

## REQUEST FOR COUNCIL ACTION

**SUBJECT:** Amendment No. 2 with Bowen Collins & Associates for additional work on the Cemetery Sexton Building Project

**SUMMARY:** Approve Amendment No. 2 to the Agreement with Bowen Collins & Associates for additional work on the Cemetery Sexton Building Project, in an amount not-to-exceed \$1,026.00.

**FISCAL**

**IMPACT:** Funding for this project would be from account number 1904 474144

**STAFF RECOMMENDATION:**

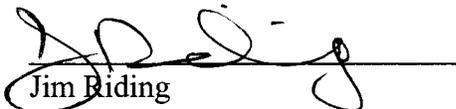
Staff recommends approval of Amendment No. 2 to the Agreement with Bowen Collins & Associates for additional work on the Cemetery Sexton Building Project, in an amount not-to-exceed \$1,026.00.

**MOTION RECOMMENDED:**

"I move to adopt Resolution No. 16-127 authorizing the Mayor to execute Amendment No. 2 to the Agreement with Bowen Collins & Associates for additional work on the Cemetery Sexton Building Project, in an amount not-to-exceed \$1,026.00.

Roll Call vote required.

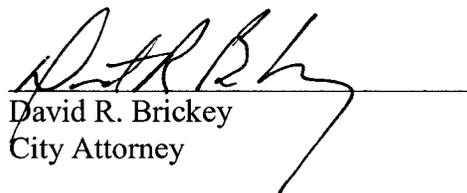
**Prepared by:**

  
Jim Riding  
Construction Manager

**Reviewed by:**

  
Wendell T. Rigby, P.E.  
Director of Public Works

**Reviewed as to Legal Sufficiency:**

  
David R. Brickey  
City Attorney

**Recommended by:**

  
Mark R. Palesh  
City Manager

**BACKGROUND DISCUSSION:**

See attached letter from Bowen Collins & Associates.

Attachments:

Bowen Collins letter  
Amendment  
Resolution

May 11, 2016

Mr. Jim Riding  
West Jordan City  
8000 West Redwood Road  
West Jordan, Utah 84088

**Subject: Cemetery Sexton Building Storm Drain Project – Proposed Contract Amendment**

Dear Jim:

Construction of the Cemetery Sexton Building Storm Drain Project was recently completed, and with a final punch list issued on April 12, 2016. The City provided inspection services during construction, and Bowen, Collins & Associates supported by reviewing submittals, attending progress meetings, and responding to contractor questions and requests for information.

In our initial proposal dated April 14, 2015, we assumed that the construction period for the project would last approximately two to three months. Based on this assumption, we allotted 24 hours for our Project Engineer to review submittals, attend progress meetings, and provide support services. The actual construction period lasted approximately five months. As a result, the required engineering support efforts amounted to approximately 44 hours. We were able to offset the additional 20 hours in part (but not completely) due to savings from previous tasks. We respectfully request an amendment for the additional services, in the amount shown in Table 1. The proposed amendment is based on an additional 9 hours for Josh Thompson, our Project Engineer.

**Table 1**

<b>Contract Amount</b>	<b>Proposed Amendment</b>	<b>Total Amended Fee Estimate</b>
\$35,360	\$1,026	\$36,386

We appreciate the opportunity of working with you on this project. The final result has been a significant improvement to the existing site. If you have any questions or need any further information, please call.

Sincerely,  
Bowen Collins & Associates, Inc.

  
Greg Loscher, P.E.  
Project Manager

**THE CITY OF WEST JORDAN, UTAH**  
A Municipal Corporation

RESOLUTION NO. 16-127

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 2 TO THE  
PROFESSIONAL SERVICES AGREEMENT BETWEEN  
THE CITY AND BOWEN COLLINS & ASSOCIATES

**WHEREAS**, the City Council of the City of West Jordan has reviewed Amendment No. 2 to the Professional Services Agreement between the City of West Jordan and Bowen Collins & Associates (a copy of which is attached) for additional consultant services for Cemetery Sexton Building project, in the amount of \$1,026.00; and

**WHEREAS**, the City Council of the City of West Jordan desires to approve Amendment No. 2 to the Professional Services Agreement with Bowen Collins & Associates for services related to the Cemetery Sexton Building Project, in an amount not to exceed \$1,026.00.

