

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

**DEPARTMENT:** Engineering and Construction Management

**AGENDA DATE:** September 25, 2012

**CONTACT PERSON NAME AND PHONE NUMBER:** Irene D. Ramirez, P.E., Assistant City Engineer (X4428)

**DISTRICT(S) AFFECTED:** All

**SUBJECT:**

That the City Manager be authorized to sign the Third Amendment to the Agreement for Professional Services by and between the City of El Paso and Kimley-Horn and Associates, Inc., a North Carolina Corporation, for a project known as "Runway 8R-26L Extension" to add additional professional services to include coordination pertaining to the approach lighting system, its electrical components and electrical revisions requested by the FAA and additional documentation review regarding civil and electrical items, in the amount of Sixty Five Thousand Six Hundred Ninety and 64/00 Dollars (\$65,690.64), thereby extending the contract amount from \$1,059,625.55 to \$1,125,316.19; and that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this agreement.

**BACKGROUND / DISCUSSION:**

FAA revisions have required the above mentioned additional services for the completion of the Runway 8R-26L project.

**PRIOR COUNCIL ACTION:**

City Council awarded the original engineering services agreement with Kimley-Horn and Associated, Inc., May 19, 2009. First Amendment was awarded on April 20, 2010. Second Amendment was awarded on March 15, 2011.

**AMOUNT AND SOURCE OF FUNDING:**

\$65,690.64. Funding: 62620031/508016/11514/G620AIP0025 Funding Source: FAA AIP Grants and Airport Enterprise Fund

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**BOARD / COMMISSION ACTION:**

N/A

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

  
\_\_\_\_\_  
(If Department Head Summary Form is initiated by Purchasing, client department should sign also)  
Information copy to appropriate Deputy City Manager

## RESOLUTION

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

That the City Manager be authorized to sign the Third Amendment to the Agreement for Professional Services by and between the CITY OF EL PASO and KIMLEY-HORN AND ASSOCIATES, INC., a North Carolina Corporation, for a project known as "Runway 8R-26L Extension" to add additional professional services to include coordination pertaining to the approach lighting system, its electrical components and electrical revisions requested by the FAA and additional documentation review regarding civil and electrical items, in the amount of Sixty Five Thousand Six Hundred Ninety and 64/100 dollars (\$65,690.64), thereby extending the contract amount from \$1,059,625.55 to \$1,125,316.19; and that the City Manager be authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of this agreement.

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2012.

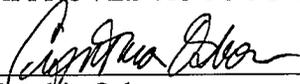
CITY OF EL PASO:

\_\_\_\_\_  
John F. Cook,  
Mayor

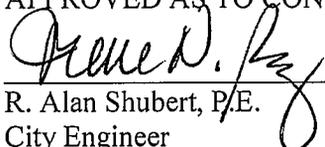
ATTEST:

\_\_\_\_\_  
Richarda Duffy Momsen,  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Cynthia Osborn  
Assistant City Attorney

APPROVED AS TO CONTENT

  
\_\_\_\_\_  
R. Alan Shubert, P.E.  
City Engineer

THE STATE OF TEXAS )  
 )  
COUNTY OF EL PASO )

**THIRD AMENDMENT  
AGREEMENT  
FOR PROFESSIONAL SERVICES**

This Third Amendment to that certain Agreement for Professional Services is made this \_\_\_\_\_ day of \_\_\_\_\_, 2012, by and between the City of El Paso, a Texas municipal corporation (the "*Owner*"), and Kimley-Horn and Associates, Inc., a North Carolina corporation (the "*Consultant*").

