

**FIRST AMENDMENT TO THE CIVIL ENGINEERING DESIGN SERVICES
FOR THE WEST COMMERCE ECONOMIC CORRIDOR PROJECT**

STATE OF TEXAS §

COUNTY OF BEXAR §

This first amendment to the Professional Services Agreement, authorized by Ordinance No. 2018-12-08-0958, is entered into by and between the City of San Antonio ("City"), a home rule municipal corporation, and Bain Medina Bain, Inc. ("Consultant"), referred to collectively herein as the "Parties".

WHEREAS, on December 8, 2016, through Ordinance 2016-12-08-0958, the City and Consultant entered into a Professional Services Agreement for a total contract value not to exceed \$800,000 ("Original Agreement"); and

WHEREAS, both Parties desire to add additional services to the existing contract to provide for the remaining 95% design phase, 100% design phase, bidding phase and construction administration phase services as listed in Exhibit A – Scope of Services; and

WHEREAS, the Parties now wish to increase the total dollar value of the Original Agreement by \$444,129.36, for a total revised contract value in an amount not to exceed \$1,244.129.36

NOW, IN ACCORDANCE THEREWITH, the Parties agree as follows:

I. AMENDMENTS

Parties agree and acknowledge the compensation for all services included in the original agreement and this amendment shall not exceed \$1,244,129.36

II. PROVISIONS REMAIN IN EFFECT

All other terms, conditions, covenants and provisions of the Original Agreement, not specifically mentioned herein and revised by this document, are hereby retained in their entirety, unchanged, and shall remain in full force in effect for the duration of said Original Agreement, and any renewals thereof.

III. ENTIRE AGREEMENT

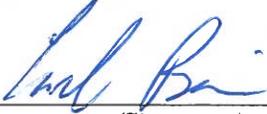
This agreement, as amended, embodies the complete agreement of the parties hereto with regard to the subject matter contained herein, superseding all oral or written previous and contemporary agreements between the parties relating to matters herein.

EXECUTED and **AGREED** to as of the dates indicated below.

City Of San Antonio

Bain Medina Bain

(Signature)



(Signature)

Printed Name: _____
Title: _____
Date: _____

Printed Name: Carl Bain
Title: Vice-President
Date: 2-11-19

Approved as to Form:

Assistant City Attorney



May 2, 2018
Revised May 22, 2018
Revised September 6, 2018
Revised September 25, 2018
Revised January 10, 2019

Florencio Rodriguez Jr., PE
Interim Capital Projects Manager
Horizontal Projects Division
City of San Antonio
Transportation & Capital Improvements
P.O. Box 839966
San Antonio, Texas 78283-3966

Re: W Commerce Economic Corridor Project -Task Order 2
BMB Job No: P-3014/C-1444

Dear Mr. Rodriguez:

Bain Medina Bain, Inc. (BMB) is pleased to submit this proposal to provide additional Professional Engineering and Surveying Services for the above referenced project.

SCOPE OF SERVICES

Proposed Task Order 2 Scope of Work is outlined in the attached Scope of Work Narrative.

COMPENSATION

BMB's proposed fee for the scope of services described is based on a lump sum fee. The following is a breakdown of the total fee:

BRIDGE REPAIR PACKAGE

95% Design Phase	\$ 87,811.00
100% Design Phase	\$ 19,363.00
Bid Phase	\$ 8,382.92
Construction Phase	\$ 34,968.02
Project Close-Out	\$ 6,740.00

PACKAGE ONE – REMAINING DESIGN PHASES

95% Design Phase	\$ 101,293.77
100% Design Phase	\$ 21,856.55
Bid Phase	\$ 13,699.91
Construction Phase	\$ 108,082.38
Project Close-Out	\$ 8,992.00

BOTH PACKAGES BASE FEE SUBTOTAL= \$ 411,189.55

ADDITIONAL SERVICES SUBTOTAL= \$ 10,939.81

GRAND TOTAL = \$ 422,129.36

Florencio Rodriguez Jr., PE
May 2, 2018
Revised May 22, 2018
Revised September 6, 2018
Revised September 25, 2018
Revised January 9, 2019
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Re: W Commerce Economic Corridor Project

Attached is a breakdown by task, man hours and dollars for each task.

