

**AMENDMENT NUMBER 5
TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT
BETWEEN THE CITY OF LARAMIE AND DOWL
FOR THE NORTH SIDE TANK DESIGN**

1. Parties. This Amendment is made and entered into this ___ day of January, 2021 by and between the City of Laramie, Wyoming, a Wyoming municipal corporation (hereinafter referred to as “City”), whose address is 406 Ivinson Avenue, Laramie, Wyoming 82070 and DOWL (hereinafter referred to as “Consultant”) whose address is 1575 North 4th Street, Laramie WY 82072.

2. Purpose of Amendment. This Amendment shall constitute Amendment Number 5 to the Agreement between City and Consultant which was duly executed on the 19th day of April 2016 to provide professional services related to the design of the North Side Tank, Transmission Lines, and related appurtenances. The purpose of this Amendment is to increase the professional engineering services agreement contract by Forty-Three Thousand Seven Hundred Eighty dollars (\$43,780.00) for an increase to the final design cost caused by the extended time to obtain easements and to account for design coordination with the North Campus Water main Project; the total contract amount will increase to Five Hundred Twenty-Five Thousand Five Hundred Sixty-Six dollars (\$525,566.00).

3. Same Terms and Conditions. With the exception of items explicitly delineated in this Amendment and its attachments, all terms and conditions of the Original Contract and its amendments, shall remain unchanged and in full force and effect.

4. Entirety of Amendment. This Amendment, consisting of two (2) pages along with the attached request consisting of four (4) pages, represents the entire and integrated Amendment between the parties and supersedes all prior negotiations, representation, and agreements, whether written or oral.

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IN WITNESS WHEREOF, the City of Laramie Public Works Department has caused this amendment to be signed and executed in its behalf by the City, and duly attested by the Consultant who has signed and executed this Agreement, the day and year first written above.

CITY OF LARAMIE, WYOMING:

By: _____
Paul Weaver, Mayor and President of the
City Council

Attest: _____
Nancy Bartholomew
City Clerk

CONSULTANT:

DOWL

By: _____

Witness _____



December 18, 2020

Mr. William Winkler, PE
City of Laramie, Engineering
PO Box C
Laramie, WY 82073

**Subject: North Tank and Pipeline Project
Request to update design fees due to delays and changes in scope**

Mr. Winkler:

DOWL has been working for the City of Laramie (City) on the North Tank and Pipeline project since October 2015. During the design, we have assisted the City with bringing this complex project to a suitable design which serves the City's needs for the water system.

To date the design schedule for this project has been extended over three years primarily due to delays involving the Union Pacific Railroad (UPRR) easement and negotiation of easements with landowners. During the delays waiting for UPRR and private easements, updates to the City's system and modeling were completed. Our team has been as efficient as possible at responding to the improvements and corresponding changes to the project requested by the City. However, the extended timeline of the project dictates that we follow due diligence to update the design using current available technologies and known improvements to the system to provide a quality design for the City's water system. These necessary updates were outside the original design scope negotiated for this project.

A 90-percent design submittal was presented to the City of Laramie and Wyoming Water Development Office (WWDO) for a review in October 2019. The work completed over the last year since that 90-percent submittal has been start-stop in nature depending on the pending status of easement negotiations and agreements, coordination involving the North Campus Water Main project, and stakeholder review periods. Furthermore, requests from the City for DOWL to make substantial revisions to the Project Manual from the previous agreed to format, including a full review of the Project Manual for compliance with the City of Laramie standard construction documents, has exceeded the previously contracted scope for work on the construction documents.

As a result of the various schedule delays, which have impacted DOWL's ability to efficiently complete the design and construction documents within the previously contracted budget, and changes to the project scope, DOWL has exhausted the current budget for the design phase of the project. We are requesting an amendment to provide adequate budget for completion of the design phase, as detailed in the following contract tasks:

Project Management:

Additional time to manage staff resources, schedule, and budget and coordinate with City staff and project stakeholders due to schedule delays and changes in project scope.

Final Design:

Additional time to incorporate necessary updates to the drawings and details to confirm that details are compliant with updated industry design standards. This will also allow our team to

confirm that the design coincides with the updates made to the system since the initial design began in 2016. Mike Lytle has been updating and modeling your system and we would like to ensure that the current design bolsters the latest improvements made over the extended schedule due to project delays. We have also coordinated with project subcontractors and included necessary time for them to complete outstanding design tasks. Requested labor for this task also includes time for DOWL's internal quality control reviews of the design documents to improve constructability and provide a quality final design.