**WHEREAS**, on May 19, 2009, the Owner entered into an Agreement for Professional Services (the "*Agreement*") with the Consultant for a Project known as "Runway 8R-26L Extension" (the "*Project*");

**WHEREAS**, the Agreement may be amended under the provisions of Section 3.2 and Attachment "C"; and

**WHEREAS**, on April 20, 2010, the Owner and Consultant entered into a First Amendment to the Agreement to provide additional design services for the Runway 8R-26L Extension project. The additional design services for the project included the design of a new approach lighting system, additional potholing and survey for the existing petroleum pipelines and the completion of an obstruction survey as required by new FAA Advisory Circulars, at an additional cost of \$195,245.89 thereby extending the contract amount from \$844,006.64 to \$1,039,252.53; and

**WHEREAS**, on March 15, 2011, the Owner and Consultant entered into a Second Amendment to the Agreement to provide additional design services for the design of the MALSR approach lighting system as directed by the FAA, at an additional cost of \$20,373.02 thereby extending the contract amount from \$1,039,252.53 to \$1,059,625.55; and

**WHEREAS**, the parties hereto desire to further amend the Agreement to provide additional professional services to include coordination pertaining to the approach lighting system and its electrical components and electrical revisions requested by the FAA and additional documentation review regarding civil and electrical items, at an additional cost of \$65,690.64, thereby extending the contract amount from \$1,059,625.55 to \$1,125,316.19.

**NOW THEREFORE**, in consideration of the mutual promises set forth in this Third Amendment and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. **Scope of Services.** The Owner hereby authorizes the Consultant to continue to perform the Services as described in Attachments "A" to the Agreement, First Amendment, and Second Amendment as well as perform the additional services as further described in Attachment "A" to this Third Amendment.
2. **Payments to Consultant.** Payments to the Consultant shall be made pursuant to the schedule enumerated within Attachment "D" of the Agreement. Payment to the Consultant

for the additional services the subject of this Third Amendment shall not exceed **SIXTY FIVE THOUSAND SIX HUNDRED NINETY DOLLARS AND 64/100, (\$65,690.64).**

3. **Time of Completion.** The additional services the subject of this Third Amendment shall be completed within the original project schedule as set forth in the Agreement, following the Owner's written Notice to Proceed to the Consultant.
4. **Terms and Conditions.** All terms and conditions of the Agreement and all subsequent Amendments thereto, except as herein revised, shall remain in full force and effect.

**WITNESS THE FOLLOWING SIGNATURES AND SEALS:**

**THE CITY OF EL PASO**

\_\_\_\_\_  
Joyce A. Wilson  
City Manager

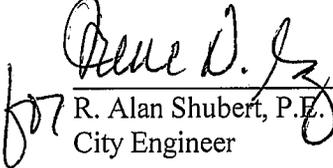
CONSULTANT  
**KIMLEY-HORN AND ASSOCIATES,  
INC.**

\_\_\_\_\_  
Pierre Pretorius  
Prinicpal

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Cynthia Osborn  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
for R. Alan Shubert, P.E.  
City Engineer

Attachment A



September 5, 2012

Ms. Victoria M. Ruiz  
Civil Engineering Associate  
City of El Paso Engineering Department  
Two Civic Center Plaza  
El Paso, Texas 79901-1196

■  
Suite 300  
7740 N. 16th Street  
Phoenix, Arizona  
85020

Subject: Change Order - Runway 8R-26L and Taxiway L Extension  
FAA AIP Number 3-48-0077-27-09  
City of El Paso Project Number 238290

Ms. Ruiz:

Per your request during our most recent phone conversation, I have outlined the additional services that Kimley-Horn (KHA) has provided for the above referenced project.

Because of the delays in the project and the length of construction, KHA provided additional construction services for the Runway 8R-26L Extension project.

The additional construction services for the project included but were not limited to coordination efforts pertaining to the approach lighting system, its electrical components and electrical revisions requested by the FAA. KHA also conduct additional documentation review regarding civil and electrical items including final closeout items and documentation typically performed by others.



Kimley-Horn  
and Associates, Inc.

Should you have any questions or comments, please do not hesitate to contact me at 602-799-1231.

Sincerely yours,

KIMLEY-HORN AND ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read "Michael A. Norby", written in a cursive style.