SCHEDULE

BMB anticipates the following project schedule can begin immediately after receiving Notice to Proceed and each successive phase beginning after receiving acceptance to the previous phase.

BRIDGE REPAIR PACKAGE (Calendar Days)

95% Design Phase	45
100% Design Phase	15
Bid Phase	30
Construction Phase	90
Project Close-Out	30

PACKAGE ONE – REMAINING DESIGN PHASES (Calendar Days)

95% Design Phase	60
100% Design Phase	20
Bid Phase	30
Construction Phase	455
Project Close-Out	30

Please call if you have any questions or comments.

Sincerely,



Lori Dullnig-Warlen, P.E. | Sr. Project Manager

Bain Medina Bain, Inc.

Engineers & Surveyors

HUB, SBE, WBE, TxDOT Pre-Certified Firm

LDullnig@bmbi.com

Attachments: Scope of Work Narrative
Fee Summary and Timeline for Design Phase Services
BMB Project Work Plan and Fee Proposal Breakdown
Structural Engineering Associates, Inc. Design Phase Fee Proposal (8/27/18)
Kimley-Horn Associates, Inc. Design Fee Proposal, (3/23/18)
Bender Wells Clark Design, Inc Design Fee Proposal, (8/29/16)(4/20/18)

CITY OF SAN ANTONIO

TRANSPORTATION & CAPITAL IMPROVEMENTS

W. COMMERCE ECONOMIC CORRIDOR PROJECT

SCOPE OF WORK NARRATIVE- Task Order 2 (2017-2021 BOND)

PROJECT SCOPE

Bain Medina Bain, Inc. (BMB) was awarded the contract to provide professional engineering, landscape architecture and surveying services for the design and PS&E of W. Commerce Economic Corridor. The project was funded for the initial design development phases. The remaining design and construction funding for the project is included in the 2017-2021 Bond Referendum. This proposal for the second task order is for the remaining 95% design phase, 100% design phase, bidding phase and construction administration phase for Package One and additional bridge repairs to Buena Vista and Guadalupe street bridges over the RR. The Bridge Repairs for all three bridges will be prepared as a separate construction package to be rapidly designed, detailed and bid to meet a goal, for a ground breaking in May 2019. To meet this goal the 40% and 70% submittals will be combined into the 95%.

West Commerce project is located on the west side of downtown San Antonio west of IH 35. The original project limits are from Frio Street to Colorado Street. The project is approximately 2000 ft. or 6 blocks in length. The project limits have been extended west to Alazan Creek to provide a drainage outfall. The project objective is to create a gateway from downtown into the Westside cultural district. An initial scoping meeting was held on July 21, 2016. The Draft Master Plan document dated July 2016 was provided. The original scope was based on the findings in that master plan document. The TOTAL scope of work will be prepared in three construction packages. Bridge Repair Package – constructed by the low bidder, Package One – mostly Infrastructure Improvements and design enhancements constructed by the low bidder and Package Two- Design enhancements constructed by a competitive sealed proposal with an interview.

Bridge Repair Package- W Commerce, Buena Vista and Guadalupe Street Bridges over the RR will include:

BRIDGE IMPROVEMENTS: Powerwash Bridges, Bridge maintenance repairs of the slab expansion joints (seal/repair) (West Commerce only) and bridge concrete spalls (all three bridges), West Commerce bridge repairs are based on the bridge evaluation report prepared by SEA, Buena Vista and Guadalupe bridge repairs are based on 2015 Off-System Cycle TxDOT BRINSAP records and 2017 Condition Rating reports from TxDOT.

