

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

DEPARTMENT: Engineering Department

AGENDA DATE: October 28, 2008

CONTACT PERSON/PHONE: R. Alan Shubert, ext. 4423

DISTRICT(S) AFFECTED: 1

SUBJECT:

That the City Manager be authorized to sign a Second Amendment to an Agreement for Engineering Services by and between the **CITY OF EL PASO** and **SLI ENGINEERING, INC.**, for a project known as **"UPPER VALLEY ROAD" (TRAFFIC CIRCLE)**, to add additional services thereby increasing the contract amount from \$341,138.68 to \$376,138.68, for a net increase not to exceed **THIRTY FIVE THOUSAND AND NO/100 DOLLARS (\$35,000.00)**. The funding for this project is 2004 General Obligation Bonds.

BACKGROUND / DISCUSSION:

The amendment is required to make modifications to the design of the traffic circle component of the project, including modifications made by the traffic department, the addition of ponding areas, and modifications to limit the required right of way to be acquired. The changes require that all drawings be amended for the project. There is one parcel that still needs to be acquired. There is agreement on the price and the parties are in the process of finalizing the sales contract. Once the modifications are finalized, the project will proceed to the bidding phase.

PRIOR COUNCIL ACTION:

City Council previously awarded the following:
Professional Services Contract to SLI Engineering, Inc. \$279,000 on April 19, 2005
Amendment to the original contract for \$62,039.96 on April 17, 2007 for a new total of \$341,138.68

AMOUNT AND SOURCE OF FUNDING:

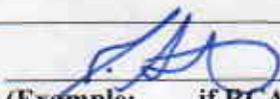
The funding for this project is 2004 General Obligation Bonds.

BOARD / COMMISSION ACTION:

N/A

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

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD:  _____
(Example: if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA: _____

CITY MANAGER: _____

DATE: _____

RESOLUTION

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

That the City Manager be authorized to sign a Second Amendment to an Agreement for Engineering Services by and between the **CITY OF EL PASO** and **SLI ENGINEERING, INC.**, for a project known as **"UPPER VALLEY ROAD"**, to add additional services thereby increasing the contract amount from \$341,138.68 to \$376,178.64, for a net increase not to exceed **THIRTY FIVE THOUSAND THIRTY NINE AND 96/100 DOLLARS (\$35,039.96)**.

ADOPTED this _____ day of _____, 2008.

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

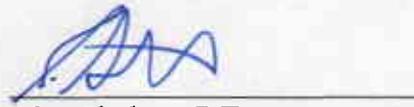
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Cynthia Osborn
Assistant City Attorney

APPROVED AS TO CONTENT:



Alan Shubert, P.E.
City Engineer

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

SECOND AMENDMENT TO AGREEMENT
FOR ENGINEERING SERVICES

THIS Second Amendment is made this ____ day of _____ 2008, by and between THE CITY OF EL PASO, hereinafter referred to as the "Owner", and SLI ENGINEERING, INC., a Texas corporation, hereinafter referred to as the "Engineer".

WHEREAS, on April 19, 2005, the Owner entered into an Agreement for Engineering Services with the Engineer for a Project known as "UPPER VALLEY ROAD", for a contract amount of \$279,000.00, hereinafter referred to as the "Agreement"; and

WHEREAS, the Agreement may be amended under the provisions of Section II.A, through written amendment approved by City Council; and

WHEREAS, on April 17, 2007, the Owner and the Engineer entered into a First Amendment to the Agreement, for additional services to extend the scope of work to include the design of a traffic round about at Upper Valley Road and Country Club Road, for an additional amount of \$62,138.68; and

WHEREAS, the parties hereto desire to further amend the Agreement, pursuant to Section II.A.3, to add additional services in the amount of \$35,039.96, thereby extending the contract value from \$341,138.68 to \$376,178.64.

