

**CITY OF CORPUS CHRISTI
AMENDMENT NO. 2
CONTRACT FOR PROFESSIONAL SERVICES**

The City of Corpus Christi, Texas hereinafter called "City", and **NAISMITH ENGINEERING, INC.** hereinafter called "Engineer", agree to the following amendments to the Contract for Engineering Services for **Horne Road from Ayers Street to Port Avenue (Project No. E12100) BOND 2012**, as authorized and administratively amended by:

Original Contract	January 29, 2013	Motion No. M2013-021	\$244,362.50
Amendment No. 1	August 16, 2013	Administrative Approval	\$17,000.00

In the Original Contract, Exhibit "A", Section 1. Scope of Services, Part B. Additional Services shall be amended to include **Item No.11. Construction Observation Services** as set forth in the attached AMD No. 2, Exhibit "A".

In the Original Contract, Exhibit "A", Section 111. Fees, Summary of Fees shall be modified and is attached as AMD No. 2 Exhibit "A" for a fee not to exceed **\$104,000.00 (One Hundred Four Thousand Dollars and Zero Cents)**, for a total restated fee not to exceed **\$365,362.50 (Three Hundred Sixty Five Thousand Three Hundred Sixty Two Dollars and Fifty 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

Operating Department Date

APPROVED AS TO LEGAL FORM

Assistant City Attorney Date
for City Attorney

NAISMITH ENGINEERING, INC.

 07/29/2014

Grant Jackson, P.E. Date
Vice President
4501 Gollihar, Road
Corpus Christi, TX 78411
(361) 814-9900 Office
(361) 814-4401 Fax

APPROVED

Office of Management Date
and Budget

Project No. <u>E12100</u> Fund Source No. <u>550950-3549-00000-E12100</u> Fund Name: <u>Street CIP BOND 2012</u> Encumbrance No. _____

ATTEST

Rebecca Huerta, City Secretary



NaismithEngineering,Inc

ARCHITECTURE ■ ENGINEERING ■ ENVIRONMENTAL ■ SURVEYING

TBPE FIRM NO. F-355

...

TBPLS No. F-100395-00

ESTABLISHED 1949

OVER 60 YEARS OF ENGINEERING EXCELLENCE

July 23, 2014

James Harris
Engineering Services
City of Corpus Christi
P.O. Box 9277
Corpus Christi, TX 78469-9277

**SUBJECT: Contract Amendment Two
Horne Road - Ayers Street to Port Avenue (E12100)
Bond Issue 2012**

Dear Mr. Harris

NEI is pleased to offer this proposal to amend our Contract for Professional Services for the above referenced project. As requested by the City, NEI is proposing to provide a full time inspector for the duration of the Construction Contract to provide Construction Observation Services. The original contract did not include a line item for Construction Observation Services.

The Construction Contract is scheduled to be 180 Calendar Days (6 months). We are basing our proposed fee on a 6.5 month period in order to cover any close out items which may be required. Therefore as requested by Engineering Services the total for Amendment Two (based on 6.5 months at 40 hours a week) is **\$104,000** for a total restated fee of **\$365,362.50** for the Construction Observation Services.

We thank you for your consideration and approval. Should you have any questions, please do not hesitate to call.

Very Truly Yours,

NAISMITH ENGINEERING, INC.

Grant A. Jackson, P.E.
Vice President

AMD. NO. 2
EXHIBIT "A"
Page 1 of 2

**Horne Road - Ayers Street to Port Avenue
Project No. E12100
Bond Issue 2012**

SUMMARY OF FEES

Naismith Engineering, Inc.

Fees	ORIGINAL CONTRACT	AMD. NO. 1	AMD. NO. 2	TOTAL
Basic Services				
1. Preliminary Phase	\$20,360.00	\$0.00	\$0.00	\$20,360.00
2. Design Phase	\$92,822.50	\$0.00	\$0.00	\$92,822.50
3. Bid Phase	\$8,690.00	\$0.00	\$0.00	\$8,690.00
4. Construction Administration Phase	\$20,880.00	\$0.00	\$0.00	\$20,880.00
Subtotal Basic Services Fee	\$142,752.50	\$0.00	\$0.00	\$142,752.50
Additional Services				
1. Permit Preparation	\$6,405.00	\$0.00	\$0.00	\$6,405.00
2. ROW Acquisition Survey	\$4,000.00	\$0.00	\$0.00	\$4,000.00
3. Topographic Survey and Parcel Descriptions	\$16,500.00	\$0.00	\$0.00	\$16,500.00
4. Subsurface Utility Exploration (S.U.E.)	\$54,500.00	\$0.00	\$0.00	\$54,500.00
5. CCTV Wastewater Lines	\$7,000.00	\$0.00	\$0.00	\$7,000.00
6. Environmental Issues	\$0.00	\$2,000.00	\$0.00	\$2,000.00
7. Geotechnical Pavement Section Analysis	\$5,600.00	\$0.00	\$0.00	\$5,600.00
8. Public Involvement	\$6,280.00	\$0.00	\$0.00	\$6,280.00
9. Warranty Phase	\$1,325.00	\$0.00	\$0.00	\$1,325.00
10. Evaluate Existing Box Culvert & Design Rehabilitation Measures	\$0.00	\$15,000.00	\$0.00	\$15,000.00
11. Construction Observation Services	\$0.00	\$0.00	\$104,000.00	\$104,000.00
Subtotal Additional Services Fee	\$101,610.00	\$17,000.00	\$104,000.00	\$118,610.00
Total Fees	\$244,362.50	\$17,000.00	\$104,000.00	\$365,362.50

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%



City of
Corpus
Christi

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: Naismith Engineering, Inc.

P. O. BOX: 3099

STREET ADDRESS: 4501 Gollihar Road CITY: Corpus Christi ZIP: 78411

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	Job Title and City Department (if known)
<u>None</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>None</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	Board, Commission or Committee
<u>None</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>None</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: Grant A. Jackson, P. E. Title: Vice President
(Type or Print)

Signature of Certifying Person:



Date: 01/13/2014

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.