Package One- W Commerce Infrastructure Improvement will include:

GRADE LEVEL STREET IMPROVEMENTS: Reconstruct the street, Upgrade utilities, Construct bio-swale on north side, improve drainage, widen sidewalk, add bicycle lane, add landscape, add pedestrian and street lights, add on-street parking (South side), add a drainage outfall to Alazan creek, upgrade signal at Colorado Street and W. Commerce and add sidewalks, adjust driveways and mill/overlay pavement from Colorado St. to Alazan creek bridge on the west end of the project.

BRIDGE IMPROVEMENTS: Place a Polymer overlay on the bridge deck and restripe lanes on the bridge to provide a buffer zone between the bike lane and traffic lanes. Approach pavement will be reconstructed up to the end of the walls, mill and overlay to the bridge abutments. Aesthetic lighting will be added to the existing rails. Repairs to the existing bridge will be made in the early construction package.

GATEWAY ENHANCEMENTS: Gateway Arch at the Frio Street Intersection and banners for the light poles on the bridge and on the pedestrian lights along the service roads.

UNDER BRIDGE IMPROVEMENTS: THE MARKET: Add street furniture, Add aesthetic lighting to underside of bridge, Add bollards, Add water fountains, and Add skateboard friendly elements. (Fee for these items will be determined at a later date)

RAILROAD CROSSING IMPROVEMENTS: RR coordination for Pedestrian and Bicycle crossings. (this item may be separated from the package one construction package due to coordinate time requirements)

PASA COORDINATION: Coordinate with PASA's selected artist. Possible art enhancements include: Muralist to paint the columns of the bridge, and other undefined art projects. The art installation will be from a separate funding source and on its own schedule.

Package Two- W Commerce Design Enhancements will include:

UNDER BRIDGE IMPROVEMENTS: THE MARKET: Add artistic screen panels, Add utility hook-ups for pop-up market, and Add portable restrooms.

UNDER BRIDGE IMPROVEMENTS: THE CLASSROOM: Add street furniture, Add lighting to underside of bridge, Add bollards, Add water fountains, Construct stage, Add musical instruments and sculptures, and Add classroom block seats.

UNDER BRIDGE IMPROVEMENTS: THE PLAYGROUND: Add street furniture, Add lighting to underside of bridge, Add bollards, Add artistic fence around children's playground, Add water fountains, Add playground equipment, Add bocce ball courts, Add adult exercise equipment,

Package Two is currently unfunded and will be refined at a later date.

This task order proposal is a continuation of Package One design services and additional Bridge Repair design services including 95% and 100% PS&E submittals, Bidding and Construction Phase services.

The following are the tasks included in this Task Order:

BRIDGE REPAIRS PACKAGE

95% Design Phase

- 1. West Commerce Bridge Repairs (SEA)**
 - 1.1. Address 70% Review Comments**
 - 1.2. Finalize P&P sheets & Typical sections sheets**
 - 1.3. Finalize 95% Engineer's opinion of probable construction cost**
 - 1.4. 95% Submittal**
- 2. Buena Vista and Guadalupe Bridge Repairs (BMB)**
 - 2.1. Site Visit to each bridge to verify condition report repairs**
 - 2.2. Prepare Plan and Profile of each bridge**
 - 2.3. Prepare substructure elevations of each bridge**
 - 2.4. Prepare estimated quantities**
- 3. Traffic Control Plans**
 - 3.1. Prepare Traffic Control Plans**
 - 3.2. TCP Standards**
- 4. Other Plans and Misc**
 - 4.1. Prepare Project Layouts**
 - 4.2. Prepare Project Schedule**
 - 4.3. Prepare Quantity Summary sheets**
 - 4.4. Prepare List of Govern Specs, Special Provisions and Special Specs**
 - 4.5. 95% Submittal**
- 5. Meetings and Coordination**
 - 5.1. Coordination meeting**
 - 5.2. 95% Plan Review Meeting**
- 6. Cost Estimating**
 - 6.1. 95% Engineer's opinion of probable construction cost**

