AGENDA RESERVATION REQUEST

CITY OF FRANKLIN
BOARD OF PUBLIC WORKS AND SAFETY
Please type or print

Date Submitted:	2/14/12	**Meeting Date:**	2/20/12

Contact Information:	
Requested by:	Lynn Gray, City Attorney
On Behalf of Organization or Individual:	City of Franklin
Telephone:	(317) 738-3365
Email address:	lynng@embarqmail.com
Mailing Address:	63 East Court Street, Franklin, IN 46131
Describe Request:	
Request approval of addendum to the previous agreement for design of construction plans for improvements to North Main Street between the City of Franklin and Bonar & Associates, Inc.;	
List Supporting Documentation Provided:	
North Main Street – Supplemental No. 4	

Who will present the request?			
Name:	Lynn Gray, City Attorney	**Telephone:**	(317) 738-3365

The Franklin Board of Works meets on the 1st and 3rd Monday of each month at 5:15 p.m. in the Council Chambers of City Hall located at 70 E. Monroe Street. In order for an individual and/or agency to be considered for new business on the agenda, this reservation form and supporting documents must be received in the Mayor's office no later than 12:00 p.m. on the Wednesday prior to the Board of Works meeting.

CITY OF FRANKLIN

NORTH MAIN STREET

SUPPLEMENTAL NO. 4

This shall be considered Supplemental No. 4 and become an integral part of the Agreement for the design of construction plans for improvements to North Main Street in the City of Franklin. The following shall be amended to Exhibits A and B on the original Agreement Between Owner and Engineer for Professional Services, dated September 24, 2002.

WHEREAS, the Owner entered into an agreement with the Engineer for services required including; survey, preliminary design, and final design for the improvement plans to North Main Street.

WHEREAS, Bonar & Associates, Inc. – the Engineer named in the original Agreement -- merged with and into GAI Consultants, Inc., on December 31st, 2009, with GAI Consultants, Inc., as the surviving corporation.

WHEREAS, during the Letting and Construction Phases, the engineer of record may need called upon to resolve design questions from the utilities, contractor, and/or inspector.

WHEREAS, it is the purpose of this Supplemental Agreement to modify the approved agreement and incorporate these changes.

NOW THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto mutually covenant and agree the following shall be amended to the Standard Form of Agreement, Appendix A, and Appendix B on the original Agreement Between Owner and Engineer for Professional Services.

:

STANDARD FORM OF AGREEMENT

Page 1 of 22 - Replace the first paragraph in its entirety with the following:

> THIS IS AN AGREEMENT made as of September 24, 2002, between the City of Franklin, Board of Works and Safety ("OWNER") and GAI Consultants, Inc. ("ENGINEER").

APPENDIX A

The following statement is added as Paragraph A2.5.0

A2.5.0. Consultation during letting and construction phases shall be provided on an as needed basis to answer questions in regard to design and to resolve any unforeseen conflicts that may arise during letting and construction phases that directly relate to the design.

APPENDIX B

The following statement is added after Paragraph B6.1.1.1

B6.1.1.2 The CONSULTANT shall receive as payment for the work performed under this Contract the total amount not to exceed $25,000 for Consultation during the Letting and Construction Phase, unless a supplement is executed by the parties that increases the maximum amount payable.

The CONSULTANT shall receive as payment for reimbursable expenses that as called out under Paragraph B6.1.3 in the original Agreement.

The CONSULTANT will be paid for the actual hours of work performed exclusively on this Contract in accordance with the negotiated hourly billing rates per classification:

Labor Classification		Allowable Hourly Rates Per Year		
		2012	2013	2014
Escalation factor			2.40%	2.40%
Principal, Senior Director				
	Regular rate	$204.93	$209.85	$214.89
	Overtime rate	$204.93	$209.85	$214.89
Engineering Manager, Senior Manager				
	Regular rate	$139.46	$142.81	$146.24
	Overtime rate	$139.46	$142.81	$146.24
Senior Project Engineer, Assistant Manager				
	Regular rate	$109.99	$112.63	$115.34
	Overtime rate	$109.99	$112.63	$115.34
Project Engineer, Senior Project Specialist				
	Regular rate	$91.13	$93.31	$95.55
	Overtime rate	$91.13	$93.31	$95.55
Senior Engineer, Project Specialist				
	Regular rate	$78.94	$80.84	$82.78
	Overtime rate	$78.94	$80.84	$82.78
Lead Engineering Technician				
	Regular rate	$77.60	$79.46	$81.37
	Overtime rate	$92.35	$94.56	$96.83
Senior Engineering Technician				
	Regular rate	$63.15	$64.67	$66.22
	Overtime rate	$75.15	$76.96	$78.80
Senior Technician				
	Regular rate	$51.31	$52.54	$53.80
	Overtime rate	$61.06	$62.53	$65.57

All other terms and conditions of the original Agreement shall remain in force.

IN WITNESS WHEREOF, the parties hereto have executed this Supplemental No. 4 to be effective on the date written below.

OWNER:
CITY OF FRANKLIN
BOARD OF PUBLIC WORKS AND SAFETY

ENGINEER:
GAI CONSULTANTS, INC.

BY: Mark B Jesse
Mark Jesse, Assistant Vice President

ATTEST:
Mark Young, Engineering Manager

Mayor Joe McGuinness

Bob Swinehamer, Member

Steve Barnett, Member

Janet Alexander, Clerk-Treasurer

DATE: _____

DATE: 1-30-12

MEMORANDUM

TO: Board of Public Works and Safety

FROM: Kathy S. Cragen, Administrative Assistant

SUBJECT: History of Supplemental Agreements with Bonar/GAI

DATE: February 14, 2012

cc: Joe McGuinness, Mayor
Lynn Gray, City Attorney

The history of Supplemental Agreements regarding The North Main Street Project are as follows:

Supplemental Agreement No. 1 was agreed to and signed by the Franklin Board of Public Works and Safety and Bonar & Associates, Inc. on March 23, 2004 with a fee increase of $4,500 making the revised lump sum of $338,300

Supplemental Agreement No. 2 was agreed to and signed by the Franklin Board of Public Works and Safety and Bonar & Associates, Inc. on March 28, 2005 this supplement was to add Paragraph A2.2.1 that was omitted from the original agreement.

Supplemental Agreement No. 3 was agreed to and signed by the Franklin Board of Public Works and Safety and Bonar & Associates, Inc. on March 3, 2009; changes were made to Exhibit B revising the project by $183,100 increasing the total from $338,300 to $521,400