Michael A. Norby, P.E.  
Project Manager

Attachment A  
Project Change Order Fee  
Summary

Work Item	Consultant	Fee	
Additional work performed for Soils	Licon Engineering Group		
	Subconsultant Five (5%) Markup	\$ -	
	<b>Total Fee</b>		\$ -
Additional FAA Meetings & Conference Call	Brock and Bustillos Inc	\$ 1,156.00	
	Brock and Bustillos Inc	\$ 657.96	
	Subconsultant Five (5%) Markup	\$ 90.70	
	Kimley-Horn and Associates Inc.	\$ 12,825.00	
	<b>Total Fee</b>		\$ 14,729.66
Reviewing of JAR Earthwork Request	Brock and Bustillos Inc	\$ 1,783.46	
	Subconsultant Five (5%) Markup	\$ 89.17	
	Kimley-Horn and Associates Inc.	\$ 4,912.50	
	<b>Total Fee</b>		\$ 6,785.13
Additional Submittal Reviews	Kimley-Horn and Associates Inc.	\$ 2,090.00	
	<b>Total Fee</b>		\$ 2,090.00
Remaining Work still required to Complete the Project	Kimley-Horn and Associates Inc.	\$ 21,388.00	
	<b>Total Fee</b>		\$ 21,388.00
Additional Reviews and coordination with the FAA for transformers etc.	Kimley-Horn and Associates Inc.	\$ 9,595.00	
	<b>Total Fee</b>		\$ 9,595.00
Post Construction work - Paragon Quantities etc.	Kimley-Horn and Associates Inc.	\$ 11,102.85	
	<b>Total Fee</b>		\$ 11,102.85
	<b>TOTAL CHANGE ORDER</b>		<b>\$ 65,690.64</b>

**Additional FAA Meetings & Conference Call**

Tasks	Principal Engineer \$ 220.00	Project Manager 190.0	Professional Engineer \$ 155.00	Engineering Analyst \$ 100.00	Senior Construction Engineer \$ 188.00	Field Inspector \$ 130.00	Cadd Designer \$ 115.00	Clerical \$ 75.00	
<b>Additional Meetings with the FAA to Discuss the MALSR</b>									\$ -
FAA Conference Call 1-6-2011 (3 hour 2 people)		6.0							\$ 1,140.00
FAA Conference Call 1-25-2011 (1 hour 2 people)		2.0							\$ 380.00
FAA Conference Call 1-26-2011 (0.5 hour 2 people)		1.0							\$ 190.00
FAA Conference Call 2-10-2011 (3 hour 2 people)		6.0							\$ 1,140.00
FAA Conference Call 2-24-2011 (1 hour 2 people)		2.0							\$ 380.00
Preparing for FAA Conference Call 3-8-2011 (1 hour)		1.0							\$ 190.00
FAA Conference Call 3-9-2011 (1 hour 2 people)		2.0							\$ 380.00
FAA Single Line Coordination 3-17-2011 (1 hour)		1.0							\$ 190.00
Additional Requested MALSR Design for FAA review 3-18-2011		4.5							\$ 855.00
FAA Comments Review 4-6-2011 (1 hour)		1.0							\$ 190.00
FAA Comments Review 4-11-2011 (4 hour)		4.0							\$ 760.00
Respond to Juan at the FAA 4-12-2011 (2 hour)		2.0							\$ 380.00
Conference Call to Discuss the MALSR 4-14-2011(1 hour 2 people)		2.0							\$ 380.00
MALSR Profile Modifications - based on JAR changes (4-18-2011)		2.0							\$ 380.00
MALSR Profile Modifications - based on Corrected Survey (4-21-2011)		4.0							\$ 760.00
Addressing FAA comments to the MALSR Design (4-22-2011)		8.0							\$ 1,520.00
Coordination with FAA on Single Line Diagram (As constructed conditions) (5-4-2011)		2.5							\$ 475.00
MALSR IFC pdf generation for meeting (5-4-2011)		1.0							\$ 190.00
FAA Conference Call 5-5-2011 (1 hour 2 people)		2.0							\$ 380.00
Preparing for FAA Conference Call 5-11-2011 (1 hour)		1.0							\$ 190.00
FAA Changes to service & MALSR prior to call 5-12-2011 (5.5 hour)		5.5							\$ 1,045.00
FAA Conference Call 5-12-2011 (1.5 hour 2 people)		3.0							\$ 570.00
One Line Edits based on the FAA Conference Call (5-13-2011)		2.0							\$ 380.00
Conference Call on the One Line Diagram (1 hour 2 people)(5-19-2011)		2.0							\$ 380.00
									\$ -
									\$ -
									\$ -

