

CITY OF FORT MYERS
Amendment #2
SUPPLEMENTAL TASK AUTHORIZATION NO. 5
to
PROFESSIONAL SERVICES AGREEMENT-CONTINUING CONTRACT
TRANSPORTATION PLANNING & TRAFFIC ENGINEERING SERVICES RFQ# 03-05-13-PW

The following Amendment #2 is made and entered into this _____ day of _____, 2019 by the City of Fort Myers (CITY) and David Plummer & Associates, Inc. (CONSULTANT) and constitutes an Amendment to Supplemental Task Authorization No. 5 to Professional Services Agreement **RFQ No. 03-05-13-PW** as entered on July 15, 2013 and amended on July 18, 2016, August 11, 2017 and further amended on April 15, 2019 for Transportation Planning & Traffic Engineering Services.

All of the covenants, terms, conditions, provisions, and contents of the Professional Services, referred to hereinabove, and any Amendments executed thereto, shall be and are applicable to the Professional Services Agreement, as if the same were set forth and contained herein.

The attached exhibits represent changes in the scope of services, cost and method of compensation, and time and schedule for this **Amendment #2** known as Roundabout Design Services – McGregor Boulevard/Virginia Avenue.

ACCEPTANCE

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives, have executed this Agreement on the dates shown below to be effective the day and year first shown above.

CITY OF FORT MYERS, FLORIDA
a Municipal Corporation

By: _____
Randall P. Henderson Jr., Mayor

Attest By: _____
Gwen Carlisle, MMC, City Clerk

Date: _____

By: _____
Saeed Kazemi, P.E., City Manager

Date: _____

APPROVED AS TO FORM:

By: _____
Grant W. Alley, City Attorney

Date: _____

Witness

Susan M. Killmeyer

Name: SUSAN M. KILLMEYER

Miriam Muhina

Name: Miriam Muhina

David Plummer & Associates, Inc.

By: *Tadel Alegria*

Title: VP DESIGN SERVICES

Date: 4-16-19

CORPORATE SEAL

EXHIBIT "A"
SCOPE OF SERVICES

Date: April 15, 2019

For: Roundabout Design Services – McGregor Boulevard/Virginia Avenue

GENERAL SCOPE STATEMENT

The "Scope of Professional Services" as set forth in Exhibit "A" of the Professional Services referred to hereinbefore is hereby supplemented so that the SERVICE PROVIDER shall provide and perform the following professional services, tasks, or work as a supplement to the scope of services previously agreed to and authorized:

SCOPE OF SERVICES

Task 9.00 Revised Design Plans

Below is the requested additional Task 9 for services associated with the Historic Preservation Commission (HPC) appeal hearing. These services also include sub-consultants McMahon Associates and Parker Mudgett Smith Architects.

Task 9.00 HPC Appeal

Services associated with assisting the City of Ft. Myers and their legal representatives in the appeal process associated with HPC's denial of the Virginia Avenue Roundabout project. Tasks include:

9.01- Color perspective renderings in 3D electronic format of the proposed roundabout and possible mast arm signal showing a portion of the existing three parcels and the City Walk proposed development. Renderings depicting the conceptual vehicle and pedestrian traffic and a sculpture option within the central island.

9.02- Preparation of Power Point presentation with traffic engineering and design images of the project.

9.03 - Presentation at various Public Boards including but not limited to TMOC, MPO, and BPCC.

9.04 - Edison Realignment support for Traffic Studies

9.05 - Presentation at City Council

EXHIBIT "B"
COMPENSATION AND METHOD OF PAYMENT

Date: April 15, 2019

For: Roundabout Design Services – McGregor Boulevard/Virginia Avenue

SECTION 1.00 COMPENSATION AND METHOD OF PAYMENT

The compensation the CONSULTANT shall be entitled to receive for providing and performing the supplemented services, tasks, or work as set forth and enumerated in the Scope of Services set forth in this Amendment, Exhibit "A", attached hereto shall be as follows:

NOTE: A Lump Sum (L.S.) or Not-to-Exceed (N.T.E.) amount of compensation to be paid the CONSULTANT should be established and set forth below for each task or sub-task described and authorized in Exhibit "A". In accordance with Professional Services Agreement Article 5.03(2) "Method of Payment", tasks to be paid on a Work-in-Progress payment basis should be identified (WIPP).