100% Plans

- 1. West Commerce Bridge Repairs (SEA)**
 - 1.1. Address 95% review comments and submit Final plans**
- 2. Buena Vista and Guadalupe Bridge Repairs (BMB)**
 - 2.1. Address 95% review comments and submit Final plans**
- 3. TCP and Other Plans**
 - 3.1. Address 95% review comments and submit Final Plans**
- 4. Final Specifications & estimate**
 - 4.1. Assist City in preparing advertising documents (Contract docs, unit price list, etc.)**

Bid Phase

- 1. Plan Distribution and Advertising**
 - 1.1. Distribute Plans and Specs to Contractors and Plan Rooms (Maintain Plan Holder's List)**
 - 1.2. Answer Contractor questions. Prepare and distribute necessary Addenda**
- 2. Meetings and Coordination**
 - 2.1. Attend Pre-Bid Meeting**
 - 2.2. Review and evaluate Bid Tabulation, Prepare Letter of Recommendation**

Construction Phase

- 1. Construction Management (assume 3 mo)**
 - 1.1. Attend Ground Breaking ceremony and pre-construction meeting**
 - 1.2. Assist in preparation and review of the monthly pay estimates**
 - 1.3. Assist in preparation and review of change orders (est 1)**
 - 1.4. Review shop drawings and submittals (est 5)**
 - 1.5. Respond to request for information (RFI's) (est 5)**
 - 1.6. Attend (2) construction progress meetings per month and provide meeting minutes. In conjunction with the progress meetings, perform site visits and prepare a report for each visit to the City regarding process of construction**
 - 1.7. Participate in final inspection of project**

2. Project Close-Out

- 2.1. Prepare project as-built drawings**
- 2.2. Participate in one-year warranty inspection for project**

PACKAGE ONE – REMAINING PHASES

95% Design Phase

- 1. Roadway and Sidewalk Design**
 - 1.1. Finalize P&P sheets & Typical sections sheets**
 - 1.2. Finalize roadway and driveway cross sections and intersection layouts**
- 2. Drainage Design**
 - 2.1. Finalize Drainage Calcs**
 - 2.2. Finalize Drainage area maps and tables**
 - 2.3. Finalize Lateral details**
 - 2.4. Finalize SWPPP and Narrative**
 - 2.5. Finalize Plan and Profile Sheets**
 - 2.6. Finalize Details**
- 3. Bridge and Structures Design (SEA)**
 - 3.1. Address 70% Review Comments**
 - 3.2. Update Gateway Arch Detail Sheets**
 - 3.3. Finalize 95% Engineer's opinion of probable construction cost**

- 3.4. 95% submittal
- 4. Traffic Design (Kimley-Horn)
 - 4.1. Finalize Plans (Signing, marking, signal, illumination)
 - 4.2. Finalize 95% Engineer's opinion of probable construction cost
 - 4.3. 95% submittal
- 5. Landscape Design (Bender Wells Clark)
 - 5.1. Finalize Plans
 - 5.1.1. Preparation of Planting, Tree Preservation Ordinance & LA site development plans
 - 5.2. Finalize 95% Engineer's opinion of probable construction cost
 - 5.3. 95% submittal
 - 5.4. 95% Review Meeting
- 6. Utility Plans
 - 6.1. Finalize Existing Utility Layouts
 - 6.2. Finalize Existing Utility conflicts
 - 6.3. Utility Coordination (Sect 5.0 DGM)
- 7. Traffic Control Plans
 - 7.1. Finalize Traffic Control Plan
- 8. Other Plans and Misc
 - 8.1. Special Details and Non-CoSA Details
 - 8.2. Finalize Project Schedule
 - 8.3. Finalize Quantity Summary sheets
 - 8.4. Finalize List of Govern Specs, Special Provisions and Special Specs
 - 8.5. TDLR Review Coordination and Fee
 - 8.6. 95% Submittal
- 9. Environmental Coordination
 - 9.1. Coordination
 - 9.2. Incorporate waste management plans into bid documents if required
- 10. Meetings and Coordination
 - 10.1. Coordination meeting with Railroad/ VIA/ County/PASA/D5 council
 - 10.2. 95% Plan Review Meeting
 - 10.3. Prepare exhibits for Public Meeting
- 11. Cost Estimating
 - 11.1. 95% Engineer's opinion of probable construction cost