Construction Documents:

Additional time to review and revise the Project Manual using City of Laramie front ends with a stand-alone specifications section, which is more robust than Wyoming Public Works Standard Specifications. This task has been extended due to comments from City of Laramie regarding the specifications format. Clear direction has now been provided for finalizing the Project Manual. System updates will dictate revisions to the previously reviewed specifications sections, while using City of Laramie front end documents for the construction contract. Due to the uncertainty surrounding the final specifications and to minimize rework, work on the 90-percent construction estimate was paused while easements were being negotiated and the Project Manual direction was finalized. The requested time under this task also covers updating the 90-percent construction estimate using the updated design specifications and current construction pricing information.

The work outlined above is to provide a constructible project per the original scope of work. The total fee associated with these tasks is \$34,530.

Based on discussions with City staff, an additional scope of work item related to the desired connection of the North Campus water main with this project, is detailed below.

North Campus Design Coordination:

At the request of the City, the pump station sizing will need to be evaluated to accommodate flow volumes for the new project connection. This task was not accounted for in the original design estimate and has come to fruition during the waiting period for easements. DOWL is requesting additional fee to coordinate updates to the system requirements posed by the North Campus Water Main project. Within the scope of this new task DOWL will:

- Review North Campus requirements and verify the North Tank project can accommodate demands.
- Evaluate the ability of zone 2 to provide flow to the North Campus Project and what supplemental flows will be needed from the North Tank line.
- Evaluate the option of pumping directly to Zone 2, and what this would require in the North Tank pump station. Note, this task does not include design of a zone 2 pump station.
- Review the ability of zone 1 to provide service to zone 2 and 3 through the North Tank pump station. Restate the benefits of a new zone 1 tank.
- Update the design report with any changes needed to the North Tank Project to accommodate the North Campus line.
- Include a connection for the North Campus Water Line from the pump station building.
- Evaluate the sizing of the PRV equipment to provide the requested 4000gpm flow rate through the zone 2 PRV.
- Update the North Tank Engineering Design Report to include the evaluations above for system operation of the North Tank pipeline.

Mr. William Winkler, PE
City of Laramie, Engineering
December 18, 2020
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The total fee associated with the new scope item for the North Campus Design Coordination is \$9,250.

The attached fee estimate totaling \$43,780 encompasses work required to update the drawings and specifications manual for bidding due to the delays in schedule and performance of out of scope work, and additional scope to connect the North Campus water main. DOWL is comfortable with providing a set of final documents prepared for bidding purposes at the end of January 2021 with the intent to advertise for public bid the North Tank and Pipeline Project in February 2021.

Sincerely,
DOWL

A handwritten signature in black ink that reads "Collin D. Fossen". The signature is written in a cursive style with a large initial 'C'.

Collin Fossen, PE
Project Manager

DOWL FEE ESTIMATE

**PROJECT NAME: NORTH SIDE TANK
AMENDMENT NO.5- FINAL DESIGN**

PREPARED BY: CDF DATE: 12/9/2020

TASK DESCRIPTION	LABOR				EXPENSES					TOTAL
							OUTSIDE CONSULT.			
	Senior Manager @	Eng IV @	Eng III @	Eng Tech III @	SUBTOTAL LABOR	TRAVEL	PER DIEM	Arete (Arch)	West Plains	
	\$ 195.00 \$/HR	\$ 125.00 \$/HR	\$ 105.00 \$/HR	\$ 85.00 \$/HR	\$	\$	\$	\$	\$	
Project Management and Coordination Meetings	8	20			\$ 4,060					\$ 4,060
Final Design										
Drawings and details updates	8	20		60	\$ 9,160			\$ 1,500	\$ 5,000	\$ 15,660
Quality Control review	8	8		8	\$ 3,240					\$ 3,240
SUBTOTAL										\$ 18,900
Construction Documents										
Specifications Manual Updates and Additions	8	48			\$ 7,560					\$ 7,560
Construction Cost Estimate	2	8	8		\$ 2,230					\$ 2,230
Quality Control review	4	8			\$ 1,780					\$ 1,780
SUBTOTAL										\$ 11,570
North Campus Design Coordination										
North Campus Connect pump station updates	6	20		12	\$ 4,690					\$ 4,690
DEQ Report update for pump expansion	6	12			\$ 2,670					\$ 2,670
Specifications Update for North Campus	2	12			\$ 1,890					\$ 1,890
SUBTOTAL										\$ 9,250
TOTAL HOURS	52	156	8	80	-----	----	----	----	----	296
TOTAL	\$ 10,140	\$ 19,500	\$ 840	\$ 6,800	\$ 37,280	\$ -	\$ -	\$ 1,500	\$ 5,000	\$ 43,780