

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number: \_\_\_\_\_

Meeting Type: Regular

Meeting Date: Oct 27, 2016

Action Requested By: Engineering

Agenda Type: Resolution

Subject Matter:

Modification No. 3 to Agreement between the City of Huntsville and Littlejohn Engineering Associates, Inc.

Exact Wording for the Agenda:

Resolution authorizing the Mayor to execute Modification No. 3 to the agreement between the City of Huntsville and Littlejohn Engineering Associates, Inc. for Engineering Design Services for Winchester Road Widening (Dominion Circle to Naugher Road), ALDOT Project No. STPHV-DE8556(601) & COH Project No. 65-09-RD03  
  
08-1217, 10-28 & 15-890

**Note: If amendment, Please state title and number of the original**

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what council action will provide, allow and accomplish and; any other information that might be helpful.

This modification is for additional surveying services needed for updating of right-of-way map to include new property ownership and land changes on Winchester Road between Dominion Circle and Naugher Road project in accordance with ALDOT requirements for a total modification amount of \$10,710.00. Account No. 3020-71-00000-524000-PR8141XX-

*Actual*

Associated Cost: \$10,710.00

Budgeted Item: \_\_\_\_\_

MAYOR RECOMMENDS OR CONCURS: \_\_\_\_\_

Department Head: *Kathy Mot*

Date: 10/11/16

**ROUTING SLIP  
CONTRACTS AND AGREEMENTS**

Originating Department: Engineering Council Meeting Date: 10/27/2016

Department Contact: Lameka Carter Phone # 256-427-5316

Contract or Agreement: Modification No. 3

Document Name: Littlejohn-Winchester Rd Widening Project No. STPHV-DE8556(601) & 65-09-RD03

City Obligation Amount: \$10,710.00

Total Project Budget: \$10,710.00

Uncommitted Account Balance: 0

Account Number: 3020-71-00000-524000-PR8141XX-

**Procurement Agreements**

<b>Not Applicable</b>	<b>Not Applicable</b>
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**Grant-Funded Agreements**

<b>Not Applicable</b>	<b>Grant Name:</b>

Department	Signature	Date
1) Originating	<i>Ruthy Marti</i>	<i>10/11/16</i>
2) Legal		
3) Finance		
4) Originating		
5) Copy Distribution		
a. Mayor's office (1 copies)		
b. Clerk-Treasurer (Original & 2 copies)		

RESOLUTION NO. 16-

**BE IT RESOLVED** by the City Council of the City of Huntsville, Alabama, that the Mayor be, and is hereby authorized, in Huntsville, Alabama, on behalf of the City of Huntsville, a municipal corporation in the State of Alabama to execute Modification No. 3 to the Agreement between the City of Huntsville and Littlejohn Engineering Associates, Inc., adopted and approved on the 18th day of December, 2009, by the City Council of the City of Huntsville, Alabama by Resolution No. 08-1217, and amended on the 14th day of January, 2010, by the City Council of the City of Huntsville, Alabama by Resolution No. 10-28, and amended on the 19th day November, 2015, by the City Council of the City of Huntsville, Alabama by Resolution No. 15-890, as attached hereto.

**BE IT FURTHER RESOLVED** that the total contract amount be and hereby is modified from FIVE HUNDRED SIXTY-THREE THOUSAND SEVEN HUNDRED FIFTY-SIX AND NO/100 DOLLARS (\$563,756.00) to FIVE HUNDRED SEVENTY-FOUR THOUSAND FOUR HUNDRED SIXTY-SIX AND NO/100 DOLLARS (\$574,466.00), including this Modification No. 3, an increase of TEN THOUSAND SEVEN HUNDRED TEN AND NO/100 DOLLARS (\$10,710.00). Agreement is substantially in words and figures similar to that document attached hereto and identified as "Modification No. 3 to Agreement between City of Huntsville and Littlejohn Engineering Associates, Inc. for Engineering Design Services for Winchester Road Widening (Dominion Circle to Naugher Road), ALDOT Project No. STPHV-DE8556(601) & COH Project No. 65-09-RD03, as adopted by Resolution No. 08-1217 of December 18, 2008, and amended by Resolution No. 10-28 of January 14, 2010, and amended by Resolution No. 15-890 of November 19, 2015" consisting of a total of three (3) pages plus seven (7) additional pages consisting of Attachment "A", and the date of October 27, 2016, appearing on the margin of the first page, together with the signature of the President or President Pro Tem of the City Council, and an executed copy of said document being permanently kept on file in the Office of the City Clerk of the City of Huntsville, Alabama.