NOW, THEREFORE, in consideration of the mutual promises set forth in this Second 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 Engineer to modify the round about design to minimize the impact on surrounding residents and businesses, and to prepare a boundary survey for the El Paso Water Irrigation District in Texas and New Mexico, as further described in **Attachment "A"**, which is attached hereto and incorporated herein by reference.
2. **Payments to Engineer.** The method of payment for additional services shall be pursuant to the schedule of payments outlined in Section V.A, of the Agreement.

The hourly rate for additional services shall be pursuant to Section V.B, of the Agreement.

The Owner shall pay the Engineer an additional contract amount not exceed a net increase of **THIRTY FIVE THOUSAND THIRTY NINE AND 96/100 DOLLARS (\$35,039.96)**.

This payment shall be contingent on the Owner's approval of the work performed by the Engineer. The Engineer's fee proposal for the additional services is attached hereto as **Attachment "B"** and incorporated herein by reference.

3. **Time of Completion.** The additional services shall be completed within the original project schedule as set forth in the Agreement dated April 19, 2005, following the Owner's written Notice to Proceed to the Engineer.
4. **Terms and Conditions.** All terms and conditions of the Agreement and all subsequent Amendments to the Agreement, except as herein revised, shall remain in full force and effect.

WITNESS THE FOLLOWING SIGNATURES AND SEALS:

THE CITY OF EL PASO

Joyce Wilson
City Manager

ATTEST:

Richarda Duffy Momsen
City Clerk

SLI ENGINEERING, INC.

By:



Georges Halloul, P.E.
Vice-President

APPROVED AS TO FORM:



Cynthia Osborn
Assistant City Attorney

APPROVED AS TO CONTENT:



R. Alan Shubert, P.E.
City Engineer

(Acknowledgements begin on next page)

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CITY CLERK DEPT.

ACKNOWLEDGEMENTS

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this ____ day of _____, 2008,
by **Joyce Wilson**, as **City Manager** of the **City of El Paso, Texas**.

Notary Public, State of Texas

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 6th day of October, 2008,
by **Georges Halloul, P.E.**, as **Vice President** of **SLI Engineering, Inc.**



Robert L. Ramirez
Notary Public, State of Texas



CITY CLERK DEPT.
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ATTACHMENT "A"



Engineering, Inc.

September 11, 2008

Guillermo Licon, P.E.
President

Ms. Irene Ramirez
City of El Paso
2 Civic Center Plaza
El Paso, TX 79901

Subject: Upper Valley Round-About

Dear Ms. Ramirez

Pursuant to your request, we are pleased to present the following proposal to perform services for the site listed above.

Scope of Work

1. Redesign the Grading, Drainage and Details to accommodate the following revisions:
 - A. Enlarge the diameter of the circle per traffic department request.
 - B. Design a ponding area to retain the storm water runoff due to the lack of permit from the water district.
 - C. Reduce the diameter of the circle per traffic department request.
 - D. Relocate the circle to avoid acquiring land from adjacent land owners.

Our fee for these services is \$ 35,000.00 (Thirty-Five Thousand Dollars), plus applicable taxes.

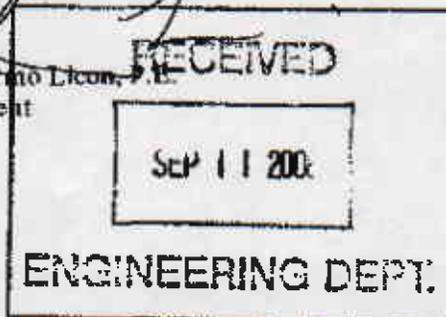
Thank you for the opportunity to present this proposal. We look forward to working with you on this project.

Sincerely,

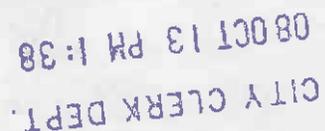
SLI Engineering, Inc.

Guillermo Licon, P.E.
President

GH/af
LT3722



Ms. Irene Ramirez



Civil Engineers
Land Surveyors & Planners
Construction Management

Licensed Registered Engineers
Texas - New Mexico
Arizona - Colorado

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