

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

The City of Corpus Christi, Texas hereinafter called "CITY", and **Naismith Engineering, Inc.**, hereinafter called "CONSULTANT," agree to the following amendment to the Contract for Professional Services for **Greenwood Wastewater Treatment Plant Flare Permitting (Project No. E10173)**, as authorized and amended by:

Original A/E Agreement	September 12, 2011	Administrative Approval	\$ 46,450.00
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**Exhibit "A", SECTION 1. SCOPE OF SERVICES** shall be amended to include the following and as specified in the attached Amendment No. 1 Exhibit "A".

**Basic Services:**

1. The Consultant will provide design drawings, specifications, and contract documents to allow the City to utilize a small construction contract for the installation of equipment necessary for the characterization of the vent gas stream.
2. The Consultant will provide standard construction engineering services, including review of shop drawings, coordination with the contractor, review of progress payments, periodic site visits, and problem resolution meetings.
3. The Consultant will provide construction oversight for this project. This will include part-time construction consisting of four (4) hour site visits for the duration of the construction. This will also include daily reports and photographs of the construction progress.

**EXHIBIT "A", SECTION 3, PART B. SUMMARY OF FEES** shall be modified and is attached as Amendment No. 1 Exhibit "A" for a revised fee not to exceed **\$11,250.00 (Eleven Thousand Two Hundred Fifty Dollars and Zero Cents)**, for a total restated fee not to exceed **\$57,700.00 (Fifty Seven Thousand Seven Hundred Dollars and Zero Cents)**. Monthly invoices shall be submitted in accordance with Exhibit "B".

All other terms and conditions of September 12, 2011 contract between the City and Consultant will remain in full force and effect.

**CITY OF CORPUS CHRISTI**

**NAISMITH ENGINEERING, INC.**

\_\_\_\_\_  
Oscar R. Martinez, Date  
Assistant City Manager

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

**RECOMMENDED**

\_\_\_\_\_  
Daniel Biles, P.E., Date  
Director of Engineering Services

\_\_\_\_\_  
Operating Department Date

**APPROVED AS TO FORM**

\_\_\_\_\_  
Office of Management and Budget      Date

\_\_\_\_\_  
Legal Department      Date

**ATTEST**

\_\_\_\_\_  
Armando Chapa, City Secretary

Project Number: E10173  
Fund Source: 530000-4200-33000-E10173  
Wastewater Operating  
Encumbrance Number: \_\_\_\_\_

**ENTERED**  
**OCT 17 2012** *JLR*  
**CONTRACT MANAGER**



# Naismith Engineering, Inc

ARCHITECTURE ■ ENGINEERING ■ ENVIRONMENTAL ■ SURVEYING

ESTABLISHED 1949

TX Registration No. F-000355

OVER 60 YEARS OF ENGINEERING EXCELLENCE

September 25, 2012

Mr. Bill Green, P.E.  
Engineering Services Department  
City of Corpus Christi  
P.O. Box 9277  
Corpus Christi, Texas 78469-9277

*Amend  
JH  
10/11/12*

**Re: Contract Amendment One-Greenwood Wastewater Treatment Plant-Flare Permitting**

Dear Mr. Green:

We have reviewed our contract for the referenced project regarding obtaining an air permit for the digester gas flare currently in place at the Greenwood Wastewater Treatment Plant. In order to obtain an air permit, characterization of the potential air emissions from the digesters needs to be established. To properly characterize the potential air emissions, samples of the digester gas leading to the flare needs to be collected along with flow rates and volumes from each digester. Currently, there are no flow meters or sample ports located in the piping leading from the digesters to the flare.

As included in this request, Naismith Engineering, Inc. (NEI) will provide design drawings, specifications and contract documents to allow the City to utilize a small construction contract to install flow meters and sample ports to properly characterize the potential air emissions from the digesters at the Greenwood Wastewater Treatment Plant. The following list of items is necessary to accomplish this task:

### Item 1 – Two Step City Review

Due to the nature of this project, NEI is proposing to conduct City review in two steps. Following the hydro location of the piping and utilities, NEI will provide a one-page layout drawing, with proposed equipment locations and a small contract work scope description. Following the acceptance of this preliminary layout, NEI will prepare and deliver 100% plans and specifications to the City, along with an opinion of probable cost. Upon the acceptance of the 100% contract set, NEI will provide the City with final drawings in standard City format.

### Item 2-Construction Engineering Services

NEI will provide standard construction engineering services, including review of shop drawings, coordination with the contractor, review of progress payments, periodic site visits, and problem resolution meetings.

Mr. Bill Green, P.E.  
City of Corpus Christi-Engineering Services  
September 25, 2012  
Page 2 of 2

**Item 3-Construction Observation**

NEI will provide construction oversight for this project. This will include part-time construction consisting of four (4) hour site visits for the duration of the construction. This will also include daily reports and photographs of the construction progress.

