which is attached as Exhibit "B" and hereby made a part of this supplemental agreement.

SECTION 3. For the work required, the Original Agreement is hereby amended and the fixed-fee-for-profit is increased from \$2,639.84 to \$3,141.87, an increase of \$502.03. Actual costs are increased from \$22,313.59 to \$26,711.56, an increase of \$4,397.97. The total agreement

YK0825 Supp 2

amount is increased from \$24,953.43 to \$29,853.43, an increase of \$4,900.00 which the Consultant must not exceed without the prior written approval of the LPA.

SECTION 4. The Consultant will be paid the additional fee on the same terms stipulated in the Original Agreement and, except as specifically amended by this supplemental agreement, all terms and conditions of the Original Agreement YK0825 on Project No. SRTS-77(53), executed by the Consultant on March 13, 2008 and executed by the LPA on March 13, 2008 and Supplemental Agreement No. 1 executed by the Consultant on August 12, 2010 and by the LPA on August 17, 2010 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.

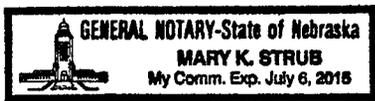
EXECUTED by the Consultant this 22nd day of August, 2012.

FELSBURG HOLT & ULLEVIG
Kyle A. Anderson

Kyle A. Anderson
Principal

STATE OF NEBRASKA)
)ss.
DOUGLAS COUNTY)

Subscribed and sworn to before me this 22nd day of August, 2012.



Mary K. Strub
Notary Public

EXECUTED by the LPA this 7th day of August, 2012.

SARPY COUNTY
Rusty Hike

Rusty Hike
Chair, County Board of Commissioners

Subscribed and sworn to before me this 7th day of August, 2012.



Clerk

Debora J. Houghtaling

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





Date

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

RESOLUTION APPROVING SUPPLEMENTAL AGREEMENT #2 (ENGINEERING)
FOR SAFE ROUTES TO SCHOOL PROGRAM – RUMSEY STATION

WHEREAS, pursuant to Neb. Rev. Stat. § 23-104 (Reissue 2007), the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. § 23-103 (Reissue 2007), the powers of the County as a body are exercised by the County Board; and,

WHEREAS, general supervision and control of the public roads of each county is vested in the County Board by virtue of Neb. Rev. Stat. §39-1402 (Reissue 2007); and,

WHEREAS, Sarpy County had previously entered into an agreement approved by the board of funding from the SAFE ROUTES TO SCHOOL PROGRAM and under the designation of Project Number SRTS-77(53), and State Control No. 22270 for improvements to the school sidewalk route near the Rumsey Station Elementary School, said agreement having been subsequently amended: and,

WHEREAS, an additional Supplemental Agreement has been proposed to said previous agreement for further engineering services necessary for said project.

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS THAT the Chair and Clerk are hereby authorized to execute on behalf of Sarpy County, Supplemental Agreement #2 (Engineering) to the Agreement with the State of Nebraska for safety improvements under the SAFE ROUTES TO SCHOOL PROGRAM, Project No. SRTS-77(53) State Control No. 22270, which is attached hereto, the same being approved by the board

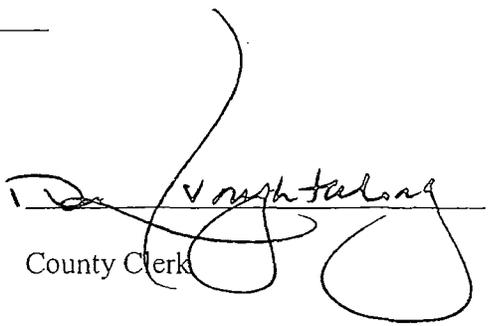
The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on the

7th day of August, 2012.



Sarpy County Board Chairman

Attest:
SEAL 



County Clerk

Exhibit "A"

Consultant Work Order (Local Projects)

Project No: Runsey Station SHTS Infrastructure Project	Control No: 22270
Consultant (Name and Representative): Felsburg Holt & Ullevig	Agreement No: YK0825
LPA (Name and Representative): Sarpy County, Bill Herr	Work Order No: 1
	Const. Change Order No. (if applicable): N/A

All parties agree the following described work needs to be performed by the consultant as part of the referenced project. All parties concur and hereby give notice to proceed based on the following justification to modify contract, scope of services, deliverables, schedule, and estimated total fee. All other terms of existing agreements between the parties are still in effect. It is understood by all parties that the work described herein will become part of a future supplement to the agreement indicated above.

Justification to modify agreement (Include scope of services, deliverables, and schedule):

This project original was originally going to be let through Sarpy County in spring of 2009. Due to LPA guidelines changes and subsequent changes in policy this project will be let through NDOR using NDOR specifications. This requires additional work by the design consultant in make review changes due to NDOR comments. This also requires additional documentation and specification development.

Work Title	Summary of Fee
Principal 2 hrs	A Total Direct Labor Cost 1,647.22
Senior Engineer 8 hrs	B Overhead (Factor * x A) 2,536.39
Project Engineer 26 hrs	C A + B 4,183.61
CAD Technician 6 hrs	D Profit-Fee (Factor ** x C) 502.03
Clerical 2 hrs	E Direct Non-Labor Cost 214.36
Overhead Factor: 153.98%	F Subconsultant Services 0.00
Profit-Fee Factor: 12.00%	TOTAL FEE: C + D + E + F = \$4,900.00
Total Fee Notes:	<input type="checkbox"/> ESTIMATED TOTAL FEE
	<input checked="" type="checkbox"/> FINAL TOTAL FEE \$4,900.00

Work Order Authorization – May be granted by email and attached to this document.

Consultant:	<i>Kyle A. Anderson</i> Name Signature	June 12, 2012 Date	
LPA:	<i>Bill Herr</i> Name Signature	June 14, 2012 Date	Notice to Proceed will be granted by email by: LPD PC for Preliminary Engineering & CD PC for Construction Engineering.
LPD PC (for Preliminary Engineering) and State Rep. (for Construction Engineering):	<i>Mike Kile Sfrer</i> Name Signature	6/15/12 Date	
FHWA:	<i>Nicholas Finch</i> Name Signature	6/21/12 Date	Notice to Proceed Date 06/27/12

Distribution: Consultant, LPA, IF, State Rep, FHWA, PD, PC, RSOB, Agreements Engineer, Highway Funds Manager, CD PC