

**CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Development Services / Planning Division
AGENDA DATE: RESO: Public Hearing 06/05/07
CONTACT PERSON/PHONE: Kelly Carpenter, Deputy Director, DSD-Planning Division
- 541-4193
DISTRICT(S) AFFECTED: All Districts

SUBJECT:

A Resolution that the City Manager be authorized to sign the First Amendment to a Professional Services Agreement by and between the City of El Paso and Dunkin, Sefko & Associates, Inc., for a project known as the Subdivision Ordinance Update, amending the Scope of Work to include additional tasks, to increase the amount of total compensation by an additional TWENTY-EIGHT THOUSAND, EIGHTY AND NO/100 DOLLARS (\$28,080.00) and extending the term of the Agreement to August 30, 2007. (All Districts)

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

The original agreement between the City of El Paso and Dunkin, Sefko & Associates, Inc. for the Subdivision Ordinance Update was approved by the City Council on April 11, 2006.

AMOUNT AND SOURCE OF FUNDING:

\$28,080.00

BOARD / COMMISSION ACTION:

N/A

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: R. Alan Shubert

APPROVED FOR AGENDA: Patricia D. Aduato, Deputy City Manager

RESOLUTION

CITY CLERK DEPT.
07 MAY 30 AM 11:28

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign the First Amendment to a Professional Services Agreement by and between the City of El Paso and Dunkin, Sefko & Associates, Inc., for a project known as the Subdivision Ordinance Update, amending the Scope of Work to include additional tasks, to increase the amount of total compensation by an additional TWENTY-EIGHT THOUSAND, EIGHTY AND NO/100 DOLLARS (\$28,080.00) and extending the term of the Agreement to August 30, 2007.

ADOPTED THIS _____ DAY OF _____, 2007.

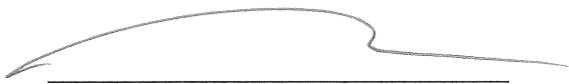
THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy-Momsen
City Clerk

APPROVED AS TO FORM:



Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:



R. Alan Shubert, P.E., C.B.O.
City Engineer

CITY CLERK DEPT.
07 MAY 30 AM 11:20

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

FIRST AMENDMENT TO AGREEMENT
FOR PROFESSIONAL SERVICES AGREEMENT

THIS First Amendment is made this _____ day of _____, 2007, by and between THE CITY OF EL PASO, hereinafter referred to as the "Owner", and DUNKIN, SEFKO & ASSOCIATES, INC., a Texas Corporation, hereinafter referred to as the "Consultant".

WHEREAS, on April 11, 2006, the Owner entered into an Agreement for Consultant Services, hereinafter referred to as the "Agreement", with the Consultant to engage the Consultant to perform professional services for a project known as "SUBDIVISION ORDINANCE UPDATE", hereinafter referred to as the "Project"; and,

WHEREAS, the Owner desires that consultant perform additional services, under the Agreement and provide for additional compensation for such services; and,

WHEREAS, the Owner desires to extend the agreement until August 30, 2007 for the Consultant to complete the Project,

NOW, THEREFORE, for and in consideration of the promises, terms and conditions and covenants set forth below, the parties hereto agree to amend the Agreement as follows:

1. Article III, Paragraph 3.1 is amended as follows:

3.1 PAYMENT TO CONSULTANT. The Owner shall pay to the Consultant an amount not to exceed ONE HUNDRED AND TWENTY FIVE THOUSAND AND EIGHTY 00/100 DOLLARS (\$125,080.00) for all basic services performed pursuant to this Agreement. The Consultant's fee proposal for the performance of all Basic Services is attached hereto as Attachment "B". Payments to the Consultant shall be made pursuant to the schedule enumerated within Attachment "D".

2. Attachment "A" Basic Scope of Services shall be amended to add the following tasks:

- a. Attendance at 10 meetings with 10 additional trips over a 3 and ½ month period by Craig Farmer, FAICP, of Dunkin, Sefko and Associates, Inc. and Robert Gonzales, P.E., of Quantum Engineering
- b. Two (2) additional trips by Kim Mickelson, AICP, of Mickelson & Palumbo, Consulting Municipal Attorneys.
- c. One (1) additional trip by Dan Sefko, AICP of Dunkin, Sefko and Associates, Inc.

3. Attachment "B" Consultant's Fee Proposal and Hourly Rates is amended to add:

- a. Attendance at 10 meetings with 10 additional trips over a 3 and ½ month period by Craig Farmer, FAICP, of Dunkin, Sefko and Associates, Inc. at a cost of \$15,600 plus travel expenses (10 trips – 12 hrs each @ \$130 per hour)

b. Attendance at all 10 meetings by Robert Gonzales, P.E., of Quantum Engineering at a cost of \$6,000 (10 meetings – 6 hrs each @ \$100 per hour)

c. Two (2) additional trips by Kim Mickelson, AICP, of Mickelson & Palumbo, Consulting Municipal Attorneys, at a cost of \$4,800 plus travel expenses (2 trips – 12 hrs each @ \$200 per hour)

d. One (1) additional trip by Dan Sefko, AICP of Dunkin, Sefko and Associates, Inc., at a cost of \$1680 plus travel expenses (1 trip – 12 hrs @ \$140 per hour)

4. **Attachment “D”** is amended to change the amount to exceed to and to specify a completion date for performance of tasks by August 30, 2007.

5. All terms and conditions of the Agreement, except as expressly herein amended, shall remain in full force and effect.

WITNESS THE FOLLOWING SIGNATURES AND SEALS:

**OWNER:
THE CITY OF EL PASO**

Joyce Wilson
City Manager

APPROVED AS TO FORM:

Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

R. Alan Shubert, P.E., C.B.O.
City Engineer

**CONSULTANT:
DUNKIN, SEFKO & ASSOCIATES, INC.**

By: _____
Dan G. Sefko
President

CITY CLERK DEPT.
07 MAY 30 AM 11:20

(Acknowledgements begin on next page)

