

STATE OF NORTH CAROLINA

AMENDMENT #1

COUNTY OF UNION

This Amendment, made and entered into as of \_\_\_\_\_, by and between UNION COUNTY, with principal offices at 500 N. Main St., Monroe, North Carolina, 28112, hereinafter referred to as "OWNER," and HAZEN AND SAWYER, P.C., with offices at 9101 Southern Pine Blvd., Suite 250, Charlotte, NC 28273, hereinafter referred to as "ENGINEER," shall modify as indicated that Task Order 2020-03 (the "Task Order"), dated March 8, 2022, of the Agreement between OWNER and ENGINEER for Professional Engineering Services dated ~~January 4, 2017~~ (the "Agreement").

December 18, 2020

Int \_\_\_\_\_

WITNESSETH:

WHEREAS, the parties entered into the Task Order, pursuant to which ENGINEER agreed to provide OWNER with various engineering services associated with the design and bidding for the 853 Zone Water Transmission Main Phase III; and

WHEREAS, it has been determined that services outside the scope of the Task Order are needed, including additional engineering and surveying services, as outlined herein; and

WHEREAS, the parties agree to the services set forth below should be added to the Task Order related to the project.

NOW, THEREFORE, in consideration of the parties' continuing obligations under the Agreement and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto do each contract and agree with the other as follows:

1. In Part 2.0, SCOPE OF SERVICES TO BE PERFORMED BY ENGINEER ON THE PROJECT, add the following bullet Task No. 6: Additional Design.
2. In Part 2.0, SCOPE OF SERVICES TO BE PERFORMED BY ENGINEER ON THE PROJECT, add the following heading Task No. 6 – Additional Design with the following after Task No. 5, 5.1 (D):

#### TASK NO. 6 – ADDITIONAL DESIGN

##### Subtask 6.1 Finalized Design

- a. Review prior design and permitting work, develop plan and estimate of time/costs to restart and complete the work.
- b. Field windshield survey of route to review if there are any visible development changes since the project was put on hold.
- c. Contact underground utility owners to assess relocation possibilities due to

- potential conflicts.
- d. Confirm end-alignment/connection at Station 161+81 with NCDOT U-4714B project tie-in location and meet with NCDOT for coordination of encroachment permit as necessary.
- e. Receive new review comments, complete design, construction cost estimate, and update traffic control plans to match current 2024 NCDOT Standard Specifications for Roadway Design.

3. In Part 2.0, SCOPE OF SERVICES TO BE PERFORMED BY ENGINEER ON THE PROJECT, modify Task No. 2: Permitting and Regulatory Approval by adding the following:

Subtask 2.3 Additional Permitting and Regulatory Approval

- a. Resume and review the status of existing permit applications. Includes:
  - a. US Army Corps of Engineers (USACE) Section 404 permit determination of resubmission, re-establish wetlands flagging if necessary, field assessment to complete wetland quality forms, assess limits of disturbance for endangered species, revise PCN maps and respond to comments, field visit with USACE to confirm boundaries, and mitigation credit negotiation.
  - b. NCDEQ Land Quality permitting: addressing comments and re-applying for permit.

4. In Part 2.0, SCOPE OF SERVICES TO BE PERFORMED BY ENGINEER ON THE PROJECT, modify Task No. 3: Easement Acquisition Services by adding the following:

Subtask 3.3 Additional Easement Acquisition Services

- a. Prepare and coordinate obtaining easement exhibits for 20 additional parcels (80 total).

5. In Part 2.0, SCOPE OF SERVICES TO BE PERFORMED BY ENGINEER ON THE PROJECT, modify Task No. 4: Bid Phase Services by adding the following:

Subtask 4.7 Additional Bid Phase Services

- a. Modification of total for approved adjusted unit labor rates.

6. In Part 2.0, SCOPE OF SERVICES TO BE PERFORMED BY ENGINEER ON THE PROJECT, modify Task No. 5: Specialty Subconsultants by adding the following:

Subtask 5.2 Additional Specialty Subconsultants

- a. Conduct additional ground surveying on east side of Waxhaw-Indian Trail Road along approximate 1,500LF wide corridor based on revised proposed alignment to lessen impact to residential neighborhoods and homes.

- b. Additional surveying and plat development of 20 additional parcels (increase from 60 to 80 parcels).

7. In Part 5.0, PERIODS OF SERVICE, modify by replacing the tentative schedule with the following:

<u>Milestone Description</u>	<u>Estimated Date</u>
Design NTP	Feb 2022
50% Submittal	Jun 2022
Cost Estimate Submittal	Jul 2022
90% Submittal	Aug 2022
Submit for Regulatory Approvals	Sep 2022
90% Resubmittal – Project Restart	Dec 2024
Submit for Remaining Regulatory Approvals	Jul 2025
Finalize Design	Nov 2025
Advertise for Bids	Dec 2025
Bid Opening	Jan 2026
Construction Period	Apr 2026-Aug 2027

8. In Part 6.0, PAYMENT FOR SERVICES, modify to increase total project costs by **\$94,748** to **\$871,768** and replace the table with the following (items in bold have changed):

Task No.	Task Description	Lump Sum	NTE Cost Ceiling	Total
1	Detailed Design	\$304,330	\$0	\$304,330
2	Permitting	\$0	\$99,950	\$99,950
3	Easement Assistance	\$0	<b>\$27,750</b>	<b>\$27,750</b>
4	Bid Phase Services	<b>\$21,490</b>	\$0	<b>\$21,490</b>
5	Subconsultants	\$0	<b>\$346,238</b>	<b>\$346,238</b>
6	Additional Design	\$0	<b>\$54,710</b>	<b>\$54,710</b>
7	Expenses	\$0	\$17,300	\$17,300
Total		\$325,820	<b>\$545,948</b>	<b>\$871,768</b>

9. In Part 6.0, PAYMENT FOR SERVICES, remove note (1) and replace with the following:

(1) Reimbursable project expenses will be billed to OWNER at cost. Subconsultants employed by the ENGINEER, will be billed to OWNER at cost times multiplier 1.05. Vehicle mileage will be billed at rates allowed by Federal Internal Revenue Service, currently at a rate of \$0.70 per mile.