**SubTotal Additional FAA Meetings & Conference Call** \$ 12,825.00

**Total Expenses** \$ -

**Project Total** \$ 12,825.00

**Reviewing of JAR Earthwork Request**

Tasks	Principal Engineer	Project Manager	Professional Engineer	Engineering Analyst	Senior Construction Engineer	Field Inspector	Cadd Designer	Clerical	
	\$ 220.00	190.00	155.00	100.00	188.00	130.00	115.00	\$ 75.00	
<b>Additional Design work required to review JAR Additional Earthwork requests</b>									\$ -
Initial Review of material submitted (Rejected due to lack of information)		1.5	2.0						\$ 595.00
Second Submittal including two surveys		1.0							\$ 190.00
Combination of the 2 surveys			3.0						\$ 465.00
Develop Models based on the information provided by JAR			4.0						\$ 620.00
Compare Information provided to Proposed Elevations		2.0	5.0						\$ 1,155.00
Coordinate with Brock & Bustillos to get additional survey to verify the Runway Elevations provided by JAR		0.5							\$ 95.00
Compare Surveyed Elevations provided by B&B to proposed Elevations		1.0	3.5						\$ 732.50
Third Submittal including additional survey Provided by JAR									\$ -
Develop Models based on the information provided by JAR			2.0						\$ 310.00
Compare the information provided by JAR with Proposed Grade Elevations		1.0	3.0						\$ 655.00
Recommendations back to Paragon and City		0.5							\$ 95.00
									\$ -
									\$ -

**SubTotal Reviewing of JAR Earthwork Request** \$ 4,912.50  
**Total Expenses** \$ -  
**Project Total** \$ 4,912.50

**Additional Submittal Reviews**

Tasks	Submittal #	Principal	Project	Professional	Engineering	Senior	Field	Cadd	Clerical	
		Engineer	Manager	Engineer	Analyst	Construction Engineer	Inspector	Designer		
		\$ 220.00	190.0	\$ 155.00	\$ 100.00	\$ 188.00	\$ 130.00	\$ 115.00	\$ 75.00	
<b>Additional Submittal Reviews - Above Original Estimate</b>										
P-100 Contractor Quality Control Submittal (2 Submittals)(1.0 hours per review)	22									\$ -
P-153 Controlled low strength material (CLSM) Submittal (3 Submittals)(1 hours per review)	26									\$ -
P-209 Aggregate Base Course Submittal (2 Submittals)(0.5 hours per review)	33									\$ -
P-401 Submittal (5 Submittals)(2.0 hours per review)	34		4.0							\$ -
P-403 Submittal (2 Submittals)(2.0 hours per review)	38									\$ 760.00
P-501 Portable Weather Station Submittal (2 Submittals)(0.5 hours per review)	41									\$ -
P-501 Submittal (5 Submittals)(2 hours per review)	42		4.0							\$ -
P-501 Steel Submittal (2 Submittals)(0.5 hours per review)	49									\$ 760.00
P-610 Structural Portland cement concrete mix designs Submittal (5 Submittals)(1.5 hours per review)	54		3.0							\$ -
Additional Electrical Submittals (2 Submittals)(3 hours per review)	62-71									\$ 570.00
										\$ -
										\$ -
										\$ -
										\$ -

