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

CITY CLERK DEPT.
06 OCT 29 AM 11:12

DEPARTMENT: Engineering Department

AGENDA DATE: November 7, 2006

CONTACT PERSON/PHONE: Rick Conner, 541-4423

DISTRICT(S) AFFECTED: N/A

SUBJECT:

That the City Manager be authorized to sign an Amendment to an Agreement by and between the **CITY OF EL PASO** and **AMEC EARTH AND ENVIRONMENTAL, INC.** for geotechnical and materials testing services on an "as needed" basis to increase the amount of total compensation under the Agreement by an additional **SEVENTY FIVE THOUSAND AND NO/100 DOLLARS ($75,000.00).**

BACKGROUND / DISCUSSION:

On January 17, 2006, the City entered into a Consulting Agreement for Geotechnical and Testing Laboratory Services for a period of one year with the consultant, AMEC Earth & Environmental, Inc.. The City desires to increase the amount of total compensation under the Agreement by an additional $75,000 and to engage the Consultant to be available, on an "as needed" basis, to perform geotechnical and material testing investigations in connection with City of El Paso construction projects. The original contract capacity is $250,000. To date approximately $208,000 has been expended of the $250,000 contract capacity. With this increase the total contract capacity will be $325,000.

The increase is needed because we have several upcoming capital improvement projects including some of the storm 2006 flood control projects that will begin construction. The remaining original contract capacity is not sufficient to provide thorough geotechnical and material testing services. The geotechnical and material testing services are necessary for quality assurance.

PRIOR COUNCIL ACTION:

City Council approved the original Agreement on January 17, 2006.

AMOUNT AND SOURCE OF FUNDING:

This item will be funded on a per project basis. The item has not been budgeted and no funding information is available. This item does not require a budget transfer.

BOARD / COMMISSION ACTION:

N/A

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

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

DEPARTMENT HEAD: JR Rick Conner

(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 an Amendment to an Agreement by and between the **CITY OF EL PASO** and **AMEC EARTH AND ENVIRONMENTAL, INC.** for geotechnical and materials testing services on an "as needed" basis to increase the amount of total compensation under the Agreement by an additional **SEVENTY FIVE THOUSAND AND NO/100 DOLLARS ($75,000.00).**

ADOPTED THIS _____ DAY OF _____, 2006.

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:

_____
Rick Conner, P.E.
City Engineer

Doc #25962
Doc Name: Eng/Reso/1st Amend Geotech & Testing Lab Svc Agr/AMEC Earth & Environmental, Inc.
Doc Author: LCUE

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

FIRST AMENDMENT TO AGREEMENT FOR GEOTECHNICAL AND TESTING LABORATORY SERVICES

THIS First Amendment is made this _____**day of** _____**, 2006,** by and between **THE CITY OF EL PASO**, hereinafter referred to as the **"Owner"**, and **AMEC EARTH & ENVIRONMENTAL, INC.,** a Nevada corporation authorized to do business in the State of Texas, hereinafter referred to as the **"Consultant"**.

WHEREAS, on January 17, 2006, the Owner entered into an Agreement for GEOTECHNICAL AND TESTING LABORATORY SERVICES, hereinafter referred to as the "Agreement", with the Consultant to perform geotechnical and testing laboratory services for a period of one (1) year; and,

WHEREAS, the Owner desires to increase the compensation under the agreement so that additional services may be rendered on an as needed basis; and,

WHEREAS, the Consultant is willing to perform the additional services under the same terms and conditions of the Agreement,

NOW, THEREFORE, both the Owner and Consultant agree to amend the Agreement as follows:

1. Paragraph III, Services, subparagraph 1 is amended to read: services as described in Attachment "A" of the Agreement.

III. COMPENSATION

1. The total value for the term of the Agreement, to include any term which extends the Agreement, shall not exceed THREE HUNDRED AND TWENTY FIVE THOUSAND AND NO/100 DOLLARS ($325,000.00).

2. Except as expressly herein amended, all terms and conditions of the Agreement shall remain in full force and effect.

WITNESS THE FOLLOWING SIGNATURES AND SEALS:

OWNER:
THE CITY OF EL PASO

_____
Joyce A. Wilson
City Manager

(SIGNATURES CONTINUE ON FOLLOWING PAGE)

CONSULTANT:
AMEC EARTH & ENVIRONMENTAL, INC.

By: _____
Jamie R. Barnes, P.G.
Unit Manager

APPROVED AS TO FORM:

_____
Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

_____
Rick Conner, P.E.
City Engineer

ACKNOWLEDGEMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this ____day of _____, 2006, by **Joyce A. Wilson** as **CITY MANAGER** of the **CITY OF EL PASO, TEXAS**.

_____
Notary Public, State of Texas

ACKNOWLEDGEMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 30th day of October, 2006 by **Jamie R. Barnes, P.G.**, as **UNIT MANAGER** of **AMEC EARTH & ENVIRONMENTAL, INC.**

CARLA I. LARA
NOTARY PUBLIC
In and for the State of Texas
My commission expires
08-21-2010

_____
Notary Public, State of Texas