NOW, THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF WEST JORDAN, UTAH, THAT:

Section 1. After approval as to legal form, the Mayor is hereby authorized and directed to approve Amendment No. 2 to the Professional Services Agreement with Bowen Collins & Associates for the Cemetery Sexton Building Project in an amount not to exceed \$1,026.00.

Section 2. This Resolution shall take effect immediately upon passage.

Adopted by the City Council of West Jordan, Utah this 10<sup>th</sup> day of August 2016.

\_\_\_\_\_  
Kim V. Rolfe  
Mayor

ATTEST:

\_\_\_\_\_  
MELANIE S. BRIGGS  
City Recorder

Voting by the City Council	"AYE"	"NAY"
Council Member Dirk Burton	_____	_____
Council Member Jeff Haaga	_____	_____
Council Member Zach Jacob	_____	_____
Council Member Chris McConnehey	_____	_____
Council Member Chad Nichols	_____	_____
Council Member Sophie Rice	_____	_____
Mayor Kim V. Rolfe	_____	_____

**AMENDMENT NO. 2**  
**TO AN AGREEMENT**  
**FOR PROFESSIONAL SERVICES**  
**BETWEEN THE CITY OF WEST JORDAN**  
**AND**  
*Bowen Collins & Associates, Inc.*

THIS AMENDMENT, made and entered into this 10<sup>th</sup> day of August 2016 by and between the CITY OF WEST JORDAN, a municipal corporation (hereinafter referred to as "City"), and Bowen Collins & Associates (hereinafter referred to as "Consultant").

The City and Consultant agree as to amend the following sections of the original Professional Services Agreement to provide for additional engineering services for the Cemetery Sexton Building Storm Drain Project. . Except as expressly amended hereby, the Professional Services Agreement shall continue in full force and affect in accordance with the provisions thereof.

2. **DESCRIPTION OF SERVICES**

The services to be performed by Consultant are as follows:

Provide additional engineering services for the Project as described in the attached Consultant's proposal date May 11, 2016.

3. **COMPENSATION AND PAYMENT**

The total compensation payable to Consultant by City for the services described in Paragraph 2 shall not exceed the sum of **\$1,026.00** for Amendment No. 2 bringing the total not-to exceed fee to \$36,386.00 for services under this contract and fee shall be earned on a fixed fee basis as indicated in the Professional Services Agreement.

In concurrence and witness whereof, this Agreement has been executed by the parties effective on the date and year first above written.

CITY OF WEST JORDAN

\_\_\_\_\_  
Kim V. Rolfe, Mayor

APPROVED AS TO ADMINISTRATION:

\_\_\_\_\_  
Melanie Briggs, City Recorder

APPROVED AS TO LEGAL FORM

\_\_\_\_\_  
City Attorney

**CONSULTANT**

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF \_\_\_\_\_ )

:SS

COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared before me,  
\_\_\_\_\_, who being by me duly sworn did say that he is the  
\_\_\_\_\_ of \_\_\_\_\_, a  
corporation, and that the foregoing instrument was signed in behalf of said corporation by  
authority of its Board of Directors, and he acknowledged to me that said corporation executed the  
same.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:

Residing in \_\_\_\_\_ County, \_\_\_\_\_

**EXHIBIT A**  
(Consultant Proposal)

May 11, 2016

Mr. Jim Riding  
West Jordan City  
8000 West Redwood Road  
West Jordan, Utah 84088

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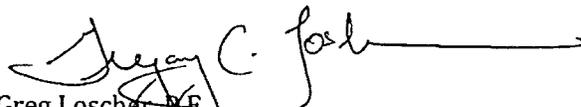
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