Based on the details for Contract Amendment One, the increase would be **\$11,250.00** for the Basic Services mentioned above for a total restated fee of **\$57,700.00**. The executed copies of the applicable City standard forms have been included. We have not included a Disclosure of interest form, since we have several on file for this calendar year, and the disclosure certifications previously submitted remain valid.

We appreciate the opportunity to submit this contract amendment request and look forward to completing this project for the City of Corpus Christi. Please contact us if you have any questions or need any additional information.

Sincerely,  
Naismith Engineering, Inc.  
(TBPE Firm No. F-355)



Grant A. Jackson  
Vice President

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GREENWOOD WASTEWATER TREATMENT PLANT  
 FLARE PERMITTING  
 PROJECT NO. E10173  
 SUMMARY OF FEES

		ORIGINAL CONTRACT	AMEND. NO.1	TOTAL
<b>BASIC SERVICES</b>				
1	Preliminary Phase	\$0.00	\$2,812.50	\$2,812.50
2	Design Phase	0.00	5,625.00	5,625.00
3	Bid Phase	0.00	562.50	562.50
4	Construction Phase	0.00	2,250.00	2,250.00
Subtotal Basic Services		0.00	11,250.00	11,250.00
<b>ADDITIONAL SERVICES</b>				
1a	Permit Preparation (Permit by Rule-RBR)	23,450.00	0.00	23,450.00
1b	Air Permitting (New Source Review-NSR)	23,000.00	0.00	23,000.00
2	ROW Acquisition Survey	0.00	0.00	0.00
3	Topographic Survey	0.00	0.00	0.00
4	Subsurface Utility Exploration	0.00	0.00	0.00
5	Environmental Issues (TBD)	0.00	0.00	0.00
6	Construction Observation Services	0.00	0.00	0.00
7	Start-up Services	0.00	0.00	0.00
8	Warranty Phase	0.00	0.00	0.00
Subtotal Additional Services		46,450.00	0.00	46,450.00
<b>TOTAL FEE</b>		<b>\$46,450.00</b>	<b>\$11,250.00</b>	<b>\$57,700.00</b>
		09/12/11 Admin Approval	M2012-	

**COMPLETE PROJECT NAME**  
**Project No. XXXX**  
**Invoice No. 12345**  
**Invoice Date:**

	<b>Contract</b>	<b>Amd No. 1</b>	<b>Amd No. 2</b>	<b>Total Contract</b>	<b>Amount Invoiced</b>	<b>Previous Invoice</b>	<b>Total Invoice</b>	<b>Percent Complete</b>
<b>Basic Services:</b>								
Preliminary Phase	\$1,000	\$0	\$0	\$1,000	\$0	\$1,000	\$1,000	100%
Design Phase	2,000	1,000	0	3,000	1,000	500	1,500	50%
Bid Phase	500	0	250	750	0	0	0	0%
Construction Phase	2,500	0	1,000	3,500	0	0	0	0%
Subtotal Basic Services	\$6,000	\$1,000	\$1,250	\$8,250	\$750	\$1,500	\$2,500	30%
<b>Additional Services:</b>								
Permitting	\$2,000	\$0	\$0	\$2,000	\$500	\$0	\$500	25%
Warranty Phase	0	1,120	0	1,120	0	0	0	0%
Inspection	0	0	1,627	1,627	0	0	0	0%
Platting Survey	TBD	TBD	TBD	TBD	TBD	TBD	TBD	0%
O & M Manuals	TBD	TBD	TBD	TBD	TBD	TBD	TBD	0%
SCADA	TBD	TBD	TBD	TBD	TBD	TBD	TBD	0%
Subtotal Additional Services	\$2,000	\$1,120	\$1,627	\$4,747	\$500	\$0	\$500	11%
<b>Summary of Fees</b>								
Basic Services Fees	\$6,000	\$1,000	\$1,250	\$8,250	\$750	\$1,500	\$2,500	30%
Additional Services Fees	2,000	1,120	1,627	4,747	500	0	500	11%
<b>Total of Fees</b>	<b>\$8,000</b>	<b>\$2,120</b>	<b>\$2,877</b>	<b>\$12,997</b>	<b>\$1,250</b>	<b>\$1,500</b>	<b>\$3,000</b>	<b>23%</b>



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:** \_\_\_\_\_

**STREET ADDRESS:** 4501 Gollibar Road **CITY:** Corpus Christi **ZIP:** 78411

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

### 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>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	Board, Commission or Committee
<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

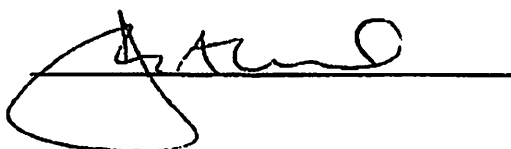
If a person who requests official action on a matter knows that the requested action will confer an economic benefit on any City official or employee that is distinguishable from the effect that the action will have on members of the public in general or a substantial segment thereof, you shall disclose 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: John A. Michael Title: Vice President  
(Type or Print)

Signature of Certifying Person:



Date: 1/10/2012

### 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.