

THE STATE OF TEXAS §
 §
COUNTY OF DENTON §

FIRST AMENDMENT TO CONTRACT
BY AND BETWEEN THE CITY OF DENTON, TEXAS
AND TEAGUE NALL AND PERKINS, INC.
PSA # 6427

THIS FIRST AMENDMENT TO CONTRACT 6427 (“Amendment”) by and between the City of Denton, Texas (“City”) and Teague Nall and Perkins, Inc. (“Contractor”);

The original Agreement provided for Teague Nall and Perkins, Inc. to provide Engineering Services for the Hickory Creek Road West-FM 2181 to Riverpass Drive Project, as is contained in Contract 6427 (on file in the Purchasing Office). The initial agreement was approved on April 5, 2015, in the not-to-exceed amount of **\$93,500**.

The CITY deems it necessary to further extend the goods/services provided by CONTRACTOR to the CITY;

NOW THEREFORE,

Contract # 6427, for Engineering Services for the Hickory Creek Road West-FM 2181 to Riverpass Drive Project, has been previously approved for the scope of services as provided in the original Agreement. The further services to be performed by Teague Nall and Perkins, Inc. are contained in Exhibit “A” of this First Amended Agreement. Amendment 1 will update the 2007 plans to incorporate new existing conditions and redesign the Fletcher Branch Bridge to current standards. This Amendment is also to design a 10’ side-path on the north side of Hickory Creek Road from Chaucer to Montecito, including changes to the other pedestrian elements that were in the original design and modify the pavement widths.

| | |
|-----------------------------------|----------------------|
| Original Contract Fee | |
| Basic Services | \$ 74,000 |
| Additional Services | \$ 16,500 |
| Direct Expenses | <u>\$ 3,000</u> |
| Total Original Contract | \$ 93,500 |
| Amendment No. 1 | \$ 39,800 |
| Amended Contract Total | \$133,300 |

All other provisions of the Contract 6427 as heretofore amended, remain in full force and effect.

IN WITNESS WHEREOF, the CITY and the CONTRACTOR, have each executed this Amendment, by and through their respective duly authorized representatives and officers on this _____.

“CITY”

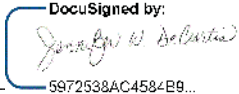
CITY OF DENTON, TEXAS
A Municipal Corporation

By: _____
TODD HILEMAN, CITY MANAGER

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

By: _____

APPROVED AS TO LEGAL FORM:
AARON LEAL, INTERIM CITY ATTORNEY

By: _____
5972538AC4584E9...

“CONTRACTOR”

TEAGUE NALL AND PERKINS, INC.
A CORPORATION

By: _____
76835A0926E04B7...
AUTHORIZED SIGNATURE, TITLE



AMENDMENT No. 1 TO PROFESSIONAL SERVICES AGREEMENT

ADDITIONAL SERVICES

Hickory Creek Road Update TNP No. DEN17131

This amendment is to provide additional surveying and engineering necessary to further revise the previously prepared construction plans. These additional changes to the plans include a sidewalk to be constructed separately, prior to the bidding of the remainder of the project, along with modifications to sidewalks and narrowing of the travel lanes to reduce construction costs. These revisions will be incorporated, along with the plan revisions in the original Construction Plans Update agreement, into a set of construction plans and bid documents ready for bidding.

More particularly, the scope of the work in this amendment will consist of the following:

Plan Modifications

1. Preparation of plans for a ten-foot sidewalk between Chaucer Drive and Montecito. This sidewalk will be placed along the north side of the existing right-of-way, and will require design and construction of a retaining wall at Montecito to preserve existing drainage patterns. The plans for this sidewalk will be prepared as a stand-alone construction project, to be constructed under an existing indefinite delivery City of Denton contract during the summer of 2017. The intent is that the construction will begin shortly after the school year ends on June 1, 2017.
2. Modification of cross sections to reflect the above described sidewalk construction. Because the sidewalk will be ten feet wide, some of the slopes between the sidewalk and the proposed curb will be steeper than originally planned.
3. Mid-block pedestrian crossings will be eliminated.
4. Pedestrian crossings and ramps at side streets will be revised to move the crosswalk to the stop bar location.
5. The pavement widths will be modified as follows:
 - a. Travel lanes will be revised to 11' width;
 - b. Turn lanes will be revised to 10' width;
 - c. The outer curb will remain in it's currently planned location, and the median curb will be revised, making the median wider;
 - d. One curb inlet and storm drain lead will require minor modification to accomplish the above changes

Assumptions and Clarifications

The following assumptions were used by the ENGINEER for the preparation of this scope of Basic Services:

- No changes in street profiles are anticipated as a result of the ten-foot sidewalk construction.
- The intent is that the ten-foot sidewalk described above will be built ahead of the rest of the project, and will be protected during construction of the remainder of the project.
- No storm drain modifications are anticipated other than as described above.
- Cross sections will be modified to reflect the ten-foot sidewalk, but will not be modified to reflect the pavement width changes.

Amendment No. 1
 Hickory Creek Road Update
 May 3, 2017
 Page 2 of 2

Assumptions and Clarifications

The following assumptions were used by the ENGINEER for the preparation of this scope of Basic Services:

- No changes in street profiles are anticipated as a result of the ten-foot sidewalk construction.
- The intent is that the ten-foot sidewalk described above will be built ahead of the rest of the project, and will be protected during construction of the remainder of the project.
- No storm drain modifications are anticipated other than as described above.
- Cross sections will be modified to reflect the ten-foot sidewalk, but will not be modified to reflect the pavement width changes.

