

**CITY OF CORPUS CHRISTI  
AMENDMENT NO. 14  
CONTRACT FOR PROFESSIONAL SERVICES**

The City of Corpus Christi, Texas, a Texas home-rule municipal corporation ("City") and **Freese and Nichols, Inc.** ("Consultant"), agree to the following amendments to the Contract for Professional Services for **Mary Rhodes Pipeline Phase 2 (Project No. E10008)**:

|                    |                   |                         |                |
|--------------------|-------------------|-------------------------|----------------|
| Original Agreement | October 28, 2003  | Motion No. M2003-394    | \$116,100.00   |
| Amendment No. 1    | October 19, 2004  | Motion No. M2004-387    | \$285,490.00   |
| Amendment No. 2    | December 18, 2007 | Motion No. M2007-334    | \$911,997.00   |
| Amendment No. 3    | March 11, 2009    | Administrative Approval | \$0.00         |
| Amendment No. 4    | March 9, 2010     | Motion No. M2010-051    | \$9,676,590.00 |
| Amendment No. 5    | November 30, 2011 | Administrative Approval | \$0.00         |
| Amendment No. 6    | January 14, 2012  | Administrative Approval | \$49,940.00    |
| Amendment No. 7    | April 24, 2013    | Administrative Approval | \$49,822.00    |
| Amendment No. 8    | May 29, 2013      | Administrative Approval | \$49,900.00    |
| Amendment No. 9    | July 30, 2013     | Motion No. 2013-125     | \$195,664.00   |
| Amendment No. 10   | February 15, 2014 | Motion No. 2014-027     | \$3,965,785.00 |
| Amendment No. 11   | July 3, 2014      | Administrative Approval | \$49,000.00    |
| Amendment No. 12   | August 15, 2014   | Administrative Approval | \$48,500.00    |
| Amendment No. 13   | March 12, 2015    | Administrative Approval | \$36,487.00    |

In the Original Contract, Exhibit "A", Section I. **Scope of Services** shall be amended as set forth in the attached Amendment No.14, Exhibit "A".

In the Original Contract, the Fees Section shall be amended based on the modified scope of services in the attached Amendment No. 14, Exhibit "A" for a fee not to exceed **\$513,767**, for a total restated fee not to exceed **\$15,949,042**.

All other terms and conditions of the October 28, 2003 Contract for Professional Services between the City and Consultant, and of any amendments to that contract, which are not specifically addressed herein shall remain in full force and effect.

**CITY OF CORPUS CHRISTI**

**FREESE AND NICHOLS, INC.**

\_\_\_\_\_  
J.H. Edmonds, P.E. Date  
Director of Engineering Services

*R. Guzman* \_\_\_\_\_ *11-17-15*  
Rdn Guzman, P.E. Date  
Principal

800 North Shoreline Blvd., Suite 1600 N  
Corpus Christi, TX 78401  
(361) 561-6500 Office  
(361) 561-6501 Fax

**RECOMMENDED**

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

**APPROVED AS TO LEGAL FORM**

\_\_\_\_\_  
Assistant City Attorney Date

**APPROVED**

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

**ATTEST**

\_\_\_\_\_  
City Secretary Date

|  |
|--|
| Project No: <u>E10008</u><br>Accounting Unit: <u>4095-041</u><br>Account: <u>550950</u><br>Activity: <u>E10008014095EXP</u><br>Account Category: <u>50950</u><br>Fund Name: <u>Water 2014 MRP2</u> |
|--|

Ms. Valerie Gray, P.E.  
 Director of Public Works  
 City of Corpus Christi  
 1201 Leopard Street  
 Corpus Christi, Texas 78469

Re: Mary Rhodes Pipeline, Phase 2  
 Construction Management Contract Amendment

Dear Ms. Gray:

Freese and Nichols, Inc. is pleased to submit our contract amendment to provide extended Construction Management Services for the Mary Rhodes Pipeline, Phase 2 project. The original project duration was scheduled to have us completed and off-site by the end of July 2015. The Pump Station Contractor's schedule has slipped and currently shows final completion the second week of March 2016. This contract amendment is to provide Construction Management Services for the extended schedule including project close out from August 2015 to March 9, 2016.

|  |  |                 |
|--|--|-----------------|
| Freese and Nichols, Inc. proposes to provide the following services: |  |                 |
| <b>Construction Management/Inspection Services</b>                   |  |                 |
| Item 1:  | <b>Description</b>   | <b>Manhours</b> |
| Activity   | River Pump Station, Booster Pump Station and Sediment Basin plus Pipeline Sections A, B, and C/Ground Storage Tank/Lake Texana Tie-in Piping | 1040 M/H        |
| Proposed Effort  | Construction Management/Engineering Support - Planned contractor work efforts for these items will extend an additional 8 months             | Total           |

|                 |  |                   |
|-----------------|--|-------------------|
| Item 2:         | <b>Description</b>   | <b>Manhours</b>   |
| Activity        | On-site representation providing continuous monitoring of all construction activities.   |                   |
| Proposed Effort | Planned contractor work efforts for these items will extend an additional 8 months (1 FNI man working an average of 5 days per week/10 hours per day plus 1 FNI man working an average of 6 days per week/10 hours per day plus the same man working each Sunday for 5 hours per day). | 3960 M/H<br>Total |

Proposed cost for Items 1 and 2 is \$444,767.00.

**Special Services:**

Construction Materials Quality Assurance Testing – Local Corpus Christi firm Rock Engineering and Testing planned contractor work efforts for the items will extend an additional 8 months (soil density,

concrete cylinders, pipe joint welding, pipe coating and pipe corrosion protection). Proposed cost for this activity is \$69,000.

Expenses:

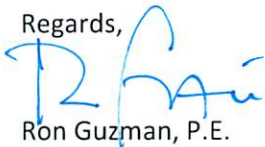
- Fee includes project related sub-contract expenses for Subconsultant Services associated with the CM Services listed above.
- CM Services listed above. CM Services expenses include lodging and travel costs; communication costs (cell phones, delivery charges, postage, etc.); and other miscellaneous direct costs required to provide the listed CM Services.

Fee:

Freeze and Nichols, Inc. proposed to provide the aforementioned services for a lump sum fee of \$513,767.00.

We appreciate the opportunity to assist you with this matter. Please feel free to contact me at 361.561.6500 with any questions that you may have on this subject matter.

Regards,

A handwritten signature in blue ink, appearing to read 'Ron Guzman'.

Ron Guzman, P.E.  
Principal/Vice President

Enclosures



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:** Freese and Nichols, Inc.

**P. O. BOX:** \_\_\_\_\_

**STREET ADDRESS:** 800 N. Shoreline, Suite 1600N      **CITY:** Corpus Christi      **ZIP:** 78401

**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>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

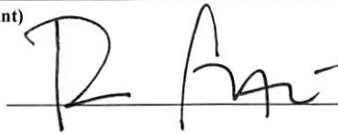
If a person who requests official action on a matter knows that the requested action will confer an economic benefit on any City official or employee that is distinguishable from the effect that the action will have on members of the public in general or a substantial segment thereof, you shall disclose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

**Signature of Certifying Person:**



**Date:** 1.6.15

### 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.