100% Plans

- 1. Final Plans
 - 1.1. Address 95% review comments and submit Final plans
 - 1.2. Insert Joint-Bid Utilities
- 2. Bridge and Structures Design (SEA)
 - 2.1. Address 95% review comments and submit Final plans
- 3. Traffic Design (Kimley-Horn)

- 3.1. Address 95% review comments and submit Final plans
- 4. Landscape Design (Bender Wells Clark)
 - 4.1. Address 95% review comments and submit Final plans
- 5. Final Specifications & estimate
 - 5.1. Assist City in preparing advertising documents (Contract docs, unit price list, etc.)

Bid Phase

- 1. Plan Distribution and Advertising
 - 1.1. Distribute Plans and Specs to Contractors and Plan Rooms (Maintain Plan Holder's List)
 - 1.2. Answer Contractor questions. Prepare and distribute necessary Addenda
- 2. Meetings and Coordination
 - 2.1. Attend Pre-Bid Meeting
 - 2.2. Review and evaluate Bid Tabulation, Prepare Letter of Recommendation

Construction Phase

- 1. Construction Management (assume 15 mos)
 - 1.1. Double Check/ Reestablish project control points for contractor's use during construction
 - 1.2. Attend citizen Here We Come meeting prior to start of construction
 - 1.3. Attend pre-construction meeting
 - 1.4. Assist in preparation and review of the monthly pay estimates
 - 1.5. Assist in preparation and review of change orders (est 4)
 - 1.6. Review shop drawings and submittals (est 16)
 - 1.7. Respond to request for information (RFI's) (est 24)
 - 1.8. Attend (2) construction progress meetings per month and provide meeting minutes. In conjunction with the progress meetings, perform site visits and prepare a report for each visit to the City regarding process of construction
 - 1.9. Participate in final inspection of project
 - 1.10. TDLR Inspection Coordination and Fee

2. Project Close-Out

- 2.1. Prepare project as-built drawings
- 2.2. Participate in one-year warranty inspection for project

Additional Services

- 2. Structural Rehabilitation of existing Bridge (95% Design)

City of San Antonio - Capital Improvements Management Services Department

Design Guidance Manual
FEE SUMMARY AND TIMELINE FOR PROFESSIONAL SERVICES

Project: **W Commerce Economic Corridor Project**
 Prime Consultant: **Bain Medina Bain, Inc.**
 Subconsultant: **Prime**
 Proposal Date: 1/9/19