**ADOPTED** this the 27th day of October, 2016.

\_\_\_\_\_  
President of the City Council of  
the City of Huntsville, Alabama

RESOLUTION NO. 16-

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**APPROVED** this the 27th day of October, 2016.

\_\_\_\_\_  
Mayor of the City of Huntsville,  
Alabama

STATE OF ALABAMA     )  
COUNTY OF MADISON    )

Modification No. 3 to Agreement between  
the City of Huntsville and Littlejohn  
Engineering Associates, Inc. for Engineering  
Design Services for Winchester Road  
Widening (Dominion Circle to Naugher  
Road), ALDOT Project No. STPHV-  
DE8556(601) & COH Project No. 65-09-  
RD03, as adopted by Resolution No. 08-  
1217 of December 18, 2008, and amended  
by Resolution No. 10-28 of January 14,  
2010, and amended by Resolution No. 15-  
890 of November 19, 2015

**THIS IS MODIFICATION NO. 3 TO AN AGREEMENT** entered in on the 18th day of December, 2008, in the amount of FIVE HUNDRED SIXTEEN THOUSAND THREE HUNDRED FIFTY-FIVE AND NO/100 DOLLARS (\$516,355.00), amended on the 14th day of January, 2010, in the amount of SEVENTEEN THOUSAND SEVENTY-SEVEN AND NO/100 DOLLARS (\$17,077.00), for a total contract amount of FIVE HUNDRED THIRTY-THREE THOUSAND FOUR HUNDRED THIRTY-TWO AND NO/100 DOLLARS (\$533,432.00), and amended on the 19th day of November, 2015, in the amount of THIRTY THOUSAND THREE HUNDRED TWENTY-FOUR AND NO/100 DOLLARS (\$30,324.00), for a total contract amount of FIVE HUNDRED SIXTY-THREE THOUSAND SEVEN HUNDRED FIFTY-SIX AND NO/100 DOLLARS (\$563,756.00). The original Agreement is hereby amended by Modification No. 3 dated October 27, 2016, in the amount of TEN THOUSAND SEVEN HUNDRED TEN AND NO/100 DOLLARS, for a revised contract amount of FIVE HUNDRED SEVENTY-FOUR THOUSAND FOUR HUNDRED SIXTY-SIX AND NO/100 DOLLARS (\$574,466.00), by and between the City of Huntsville, Alabama, a municipal corporation in the State of Alabama (Owner) and LITTLEJOHN ENGINEERING ASSOCIATES, INC., (ENGINEER).

**WITNESSETH**

**WHEREAS**, the firm identified as the ENGINEER to the Agreement dated December 18, 2008, and amended on January 14, 2010, and November 19, 2015, has proposed a change, identified as Attachment "A" to the Original Agreement. This modification delineates a change for additional surveying services.

**WHEREAS**, the Owner desires that the contract drawings be altered to be consistent with Attachment "A" hereto.

\_\_\_\_\_  
President of the City Council of  
the City of Huntsville, Alabama  
Date: October 27, 2016

**NOW THEREFORE**, in consideration of the mutual covenants set forth herein, the Owner and the ENGINEER agree to the following modifications to the agreement:

1. Littlejohn Engineering Associates, Inc. will provide for additional surveying services at a time and materials cost not to exceed TEN THOUSAND SEVEN HUNDRED TEN AND NO/100 DOLLARS (\$10,710.00).
2. Item #1 shall be performed in accordance with the original agreement dated December 18, 2008, and approved by the City Council by Resolution No. 08-1217, and as described in the letter from Harry Wilson to Kathy Martin, dated September 23, 2016, shown as Attachment "A".
3. The terms of this contract modification and the execution thereof is not in any way to be viewed as a waiver on the part of the Owner of any of its rights pursuant to the Contract.
4. All other terms and conditions remain unchanged.

**IN WITNESS WHEREOF**, the parties have entered their hands and seals and attest to the same with the signature of the Mayor being the official act of the said municipality in accordance with his duly constituted authority.

THE CITY OF HUNTSVILLE, ALABAMA,  
a municipal corporation

By: \_\_\_\_\_  
Tommy Battle  
Its Mayor

ATTEST:

\_\_\_\_\_  
Kenneth Benion  
City Clerk-Treasurer

STATE OF ALABAMA     )  
COUNTY OF MADISON    )

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Tommy Battle and Kenneth Benion, whose names as Mayor and City Clerk-Treasurer of the City of Huntsville, a municipal corporation, are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, in their capacity as such officers, executed the same with full authority for and as the act of said corporation on the day the same bears day.