**SubTotal Additional Submittal Reviews** \$ 2,090.00  
**Total Expenses** \$ -  
  
**Project Total** \$ 2,090.00

**Remaining Work still required to Complete the Project**

Tasks	Principal Engineer \$ 220.00	Project Manager 190.0	Professional Engineer \$ 155.00	Engineering Analyst \$ 100.00	Senior Construction Engineer \$ 188.00	Field Inspector \$ 130.00	Cadd Designer \$ 115.00	Clerical \$ 75.00	
<b>Remaining Work still required to Complete the Project</b>									\$ -
MALSR Submittal Reviews		12.0	12.0				12.0		\$ 5,520.00
Additional Meetings due to the time extension (6 weeks / 1hr per week)		6.0							\$ 1,140.00
Field Visit to look at site		6.0							\$ 1,140.00
Additional Design requirements		8.0					10.0		\$ 2,670.00
Civil - As-Built Plans		4.0					25.0		\$ 3,635.00
Electrical As-built Plans		20.0	20.0						\$ 6,900.00
									\$ -
									\$ -
									\$ -

**SubTotal Remaining Work** \$ 21,005.00  
**Total Expenses** \$ 383.00  
  
**Project Total** \$ 21,388.00

**Additional Reviews and coordination with the FAA for transformers etc.**

Date	Tasks	Principal Engineer \$ 220.00	Project Manager 190.0	Professional Engineer \$ 155.00	Engineering Analyst \$ 100.00	Senior Construction Engineer \$ 188.00	Field Inspector \$ 130.00	Cadd Designer \$ 115.00	Clerical \$ 75.00
<b>Additional Reviews and coordination with the FAA for transformers etc.</b>									
9-12-2011	RFI Responses 034, 035								\$ -
9-13-2011	RFI Responses 032		2.0						\$ 380.00
10-05-2011	MALSR stuff for Jerry and Mike		1.0						\$ 190.00
10-6-2011	Misc e-mails with Jerry regarding MALSR bolts		1.0						\$ 190.00
10-7-2011	MALSR bolts		1.0						\$ 190.00
10-25-2011	FAA power system issues and Contractor Discussions		1.5						\$ 190.00
10-27-2011	FAA power system issues		0.5						\$ 285.00
10-31-2011	26 L MALSR		1.5						\$ 95.00
11-1-2011	MALSR and PAPI equipment issues		1.0						\$ 285.00
11-2-2011	MALSR and power system issue discussion with Mike and Jerry.		0.5						\$ 190.00
11-8-2011	FAA power system stuff for Jerry		2.0						\$ 95.00
11-9-2011	MALSR profile revision and power system discussion with FAA and Jerry		3.0						\$ 380.00
11-10-2011	FAA power single line revision and transformer submittal review		3.5						\$ 570.00
11-14-2011	MALSR profile revision		1.5						\$ 665.00
11-15-2011	MALSR profile revision and power system discussion with FAA		3.5						\$ 285.00
11-21-2011	MALSR profile & FAA power		2.0						\$ 665.00
11-22-2011	FAA Power		1.0						\$ 380.00
12-12-2011	Pay application #10 review and Transformer issue		2.0						\$ 190.00
12-15-2011	Transformer issue		0.5						\$ 380.00
12-19-2011	FAA VISAID's transformer stuff		0.5						\$ 95.00
12-20-2011	FAA VISAID's transformer stuff		0.5						\$ 95.00
1-16-2012	Reviewing meeting minutes		1.0						\$ 95.00
1-17-2012	Dealing with e-mails from FAA and ELP		1.5						\$ 190.00
1-18-2012	Dealing with e-mails from FAA and ELP		1.5						\$ 285.00
1-19-2012	Dealing with e-mails from FAA and ELP		1.0						\$ 285.00
1-26-2012	FAA transformer submittal review		0.5						\$ 190.00
1-30-2012	Misc FAA and ELP e-mails and phone conversations.		1.0						\$ 95.00
1-31-2012	FAA Transformer stuff		1.0						\$ 190.00
2-1-2012	FAA Transformer stuff, e-mails with FAA		1.5						\$ 190.00
2-2-2012	FAA Transformer stuff, e-mails with FAA		0.5						\$ 285.00
2-7-2012	FAA Transformer stuff, e-mails with ELP & F&W		0.5						\$ 95.00
2-15-2012	FAA transformer submittal review		1.5						\$ 95.00
3-2-2012	FAA transformer issue		0.5						\$ 285.00
3-5-2012	FAA transformer issue		1.0						\$ 95.00
3-12-2012	FAA transformer issue - Photo from Sergio and e-mails from James		0.5						\$ 190.00
3-13-2012	FAA transformer issue		0.5						\$ 95.00
3-26-2012	FAA transformer submittal review and communications with Vikki		2.0						\$ 95.00
3-27-2012	FAA transformer submittal review and communications with Vikki		1.0						\$ 380.00
4-3-2012	MALSR stuff for Mike and transformer stuff for Vikki		1.5						\$ 190.00
4-4-2012	Transformer issues and coordination with Vikki		0.5						\$ 285.00
4-10-2012	Misc transformer issues and ELP coordination		0.5						\$ 95.00
									\$ 95.00
									\$ -
									\$ -