Prepared By: **Lori Dullnig-Warlen, P.E.**

Scope of Work: See Scope of Work Narrative

ACTIVITY	TIMELINE (CALENDAR DAYS)	FEE
BRIDGE REPAIR PACKAGE		
95% Design Phase	45	\$87,811.00
1. Prime Consultant - Bain Medina Bain, Inc.		\$87,811.00
2. Sub Consultant - Structural Engineering Assoc., Inc. (SEA)(see add'l services)		\$0.00
3. Sub Consultant - Kimley-Horn & Assoc., Inc. (KH)		\$0.00
4. Sub Consultant - Bender Wells Clark Design (BWC)		\$0.00
100% Design Phase	15	\$19,363.00
1. Prime Consultant - Bain Medina Bain, Inc.		\$19,363.00
2. Sub Consultant - Structural Engineering Assoc., Inc. (SEA)		\$0.00
3. Sub Consultant - Kimley-Horn & Assoc., Inc. (KH)		\$0.00
4. Sub Consultant - Bender Wells Clark Design (BWC)		\$0.00
Bid Phase	30	\$8,382.92
1. Prime Consultant - Bain Medina Bain, Inc.		\$6,831.00
2. Sub Consultant - Structural Engineering Assoc., Inc. (SEA)		\$1,551.92
3. Sub Consultant - Kimley-Horn & Assoc., Inc. (KH)		\$0.00
4. Sub Consultant - Bender Wells Clark Design (BWC)		\$0.00
Construction Phase	90	\$34,968.02
1. Prime Consultant - Bain Medina Bain, Inc.		\$26,886.00
2. Sub Consultant - Structural Engineering Assoc., Inc. (SEA)		\$8,082.02
3. Sub Consultant - Kimley-Horn & Assoc., Inc. (KH)		\$0.00
4. Sub Consultant - Bender Wells Clark Design (BWC)		\$0.00
Project Close-Out	30	\$6,740.00
1. Prime Consultant - Bain Medina Bain, Inc.		\$6,740.00
PACKAGE ONE - REMAINING PHASES		
95% Design Phase	60	\$101,293.77
1. Prime Consultant - Bain Medina Bain, Inc.		\$58,810.00
2. Sub Consultant - Structural Engineering Assoc., Inc. (SEA)		\$8,108.77
3. Sub Consultant - Kimley-Horn & Assoc., Inc. (KH)		\$25,385.00
4. Sub Consultant - Bender Wells Clark Design (BWC)		\$8,990.00
100% Design Phase	20	\$21,856.55
1. Prime Consultant - Bain Medina Bain, Inc.		\$11,163.00
2. Sub Consultant - Structural Engineering Assoc., Inc. (SEA)		\$1,253.55
3. Sub Consultant - Kimley-Horn & Assoc., Inc. (KH)		\$6,640.00
4. Sub Consultant - Bender Wells Clark Design (BWC)		\$1,800.00
5. TDLR Fee		\$1,000.00
Bid Phase	30	\$13,699.91
1. Prime Consultant - Bain Medina Bain, Inc.		\$9,948.00
2. Sub Consultant - Structural Engineering Assoc., Inc. (SEA)		\$1,551.91
3. Sub Consultant - Kimley-Horn & Assoc., Inc. (KH)		\$0.00

City of San Antonio - Capital Improvements Management Services Department

Design Guidance Manual
FEE SUMMARY AND TIMELINE FOR PROFESSIONAL SERVICES

Project: **W Commerce Economic Corridor Project**
 Prime Consultant: **Bain Medina Bain, Inc.**
 Subconsultant: **Prime**
 Proposal Date: 1/9/19

Prepared By: **Lori Dullnig-Warlen, P.E.**

4. Sub Consultant - Bender Wells Clark Design (BWC) \$2,200.00

Construction Phase 455 \$108,082.38

- 1. Prime Consultant - Bain Medina Bain, Inc. \$71,319.00
- 2. Sub Consultant - Structural Engineering Assoc., Inc. (SEA) \$10,713.38
- 3. Sub Consultant - Kimley-Horn & Assoc., Inc. (KH) \$9,845.00
- 4. Sub Consultant - Bender Wells Clark Design (BWC) \$15,455.00
- 5. TDLR Fee \$750.00

Project Close-Out 30 \$8,992.00

- 1. Prime Consultant - Bain Medina Bain, Inc. \$8,992.00

BASE FEE TOTAL (BOTH PACKAGES) \$411,189.55

Additional Services and Allowances

Structural Rehabilitation of Existing Bridge (95% Design)(Brdg Repair Package) \$10,939.81

ADDITIONAL SERVICES TOTAL \$10,939.81

GRAND TOTAL Task Order 2 \$422,129.36