10. In Part 6.0, PAYMENT FOR SERVICES, replace the hourly billing rates with the following:

<b>Classification</b>	<b>Hourly Billing Rate</b>
Assoc. Vice President	\$290
Senior Associate	\$270

Associate	\$230
Sr. Principal Designer	\$185
Principal Designer	\$165
Designer	\$140
Assistant Engineer	\$140
Administration	\$90

\*- Amendment No. 1

Insert

11. ~~Replace~~ Attachment No. 1<sup>\*</sup> for the hourly and fee breakdown ~~with Attachment No. 1~~ attached and incorporated herein by reference. ~~for Amendment No. 1,~~

Int \_\_\_\_\_

12. Except as herein amended, the terms and provisions of the Task Order shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto, acting under authority of their respective governing bodies, have caused this Amendment to be duly executed, this the day and year first above written.

WITNESS:

UNION COUNTY

By: \_\_\_\_\_  
Lynn G. West  
Clerk to the Board

By: \_\_\_\_\_  
Brian Matthews  
County Manager

WITNESS:

HAZEN AND SAWYER

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

By: \_\_\_\_\_  
Brandon Moretz, PE  
Associate Vice President

This Instrument Has Been Preaudited In The Manner Required By The Local Government Budget And Fiscal Control Act.

Approved as to Legal Form: BTI

\_\_\_\_\_  
Deputy Finance Officer

**Attachment No. 1 - Amendment No. 1**

**Design and Bidding Services  
Projected Manhours and Associated Fee**

Task No.	Description	VP (Hrs) \$290	Sr Assoc (Hrs) \$270	Associate (Hrs) \$230	Sr Pri Sci (Hrs) \$185	Asst Eng (Hrs) \$165	Princ Des (Hrs) \$140	Designer (Hrs) \$140	Admin (Hrs) \$90	Total Labor Hrs (Hrs)	Total Labor Fee (\$)	Total Fee (\$)
<b>1</b>	<b>Detailed Design 90% to 100%</b>											
	Design Revisions and completion		16	60	25	23			2	126	\$26,720	\$26,720
	Technical Specifications	1	24							25	\$6,770	\$6,770
	Front-End Documents	2	16							18	\$4,900	\$4,900
	Meetings (100% and permitting)	2	8	8						18	\$4,580	\$4,580
	Design and Subconsultant Management		8							8	\$2,160	\$2,160
	Quality Assurance / Quality Control		16	11	10		5		2	44	\$9,580	\$9,580
	Subtotal	5	88	79	35	23	5	0		239	\$54,710	\$54,710
<b>2</b>	<b>Permitting and Regulatory Approval</b>											
	NCDEQ PWS Authorization to Construct									0	\$0	\$0
	NC DEQ Erosion and Sediment Control Plan									0	\$0	\$0
	Union County Flood Permit									0	\$0	\$0
	NCDOT Encroachment Agreement									0	\$0	\$0
	USACOE 401 / NCDEQ 404 Water Quality Certification									0	\$0	\$0
	PNG Encroachment									0	\$0	\$0
	Duke Energy Encroachment									0	\$0	\$0
	Subtotal	0	0	0	0	0	0	0		0	\$0	\$0
<b>3</b>	<b>Easement Acquisition Assistance</b>											
	Exhibits and Plat Assistance									0	\$0	\$0
	Conduct Community Meetings - 2 Meetings		4	13						17	\$4,070	\$4,070
	Subtotal	0	4	13	0	0	0	0		17	4,070	\$4,070
<b>4</b>	<b>Bid Phase Services</b>											
	Issue Bid Documents		1	2							\$730	\$730
	Pre-Bid Meeting		1								\$270	\$270
	Bid Document Interpretation & Addenda		1								\$270	\$270
	Bid Opening		1								\$270	\$270
	Official Notices										\$0	\$0
	Conform Documents		1	4							\$1,190	\$1,190
	Subtotal	0	5	6	0	0	0	0		0	2,730	\$2,730
<b>6</b>	<b>Specialty Subconsultant Services</b>											
	Aerial Survey and Topographic Mapping (Avoimage)											\$13,125
	Ground Surveying (Lawrence)											\$20,113
	Easement Plats (Lawrence)											
	Easement Staking (Lawrence)											
	Geotechnical Investigation (F&R)											
	Subsurface Utility Locates (SUI)											
	Subtotal											\$33,238
<b>7</b>	<b>Expenses</b>											
	Regulatory Review Fees											
	Mileage											
	Reproduction / Copying Services/Meeting Exhibits											
	Deed Research											
	Postage - Certified Mail											
	Misc Expenses											
	Subtotal											\$0
	<b>GRAND TOTAL</b>	<b>5</b>	<b>97</b>	<b>98</b>	<b>35</b>	<b>23</b>	<b>5</b>	<b>0</b>		<b>256</b>	<b>61,510</b>	<b>94,748</b>