GIVEN under my hand and official seal this the \_\_\_\_ day of \_\_\_\_\_ 2016.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

ENGINEER:                                 LITTLEJOHN  
ENGINEERIGN ASSOCIATES, INC.

By: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

STATE OF ALABAMA     )  
COUNTY OF MADISON    )

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Harry M. Wilson, as Business Manager, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, in his capacity as such officer, executed the same with full authority for and as the act of said Corporation on the day the same bears day.

GIVEN under my hand and official seal this the \_\_\_\_ day of \_\_\_\_\_ 2016.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_



September 23, 2016

Ms. Kathy Martin, PE  
City of Huntsville  
P.O. Box 308  
Huntsville, AL 35801

RE: Additional Surveying Requirements for Winchester Road Widening  
Project No. STPHV-DE-8556 (601) - Madison County

Dear Ms. Martin:

We are requesting our contract be amended to include additional fees for additional survey services to obtain additional topographic data and complete the ROW map and tract sketches. This project began in 2008 and the last submittal made on the ROW map was dated 01-21-12. There have been several ownership changes and new construction activities that have required the ROW map and tract sketches to need amendment since this time while the project was dormant.

Attached is the fee summary of the time in the ALDOT format.

We appreciate your consideration of this request. If you have any questions or need additional information, please call our office at (256) 533-3311.

Sincerely,

LITTLEJOHN ENGINEERING ASSOCIATES

A handwritten signature in blue ink, appearing to read "H. Wilson".

Harry M. Wilson, P.E.  
Huntsville Business Manager

CC: Alan Clements, P.E.



**Project No.** STPHV-DE-8556(601) - Madison County

**County** Madison

**Description** Winchester Rd Widening (Dominion to Naugher)

**Scope of Work** Additional Survey Costs

**Project Length** 2.55 Miles

**Consultant** Littlejohn Engineering Associates, Inc.

**FIELD SURVEY**

Based on a **2** Man Crew

**Task A: Mobilization and Basic Control Survey**

	PLS	Crew	Tech/CADD	Clerical
A-1 Mobilize/Demobilize	0.00	0.00	0.00	0.00
A-2 Contact Property Owners	0.00	0.00	0.00	0.00
A-3 Perform Basic Control Survey	0.00	0.00	0.00	0.00
A-4 Conduct On-site Inspection	0.00	0.00	0.00	0.00
	0.00	0.00	0.00	0.00
	0.00	0.00	0.00	0.00
<b>Task A Totals</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

**Task B: Project Alignment and Profile**

B-1 Run Closure of Basic Control Survey/Prepare Closure Diagram	0.00	0.00	0.00	0.00
B-2 Establish Centerline/Obtain Ground Profile	0.00	0.00	0.00	0.00
B-3 Obtain Topographic Data	0.25	3.50	0.00	0.00
	0.00	0.00	0.00	0.00
	0.00	0.00	0.00	0.00
	0.00	0.00	0.00	0.00
	0.00	0.00	0.00	0.00
	0.00	0.00	0.00	0.00
	0.00	0.00	0.00	0.00
	0.00	0.00	0.00	0.00
<b>Task B Totals</b>	<b>0.25</b>	<b>3.50</b>	<b>0.00</b>	<b>0.00</b>

**Task C: Supplemental Control Surveys and Data Gathering**

C-1 Traverse Cross-Roads and Railroads	0.00	0.00	0.00	0.00
C-2 Stream Topography & Cross Sections/Complete HYD-100 & 101 Forms	0.00	0.00	0.00	0.00
C-3 Define Drainage Areas/Prepare Schematic Drainage Map	0.00	0.00	0.00	0.00
C-4 Obtain Cross-Sections at 20 Meter Intervals and Ground Break Points	0.00	0.00	0.00	0.00

FIELD SURVEY					
	PLS	Crew	Tech/CADD	Clerical	
	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	0.00	0.00	0.00
<b>Task C Totals</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Task D: Utility Surveys, Drainage Sections and Compilation of Data</b>					
D-1 Identify/Locate Utilities	0.00	0.00	0.00	0.00	0.00
D-2 Obtain Hydrological Location Survey	0.00	0.00	0.00	0.00	0.00
D-3 Tie All Available Section Corners & All Available Front Corners of Affected Properties to Project Centerline	0.00	0.00	0.00	0.00	0.00
D-4 Obtain Copies of Latest Deeds	0.00	0.00	0.00	0.00	0.00
D-5 Set & Reference Pls, PCs, POTs, POCs, & other critical points	0.00	0.00	0.00	0.00	0.00
D-6 Reduce Survey Field Notes	0.00	0.00	0.00	0.00	0.00
D-7 Submit Work for Review/Sealed Mylar Plot of Accepted Field Map	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	0.00	0.00	0.00
<b>Task D Totals</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>TOTALS</b>					
	<b>0.25</b>	<b>3.50</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

