

Staff Summary Report



Council Meeting Date: 08/14/08

Agenda Item Number: _____

SUBJECT: Request approval of an addendum to a professional services contract with Superstition Foothills Consulting Services, Inc. for plan review and inspections of the Cox Extendable Optical Network project

DOCUMENT NAME: 20080814PWDR12 UNDERGROUND UTILITIES (0810)
PROJECT NO. 6702711

SUPPORTING DOCS: Yes.

COMMENTS: Total addendum not to exceed \$61,250.

PREPARED BY: Donna Rygiel, Engineering Contract Admin. (x8520)

REVIEWED BY: Andy Goh, Deputy Pw Manager/City Engineer (x8896)

APPROVED BY: Glenn Kephart, Public Works Manager (x8205)

LEGAL REVIEW BY: Jenae Naumann, Assistant City Attorney (x8402)

FISCAL NOTE: Sufficient funds will be appropriated in Capital Improvement Fund No. 6702711. Cox Communications will reimburse the City on a monthly basis for this contract.

RECOMMENDATION: Approve addendum.

ADDITIONAL INFO: This addendum is needed to continue plan review and inspections for Cox's deployment of their Extendable Optical Network (EON). The EON project was implemented on September 1, 2006, with a proposed completion during the fourth quarter of 2007. Due to issues beyond our control, construction of this project is being extended by Cox Communications into the first quarter of 2009. This addendum is extending plan review and inspection services through the first quarter of 2009 to cover restoration call backs after the bulk of the construction has been completed.

This fee was negotiated by staff and is considered reasonable for the scope of services. The original contract amount was \$90,750. The previous addenda were for the amount of \$59,250. This addendum will increase the contract amount to \$211,250. Cox Communications has agreed to reimburse the City up to the full contract amount.

CITY OF TEMPE, ARIZONA
PUBLIC WORKS DEPARTMENT
DIVISION OF ENGINEERING

ADDENDUM NO. THREE

To Contract for Professional Services for Cox Extendable Optical Network (EON)

PROJECT NO. 6702711

PROJECT NAME: COX EXTENDABLE OPTICAL NETWORK (EON)

This ADDENDUM made and entered into on the 14th day of August 2008, by and between the CITY OF TEMPE, a municipal corporation, hereinafter called the "City" and SUPERSTITION FOOTHILLS CONSULTING SERVICES, INC., hereinafter called the "Consultant".

RECITALS:

- A. The parties hereto entered into that certain Contract for Professional Services on or about November 2, 2006 (hereinafter "Contract"), defining certain rights and obligations between the parties in order to provide construction administration services to include utility permit plan review and inspection for Cox Extendable Optical Network (EON).
- B. The parties desire to further define their respective rights and obligations with respect to the services of the Consultant, period of service and compensation.

C. The parties intend that the following sections shall be integrated into the Contract in place of the former similarly identified section, and that this addendum be given the full force and effect of law as the Contract.

Now therefore, in consideration of the mutual promises and covenants as more particularly set forth below, the parties do hereby amend the Contract to read as follows:

I. The CONSULTANT shall perform continued construction administration services and utility plan review and inspection for Cox Extendable Optical Network (EON), as described in Exhibit "A" attached hereto and incorporated herein by this reference.

II. The CONSULTANT shall proceed with the work immediately upon execution of this Addendum and all services shall be completed by March 31, 2009.

III. Payment for services described herein shall be based on hourly rates established in the Exhibit "A". Total compensation for services performed shall not exceed \$61,250.00, which shall constitute payment in full for all labor, equipment, materials and supplies needed to perform these services.

Cost Analysis:	<u>Professional Services</u>	<u>Reimbursables</u>	<u>Total</u>
Initial Contract Amount	\$90,750.00	\$0.00	\$90,750.00
Previous Addenda	\$59,250.00	\$0.00	\$59,250.00
This Addendum	\$61,250.00	\$0.00	\$61,250.00
NEW CONTRACT AMOUNT			\$211,250.00

All other provisions of the Contract not inconsistent with this Addendum shall remain binding on the parties hereto.

Cox Extendable Optical Network (EON)
Project No. 6702711

DATED this _____ day of _____, 2008.

CITY OF TEMPE, ARIZONA

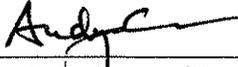
By _____
Mayor

By _____
Public Works Manager

ATTEST:

City Clerk

Recommended By:



Deputy PW Manager/City Engineer

REVIEWED BY:

City Attorney

The CONSULTANT warrants that the person who is signing this Agreement on behalf of the CONSULTANT is authorized to do so and to execute all other documents necessary to carry out the terms of this Agreement.

CONSULTANT
Superstition Foothills Consulting Services, Inc.

Name

Title

Federal I.D. No. /Social Security No.

Certified to be a true and exact copy.

Karen M. Fillmore
Records Specialist

EXHIBIT A



July 15, 2008

Mr. Jim Bond, P.E., Asst. City Engineer
City of Tempe Public Works
33 East Fifth Street
Tempe, Az.

RECEIVED

JUL 15 2008

City of Tempe
Engineering Division

Subject: ADDENDUM No. Three
COX EON Project Inspection / Plan Review Services
Project #6702711 / EN A000 8088497
Increase Contract Amount to NTE: \$211,250.00
Increase Contract Time 243 Calendar Days

Dear Jim;

This Addendum #3 addresses an additional 6 months of time and work estimated by COX EON Project Representative on July 14, 2008. An additional 2 months has been added for the completion of all restoration work. It is estimated that this project will extend through the 1st quarter of 2009, at about the same work effort as present.

Therefore, Superstition Foothills Consulting Services, Inc. (SFCSI) is submitting this proposal, for Addendum #3.

Increase the existing Contract Amount of \$150,000.00 by \$61,250.00. This increase represents an additional 122 workdays at 7 hours per day and 42 workdays at 3 hours per day, for a total of 980 manhours of utility inspection and plan review services at the current contract rate of \$62.50 per hour.

Increase Contract Time 243 calendar days, from July 31, 2008 to March 31, 2009.

The terms of the initial contract, entered into on Nov. 16, 2006, will remain the same.

Best Regards,

Peggy Owen
SFCSI President
CC: File CO1-0601