

**CITY OF LA VISTA  
MAYOR & CITY COUNCIL  
AUGUST 21, 2018 AGENDA**

| <b>Subject:</b>  | <b>Type:</b>                              | <b>Submitted By:</b>           |
|--|---|--------------------------------|
| PROFESSIONAL SERVICES AGREEMENT<br>84 <sup>TH</sup> STREET REDEVELOPMENT AREA<br>PUBLIC INFRASTRUCTURE PROJECTS<br>AUTHORIZE AMENDMENT NO. 2 | ◆ RESOLUTION<br>ORDINANCE<br>RECEIVE/FILE | JOHN KOTTMANN<br>CITY ENGINEER |

**SYNOPSIS**

A resolution has been prepared to approve Amendment No. 2 to the joint Agreement for Professional Services with HDR, Inc. (HDR) to provide additional engineering services including special inspections services for City Parking Structure No. 1 in Parking District No. 2. The not-to-exceed fee increases by \$25,317 to \$675,289.

**FISCAL IMPACT**

The FY17/18 Biennial Budget includes funding for multiple potential public infrastructure improvements and associated services.

**RECOMMENDATION**

Approval

**BACKGROUND**

The initial agreement with HDR was approved on January 17, 2017 and Amendment No. 1 was approved on April 18, 2017. Since then City Parking Structure No. 1 in Parking District No. 2 has been designed and has started construction. To exercise due diligence in construction oversight, staff has prepared this amendment to utilize the specialized experience of HDR with the construction of post-tensioned, cast-in-place construction methods. This experience and oversight is to serve the best interests of the City by helping to ensure a durable and long lasting investment in this parking structure. The complete amendment is available for review.

The City and La Vista Community Development Agency both are parties to the agreement with HDR. A separate agenda item will be considered for Agency approval.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA APPROVING AMENDMENT NUMBER TWO TO THE JOINT AGREEMENT FOR PROFESSIONAL SERVICES WITH HDR, INC. TO PROVIDE ADDITIONAL ENGINEERING SERVICES INCLUDING SPECIAL INSPECTIONS SERVICES FOR THE CITY OF LA VISTA AND THE LA VISTA COMMUNITY DEVELOPMENT AGENCY IN AN AMOUNT NOT TO EXCEED \$675,289.

WHEREAS, the Mayor and City Council of the City of La Vista Nebraska have determined professional project management services are necessary; and

WHEREAS, the City Council on behalf of the City of La Vista desires to approve amendment number two to the joint agreement for professional services with HDR, Inc. to provide additional engineering services including special inspections services for the City and the Agency;

WHEREAS, The FY17/18 Biennial Budget provides funding for the proposed expense; and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure Council approval prior to authorizing any expenditure over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve amendment number two to the joint agreement for professional services with HDR, Inc. to provide additional engineering services including special inspections services for the City of La Vista and the La Vista Community Development Agency in an amount not to exceed \$675,289.

PASSED AND APPROVED THIS 21ST DAY OF AUGUST, 2018.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

AMENDMENT TO AGREEMENT  
FOR  
ENGINEERING SERVICES

WHEREAS:

HDR ENGINEERING, INC. ("HDR") entered into an Agreement on January 17, 2017 to perform engineering services for the City of La Vista, Nebraska and La Vista Community Development Agency (together "OWNER");

OWNER desires to amend this Agreement in order for HDR to perform services beyond those previously contemplated;

HDR is willing to amend the agreement and perform the additional engineering services.

NOW, THEREFORE, HDR and OWNER do hereby agree:

The Agreement and the terms and conditions therein shall remain unchanged other than those sections and exhibits listed below;

Section I Scope of Services shall be amended to include the following:

Special Inspection Services. See attached Exhibit A.

Section IV Compensation:

Compensation for HDR's services under this Amendment shall be on the basis of:

Direct Labor Costs times a factor of 3.0 for the services of HDR's personnel engaged on the Project, plus Reimbursable Expenses, with a not to exceed amount of twenty five thousand, three hundred and seventeen dollars (\$25,317).

The amount of any sales tax, excise tax, value added tax (VAT), or gross receipts tax that may be imposed on the Agreement shall be added to HDR's compensation as Reimbursable Expenses.

Compensation terms are defined as follows:

Direct labor Cost shall mean salaries and wages, (basic and overtime) paid to all personnel engaged directly on the Project. The Direct Labor Costs and the factor applied to Direct Labor Costs will be adjusted annually as of the first of every year to reflect equitable changes to the compensation payable to HDR.

Reimbursable Expense shall mean the actual expenses incurred directly or indirectly in connection with the Project for transportation travel, subconsultants, subcontractors, technology charges, telephone, telex, shipping and express, and other incurred expense.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the day and year written below:

HDR ENGINEERING, INC. ("HDR")

City of La Vista, Nebraska and La Vista  
Community Development Agency ("OWNER")

By: Matt Hall

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

Title: Sr. Vice President

Title: \_\_\_\_\_

Date: 8/15/18

Date: \_\_\_\_\_