**SubTotal Remaining Work** \$ 9,595.00  
**Total Expenses** \$ -  
**Project Total** \$ 9,595.00

Post Construction work - Paragon Quantities etc.

Date	Task	Principal Engineer \$ 220.00	Project Manager 190.0	Professional Engineer \$ 155.00	Engineering Analyst \$ 100.00	Senior Construction Engineer \$ 188.00	Field Inspector \$ 130.00	Cadd Designer \$ 115.00	Clerical \$ 75.00	
<b>Post Construction work - Paragon Quantities etc.</b>										
	<b>Additional Trips to El Paso</b>									\$ -
10-28-2011	Pavement Meeting		9.0							\$ -
11-9-2011	Extension final Walkthrough (Included in original Cost)		9.0							\$ 1,710.00
12-15-2011	Meeting with JAR to discuss the pavement cracking		6.0							\$ 1,140.00
2-10-2012	Extension second final walkthrough		8.0							\$ 1,520.00
										\$ -
<b>Post Construction Work</b>										
1-5-2012	Answering Questions on the project - Working on Final Quantities		2.5							\$ 475.00
1-17-2012	Working on Submittal from JAR regarding the tie in locations		5.0							\$ 950.00
1-23-2012	Discussion with Vikki on who made the changes to the tie in locations		1.0							\$ 190.00
1-24-2012	Call with Vikki and Sam about the sleeper slab & what was presented as being constructed. (Discussion of additional cores)		1.0							\$ 190.00
1-31-2012	Looking at information provided on cores and then discussing them with Vikki		1.0							\$ 190.00
2-13-2012	Working on Final Quantities		2.0							\$ 380.00
2-14-2012	Working on Final Quantities		3.0							\$ 570.00
2-15-2012	Justification Letter to JAR for quantities		2.0							\$ 380.00
2-17-2012	Working on the response to JAR on my letter dated 2-15		2.0							\$ 380.00
2-20-2012	Working on adjustments to quantities based on phone conversations		3.0							\$ 570.00
3-20-2012	Discussion with Vikki on the AC pavement and the test results		1.0							\$ 190.00
4-2-2012	Going through Paragons information on the AC paving and trying to align with the Test results provided to me		4.0							\$ 760.00
4-4-2012	Spoke with Vikki on the Quantities then about the AC pay factors & the failing tests.		1.0							\$ 190.00
										\$ -
										\$ -
										\$ -

SubTotal Remaining Work \$ 9,785.00

Total Expenses \$ 1,317.85

Project Total \$ 11,102.85