9/23/2016

Alabama Department of Transportation

9:00 AM

<b>Project No.</b>	STPHV-DE-8556(601) - Madison County
<b>County</b>	Madison
<b>Description</b>	Winchester Rd Widening (Dominion to Naugher)
<b>Scope of Work</b>	Additional Survey Costs
<b>Project Length</b>	2.55 Miles
<b>Consultant</b> Littlejohn Engineering Associates, Inc.	
<b>Fee Proposal (Field Survey)</b>	

PERSONNEL COST			
	Man-days	x Daily Rate	
Project Manager (10% of PLS)	0.00	\$ -	\$ -
PLS	0.25	\$ 300.00	\$ 75.00
Survey Crew (see man-day sheet)	3.50	\$ 329.28	\$ 1,152.48
Engineering Technician/CADD	0.00	\$ 208.64	\$ -
Clerical	0.00	\$ -	\$ -
<b>Total Direct Labor</b>			\$ 1,227.48
Combined Overhead (%)	166.05		\$ 2,038.23
Out-of-Pocket Expenses**			\$ -
<b>Sub-Total</b>			<b>\$ 3,265.71</b>
Operating Margin (15%)			\$ 489.86
<b>Sub-Total</b>			<b>\$ 3,755.57</b>
SUB-CONSULTANTS (attach man-day & fee FROM each sub-consultant; show total fee for each here)			
			\$ -
			\$ -
			\$ -
Subconsultant Administration Expense (5%)			\$ -
<b>Sub-Total</b>			<b>\$ 3,755.57</b>
Facilities Capital Cost of Money (% of Direct Labor)	0.35		\$ 4.30
<b>TOTAL FEE</b>			<b>\$ 3,759.87</b>

**Project No.** STPHV-DE-8556(601) - Madison County  
**County** Madison  
**Description** Winchester Rd Widening (Dominion to Naugher)  
**Scope of Work** Additional Survey Costs  
**Project Length** 2.55 Miles  
**Consultant** Littlejohn Engineering Associates, Inc.

<b>ROW Map, Tract Sketches and Deeds</b>			
	PLS	Tech/CADD	Clerical
<b>Estimated number of tracts=</b>	<b>0</b>		
Task A: Right-of-Way Map	1.00	4.00	0.00
Task B: Tract Sketches	1.00	4.00	0.00
Task C: Deeds	0.00	0.00	0.00
	0.00	0.00	0.00
	0.00	0.00	0.00
<b>TOTALS</b>	<b>2.00</b>	<b>8.00</b>	<b>0.00</b>

Note: A "Tract" is all property of a single owner acquired by ALDOT. This includes all parcels, drainage easements, construction easements, etc.

9/23/2016

Alabama Department of Transportation

9:00 AM

<b>Project No.</b> STPHV-DE-8556(601) - Madison County			
<b>County</b> Madison			
<b>Description</b> Winchester Rd Widening (Dominion to Naugher)			
<b>Scope of Work</b> Additional Survey Costs			
<b>Project Length</b> 2.55 Miles			
<b>Consultant</b> Littlejohn Engineering Associates, Inc.			
<b>Fee Proposal (ROW Map, Tract Sketches &amp; Deeds)</b>			
<b>PERSONNEL COST</b>			
	Man-days x Daily Rate		
Project Manager (10% of Eng.)	0.00	\$ -	\$ -
PLS	2.00	\$ 300.00	\$ 600.00
Engineering Technician/CADD	8.00	\$ 208.64	\$ 1,669.12
Clerical	0.00	\$ -	\$ -
<b>Total Direct Labor</b>			\$ 2,269.12
Combined Overhead (%)	166.05		\$ 3,767.87
Out-of-Pocket Expenses**			\$ -
<b>Sub-Total</b>			<b>\$ 6,036.99</b>
Operating Margin (15%)			\$ 905.55
<b>Sub-Total</b>			<b>\$ 6,942.54</b>
<b>SUB-CONSULTANTS (attach man-day &amp; fee FROM each sub-consultant; show total fee for each here)</b>			
			\$ -
			\$ -
			\$ -
Subconsultant Administration Expense (5%)			\$ -
<b>Sub-Total</b>			<b>\$ 6,942.54</b>
Facilities Capital Cost of Money (% of Direct Labor)	0.35		\$ 7.94
<b>TOTAL FEE</b>			<b>\$ 6,950.48</b>

\*\*See Grand Total Fee sheet