

Amendment No. 1

Amendment to Agreement to Provide Professional Engineering Services to Develop a Master Plan for the Eno Economic Development District Water and Sewer System Project between the City of Durham and CDM Smith Inc.

(Contract No. 10416)

This contract amendment (“Amendment”) is dated and entered into as of the _____ day of _____, 2014, between CDM Smith Inc. a corporation authorized to do business in the State of North Carolina, (hereinafter referred to as the “Engineer”) and City of Durham (hereinafter referred to as the “City”).

The City and the Engineer entered into a contract titled “Agreement to Provide Professional Engineering Services to DEVELOP A MASTER PLAN FOR THE ENO ECONOMIC DEVELOPMENT DISTRICT WATER AND SEWER SYSTEM PROJECT between the City of Durham and CDM Smith Inc.” dated February 1, 2013 That contract is referred to as the “Original Contract.” The Original Contract provided for master planning services and potential additional services for a total potential contract amount of \$110,000. The Original Contract is hereby amended as follows:

1. The Original Agreement is amended and supplemented by the incorporation of Attachment A-2, titled “Additional Gravity Sewer Analysis”, attached hereto. To the extent that a conflict may exist between the terms of Exhibits A through J of the Original Contract Attachment A-2 shall be controlling.
2. Replace Section C4.01, paragraph A.1 in Exhibit C of the Original Agreement with the following:
 1. A Lump Sum amount of \$124,200 based on the assumed distribution of compensation, as shown in the table below:

Task	Description	Task Budget
1.1	Kickoff Meeting and Data Collection	\$5,300
1.2	Flow Projections	\$13,000
1.3	Proposed Water and Wastewater Infrastructure w/in Eno EDD	\$17,700
1.4	Force Main Discharge Alternatives	\$32,900
1.5	Permit Agency Coordination	\$8,300
1.6	Cost Estimates	\$8,400
1.7	Workshop and Master Plan Report	\$24,400
1.8	Additional Gravity Sewer Analysis	\$14,200
TOTAL		\$124,200

IN WITNESS WHEREOF, the parties hereto have executed this AMENDMENT, the Effective Date of which is indicated on page 1.

OWNER – CITY OF DURHAM

ATTEST:

City Clerk

By: _____

City Manager

City's Finance Officer

Date

ENGINEER:

CDM Smith Inc.

Secretary

By: _____

Vice President

Corporate Seal – Engineer

Date Signed: _____

State of North Carolina

ACKNOWLEDGMENT BY CORPORATION

County of Wake

I, a notary public in and for the aforesaid county and state, certify that _____ personally appeared before me this day and stated that he is Secretary of _____, a corporation, and that by authority duly given and as the act of the corporation, the foregoing Amendment Number 1 with the City of Durham was signed in its name by its Vice President whose name is _____, sealed with its corporate seal, and attested by himself as its said Secretary. This the _____ day of _____, 2014.

My commission expires:

Notary Public

Attachment A-2
Project No. 10416
Additional Gravity Sewer Analysis

Introduction

The master planning analysis has been completed and development of a draft Master Plan Report provided. This scope authorization includes performing additional master planning analysis and incorporating that into the final Master Plan Report.

PROJECT OBJECTIVES AND DESCRIPTION

This AMENDMENT includes performing additional gravity sewer analysis of a smaller study area to determine if improvements can be implemented at a cost within Orange County's available budget. A description of the services to be provided is presented below.

Task 1.8 - Additional Gravity Sewer Analysis

The Consultant will revise the flow projections per the smaller study area proposed by Orange County in their letter to Durham dated July 28, 2014. The same landuse map and unit flow factors used in the draft report for Tasks 1.1-1.7 will be used. The Consultant will analyze the downstream gravity sewer in the model used previously and determine the impacts of this additional flow. This will involve looking at up to 2 discharge locations from the revised study area into the adjacent existing gravity sewer. No connection can be made upstream of the small existing BrenRose pump station. All flow from the revised study area will flow through current sewer at the County line that goes to the Ellerbe Creek Outfall. Although there may be an option to send flow to the Eno Basin, prior modeling has shown capacity concerns upstream of Rivermont pump station in the Eno Basin and along the Eno Outfall so the addition of more development to this area will not be considered during this task. The Consultant will prepare a map of the backbone gravity sewer in the revised study area and prepare a revised cost estimate (using the same unit costs as previous.) The Consultant will also analyze the possibility of adding additional flow from the three properties immediately west and adjacent to the revised study area in terms of impacts to Durham's system. No gravity sewer or costs will be associated with this additional analysis of these adjacent western parcels. One meeting will be held to review the results of this Task. No meetings are required to get started and perform the work. The results of this task will be written up as Section 9 and incorporated into the final ENO EDD report and will reference prior sections of the report.

The OWNER reserves the right to amend this Agreement so that the ENGINEER may furnish services related to the project that are not currently part of the Basic Services. These additional services will be paid for by the OWNER in an amount and by a method to be determined at the time the services are requested.

2. OWNER’S RESPONSIBILITIES

Provide data as requested and timely feedback as needed.

3. TIME PERIOD FOR PERFORMANCE

The time periods for the performance of Engineering Team services as set forth in Section 3 of the Original Agreement are amended and supplemented as follows:

<u>Project Component</u>	<u>Duration</u>
Task 1.8 – Model Analysis.....	4 weeks
Task 1.8 – Draft Report Section.....	2 weeks from Meeting to Present Preliminary Results
Task 1.7 – Final Report.....	3 weeks from Receiving Comments on Draft Report Section