Task		Amount of	Indicate Basis of	If Applicable
Number	Task Title	Compensation	LS or NTE	Indicate W.I.P.P.
9.00	HPC Appeal Hearing	\$57,183.00	NTE	W.I.P.P.
Total		\$57,183.00	NTE	W.I.P.P.

EXHIBIT "B" Continued
COMPENSATION AND METHOD OF PAYMENT

Date: April 15, 2019

For: Roundabout Design Services – McGregor Boulevard/Virginia Avenue

SECTION 2.00 SUMMARY OF CHANGE(S) IN COMPENSATION

Pursuant to and in consideration of the change(s) in the Scope of Professional Services set forth in the AMENDMENT AGREEMENT, Exhibit "S/COA-A", the compensation the CITY has previously agreed to pay to the SERVICE PROVIDER, as set forth in Exhibit "B" of the Professional Services, shall be changed to be as follows:

Section/Task Number	Section/Task Name	Compensation In the Basic Agreement & Amendment 1	Adjustment(s) due to this Supplemental Agreement	Summary of Changed Compensation
1.0	Traffic Study	\$11,500.00		\$11,500.00
2.00	Peer Review	\$ 3,500.00		\$ 3,500.00
3.00	Design Plan Modifications	\$ 7,000.00		\$ 7,000.00
4.00	Project Representation	\$ 2,000.00		\$ 2,000.00
5.00	Expenses	\$ 500.00		\$ 500.00
6.00	Revised Design Plans			
6.01	Geometric Controls	Not Required		
6.02	Final Design Plans	\$30,000.00		\$30,000.00
6.03	Lighting Plans	\$10,000.00		\$10,000.00
6.04	Signing/Marking	\$ 4,000.00		\$ 4,000.00
6.05	Topographic Survey	By Others		By Others
6.06	Utility Review	\$ 5,000.00		\$ 5,000.00
6.07	Drainage Design/Coordination	\$ 4,000.00		\$ 4,000.00
7.00	Project Representation	\$ 4,000.00		\$ 4,000 .00
8.00	Expenses	\$ 800.00		\$ 800.00

EXHIBIT "B" Continued
COMPENSATION AND METHOD OF PAYMENT

Section/Task Number	Section/Task Name	Compensation In the Basic Agreement	Adjustment(s) due to this Supplemental Agreement	Summary of Changed Compensation
9.01	Color 3D Rendering-Electronic Format		\$13,500.00	\$13,500.00
9.01-9.05	Appeal Presentation		\$40,383.00	\$40,383.00
9.04-9.05	Edison Realignment Traffic Studies and Presentation		\$3,300.00	\$3,300.00
Total		\$82,300.00	\$57,183.00	\$139,483.00

EXHIBIT "C"
TIME AND SCHEDULE OF PERFORMANCE

Date: April 15, 2019

For:

Roundabout Design Services – McGregor Boulevard/Virginia Avenue

SECTION 1.00 CHANGES FOR THIS AMENDMENT AGREEMENT

The time and schedule of completion for the various phases or tasks required to provide and perform the services, tasks, or work set forth in this AMENDMENT AGREEMENT, Exhibit "S/COA-A", entitled "Scope of Professional Services" attached hereto is as follows:

Phase and/or Task Reference as Enumerated in EXHIBIT "S/COA-A"	Name or Title of Phase and/or Task	Number of Calendar Days For Completion of Each Phase and/or Task	Cumulative Number of Calendar Days For Completion From Date of Notice to Proceed
9.00	HPC Appeal Hearing	Completed	Completed

EXHIBIT "D"
CONSULTANT'S ASSOCIATED SUB-CONSULTANT(S) AND
SUB-CONTRACTOR(S)

Date: April 15, 2019

CONSULTANT intends to engage the following sub-consultant(s) and/or sub-contractors(s) to assist the CONSULTANT in providing and performing the services, tasks, or work required under this SUPPLEMENTAL AGREEMENT.

John DePalma
McMahon Associates, Inc.
2090 Palm Beach Lakes Boulevard
West Palm Beach, FL 33409
561-840-8650

Tyler F. Patak, AIA
Parker Mudgett Smith Architects, Inc.
2136 McGregor Boulevard
Fort Myers, FL 33901
239-332-1171