

**CITY OF CORPUS CHRISTI
AMENDMENT NO. 1
CONTRACT FOR PROFESSIONAL SERVICES**

The City of Corpus Christi, Texas hereinafter called "City", and **LNV, Inc.** hereinafter called "Engineer", agree to the following amendments to the Contract for Engineering Services for **Navigation Boulevard from Up River Road to Leopard Street (Project No. E12090) BOND 2012**, as authorized and administratively amended by:

Original Contract	January 29, 2013	Motion No. M2013-012	\$792,350.00
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In the Original Contract, Exhibit "A", Section I. Scope of Services, Part B. Additional Services, **Item No. 7. Construction Observation** shall be amended as set forth in the attached AMD No. 1 Exhibit "A".

In the Original Contract, Exhibit "A", Section III. Fees, Summary of Fees shall be modified and is attached as AMD No. 1 Exhibit "A" for a fee not to exceed **\$269,818.00 (Two Hundred Sixty Nine Thousand Eight Hundred Eighteen Dollars Zero Cents)**, for a total restated fee not to exceed **\$1,062,168.00 (One Million Sixty Two Thousand One Hundred Sixty Eight Dollars and Zero Cents)**. Monthly invoice will be submitted in accordance with Exhibit "B".

All other terms and conditions of the January 29, 2013 contract between the City and Engineer, and of any amendments to that contract, which are not specifically addressed herein shall remain in full force and effect.

CITY OF CORPUS CHRISTI

Natasha Fudge, P. E. (Date)
Acting Director of Capital Programs

RECOMMENDED



Valerie Gray, P. E. (Date)
Director of Street Operations

7/3/14

LNV, INC.



Dan S. Leyendecker, P.E. (Date)
President
801 Navigation Blvd, Suite 300
Corpus Christi, TX 78408
(361) 883-1984 Office
(361) 883-1986 Fax

APPROVED AS TO FORM

Assistant City Attorney (Date)

APPROVED

Office of Management (Date)
and Budget

Project No. <u>E12090</u> Fund Source No. <u>550950-3549-00000-E12090</u> Fund Name: <u>Street CIP BOND 2012</u> Encumbrance No. _____

ATTEST

Rebecca Huerta, City Secretary



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July 2, 2014

Mr. Daniel Biles, P.E.
Director of Engineering Services
City of Corpus Christi
P.O. Box 9277
Corpus Christi, TX 78469-9277

RE: Navigation Boulevard – Up River Rd. to Leopard St. (Bond 2012)
City Project No. E12090
Contract Amendment No. 1 (REVISED): Construction Observation Services

Dear Mr. Biles:

LNV is pleased to offer this proposal to amend our Contract for Professional Services for the above referenced project as described below. The fee for providing Construction Observation Services was shown in our original contract To Be Determined (TBD).

SCOPE OF SERVICES

Provide Construction Observation services during the 542-calendar day construction contract time period for the Base Bid scope of work, as follows:

1. Provide a Project Representative (PR) to provide periodic construction observation during the construction contract time period. It is anticipated that the PR will expend approximately 30 hours per week on average.
2. Attendance at construction progress meetings with the Contractor.
3. PR to serve as the City's liaison with the Contractor.
4. Keep City advised of important project issues.
5. PR to coordinate with materials testing laboratory.
6. PR to review materials test reports.
7. PR to coordinate with franchise utility companies.
8. PR to coordinate with TxDOT regarding work in IH-37 right-of-way.
9. PR to prepare daily reports of Contractor's activities.
10. Prepare monthly status reports.
11. PR to take photographs as the work progresses and prepare project photo record.
12. Review Contractor's monthly pay estimates prior to submittal to the City.
13. PR to prepare list of items to be corrected prior to final inspection.
14. PR to participate in TDLR inspection with the RAS inspector.
15. PR to participate in the final walk-through inspection with the Contractor.
16. PR to observe whether all punchlist items from the final inspection have been corrected.
17. PR to assist the City in closing out the project.



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FEES

The lump sum fee for these Construction Observation Services is \$269,818. Our manhour breakdown is shown on the attached spreadsheet.

We appreciate the opportunity to provide these professional services to the City of Corpus Christi.

Sincerely,
LNV, Inc.
TBPE No. F-366

A handwritten signature in blue ink that reads "Dennis Miller".

Dennis L. Miller, P.E., CFM
Sr. Project Manager

cc: Natasha Fudge, P.E.
James Harris, P.E.
Lynda Sutherland

attachment: Manhour Breakdown Spreadsheet

COMPLETE PROJECT NAME

Project No. xxxxxx

Invoice No. 12345

Invoice Date:

	Contract	Amd No. 1	Amd No. 2	Total Contract	Amount Invoiced	Previous Invoice	Total Invoice	Percent Complete
Basic Services:								
Preliminary Phase	\$15,117	\$0	\$0	\$15,117	\$0	\$1,000	\$1,000	7%
Design Phase	20,818	0	0	20,818	1,000	500	1,500	7%
Bid Phase	0	0	0	0	0	0	0	n/a
Report Phase	14,166	0	0	14,166	0	0	0	0%
Construction Phase	0	0	0	0	0	0	0	n/a
Subtotal Basic Services	\$50,101	\$0	\$0	\$50,101	\$750	\$1,500	\$2,500	5%
Additional Services:								
Permitting	\$0	\$0	\$0	\$0	\$0	\$0	\$0	n/a
Warranty Phase	0	0	0	0	0	0	0	n/a
Inspection	9,011	0	0	9,011	0	0	0	0%
Platting Survey	29,090	0	0	29,090	0	0	0	0%
Reporting	1,294	0	0	1,294	0	0	0	0%
O & M Manuals	TBD	TBD	TBD	TBD	TBD	TBD	0	0%
SCADA	TBD	TBD	TBD	TBD	TBD	TBD	TBD	0%
Subtotal Additional Services	\$39,395	\$0	\$0	\$39,395	\$0	\$0	\$0	0%
Summary of Fees								
Basic Services Fees	\$50,101	\$0	\$0	\$50,101	\$750	\$1,500	\$2,500	5%
Additional Services Fees	39,395	0	0	39,395	0	0	0	0%
Total of Fees	\$89,496	\$0	\$0	\$89,496	\$750	\$1,500	\$2,500	3%



SUPPLIER NUMBER
TO BE ASSIGNED BY CITY
PURCHASING DIVISION

CITY OF CORPUS CHRISTI DISCLOSURE OF INTEREST

City of Corpus Christi Ordinance 17112, as amended, requires all persons or firms seeking to do business with the City to provide the following information. Every question must be answered. If the question is not applicable, answer with "NA". See reverse side for Filing Requirements, Certifications and definitions.

COMPANY NAME: LNV, INC.

P. O. BOX: N/A

STREET ADDRESS: 801 NAVIGATION, SUITE 300 CITY: CORPUS CHRISTI ZIP: 78408

FIRM IS: 1. Corporation 2. Partnership 3. Sole Owner
4. Association 5. Other

DISCLOSURE QUESTIONS

If additional space is necessary, please use the reverse side of this page or attach separate sheet.

1. State the names of each "employee" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm."

Name	Department (if known)	Job Title	and	City
<u>N/A</u>				

2. State the names of each "official" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm."

Name	Title
<u>N/A</u>	

3. State the names of each "board member" of the City of Corpus Christi having an "ownership interest" constituting 3% or more of the ownership in the above named "firm."

Name	Committee	Board, Commission or
<u>N/A</u>		

4. State the names of each employee or officer of a "consultant" for the City of Corpus Christi who worked on any matter related to the subject of this contract and has an "ownership interest" constituting 3% or more of the ownership in the above named "firm."

Name	Consultant
<u>N/A</u>	

FILING REQUIREMENTS

If a person who requests official action on a matter knows that the requested action will confer an economic benefit on any City official or employee that is distinguishable from the effect that the action will have on members of the public in general or a substantial segment thereof, you shall disclose that fact in a signed writing to the City official, employee or body that has been requested to act in the matter, unless the interest of the City official or employee in the matter is apparent. The disclosure shall also be made in a signed writing filed with the City Secretary. [Ethics Ordinance Section 2-349 (d)]

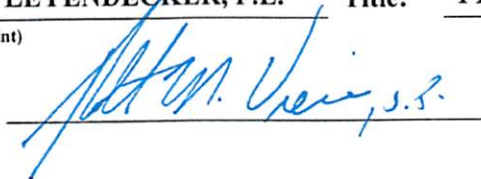
CERTIFICATION

I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Corpus Christi, Texas as changes occur.

Certifying Person: DAN S. LEYENDECKER, P.E. Title: PRESIDENT

(Type or Print)

Signature of Certifying Person:



Date:

1/3/14

DEFINITIONS

- a. "Board member." A member of any board, commission, or committee appointed by the City Council of the City of Corpus Christi, Texas.
- b. "Economic benefit". An action that is likely to affect an economic interest if it is likely to have an effect on that interest that is distinguishable from its effect on members of the public in general or a substantial segment thereof.
- c. "Employee." Any person employed by the City of Corpus Christi, Texas either on a full or part-time basis, but not as an independent contractor.
- d. "Firm." Any entity operated for economic gain, whether professional, industrial or commercial, and whether established to produce or deal with a product or service, including but not limited to, entities operated in the form of sole proprietorship, as self-employed person, partnership, corporation, joint stock company, joint venture, receivership or trust, and entities which for purposes of taxation are treated as non-profit organizations.
- e. "Official." The Mayor, members of the City Council, City Manager, Deputy City Manager, Assistant City Managers, Department and Division Heads, and Municipal Court Judges of the City of Corpus Christi, Texas.
- f. "Ownership Interest." Legal or equitable interest, whether actually or constructively held, in a firm, including when such interest is held through an agent, trust, estate, or holding entity. "Constructively held" refers to holdings or control established through voting trusts, proxies, or special terms of venture or partnership agreements."
- g. "Consultant." Any person or firm, such as engineers and architects, hired by the City of Corpus Christi for the purpose of professional consultation and recommendation.