Schedule

Based on the issuance of the Purchase order, the original contract called for delivery of 90% plans for review by June 16, 2017. With the additional effort required by this amendment, an additional two weeks is necessary, revising the delivery date to June 30, 2017.

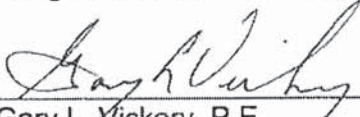
Summary of Amended Contract

| | |
|-----------------------------------|-----------------------|
| Original Contract Fee | |
| Basic Services | \$ 74,000 |
| Additional Services | \$ 16,500 |
| Direct Expenses | <u>\$ 3,000</u> |
| Total Original Contract | \$ 93,500 |
| Amendment No. 1 | \$ 39,800 |
| Amended Contract Total | \$ 133,300 |

City of Denton

Date

Teague Nall and Perkins, Inc.


 Gary L. Vickery, P.E.

May 3, 2017
 Date

Certificate Of Completion

| | |
|--|----------------------------|
| Envelope Id: 409879061F7746ADA013D6E5BF2CC3F4 | Status: Sent |
| Subject: City Council Docusign Item - 6427-Amend #1-Hickory Creek Rd.West Design | |
| Source Envelope: | |
| Document Pages: 5 | Signatures: 2 |
| Supplemental Document Pages: 0 | Initials: 0 |
| Certificate Pages: 6 | |
| AutoNav: Enabled | Envelope Originator: |
| Envelopeld Stamping: Enabled | Jody Word |
| Time Zone: (UTC-08:00) Pacific Time (US & Canada) | jody.word@cityofdenton.com |
| | IP Address: 129.120.6.150 |

Record Tracking


| | | |
|-----------------------|----------------------------|--------------------|
| Status: Original | Holder: Jody Word | Location: DocuSign |
| 7/10/2017 10:20:07 AM | jody.word@cityofdenton.com | |

Signer Events

| Signer Events | Signature | Timestamp |
|--|---------------------------------|-------------------------------|
| Jody Word | Completed | Sent: 7/10/2017 10:56:05 AM |
| jody.word@cityofdenton.com | | Viewed: 7/10/2017 10:56:15 AM |
| Buyer | | Signed: 7/10/2017 10:57:56 AM |
| City of Denton | Using IP Address: 129.120.6.150 | |
| Security Level: Email, Account Authentication (Optional) | | |
| Electronic Record and Signature Disclosure: Not Offered via DocuSign | | |

| | | |
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| Gary L Vickery |  | Sent: 7/10/2017 10:57:57 AM |
| gvickery@tnpinc.com | | Viewed: 7/10/2017 11:00:42 AM |
| Principal | | Signed: 7/10/2017 11:01:28 AM |
| Security Level: Email, Account Authentication (Optional) | Using IP Address: 71.123.192.18 | |

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| Jennifer DeCurtis |  | Sent: 7/10/2017 11:01:31 AM |
| jennifer.decurtis@cityofdenton.com | | Viewed: 7/10/2017 12:50:39 PM |
| Deputy City Attorney | | Signed: 7/10/2017 12:50:48 PM |
| City of Denton | Using IP Address: 129.120.6.150 | |
| Security Level: Email, Account Authentication (Optional) | | |

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

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|--------------------------------|------------------------------|
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| julia.winkley@cityofdenton.com | Viewed: 7/10/2017 1:17:29 PM |

Contracts Administration Supervisor
City of Denton
Security Level: Email, Account Authentication (Optional)

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Todd Hileman
todd.hileman@cityofdenton.com
Security Level: Email, Account Authentication (Optional)

Electronic Record and Signature Disclosure:

| Signer Events | Signature | Timestamp |
|--|-----------|-----------------------------|
| Accepted: 2/8/2017 4:52:51 PM ID: 8154723a-9757-4d53-a4b5-794656233671 Jennifer Walters jennifer.walters@cityofdenton.com Security Level: Email, Account Authentication (Optional) Electronic Record and Signature Disclosure: Not Offered via DocuSign | | |
| In Person Signer Events | Signature | Timestamp |
| Editor Delivery Events | Status | Timestamp |
| Agent Delivery Events | Status | Timestamp |
| Intermediary Delivery Events | Status | Timestamp |
| Certified Delivery Events | Status | Timestamp |
| Carbon Copy Events | Status | Timestamp |
| Julia Winkley julia.winkley@cityofdenton.com Contracts Administration Supervisor City of Denton Security Level: Email, Account Authentication (Optional) Electronic Record and Signature Disclosure: Not Offered via DocuSign | COPIED | Sent: 7/10/2017 11:01:30 AM |
| Sherri Thurman sherri.thurman@cityofdenton.com Security Level: Email, Account Authentication (Optional) Electronic Record and Signature Disclosure: Not Offered via DocuSign | COPIED | Sent: 7/10/2017 11:01:30 AM |
| Jane Richardson jane.richardson@cityofdenton.com Security Level: Email, Account Authentication (Optional) Electronic Record and Signature Disclosure: Not Offered via DocuSign | | |
| Robin Fox Robin.fox@cityofdenton.com Security Level: Email, Account Authentication (Optional) Electronic Record and Signature Disclosure: Accepted: 10/9/2015 11:39:51 AM ID: 04463961-03db-4c4d-9228-d660d6146ed6 | | |
| Jennifer Bridges jennifer.bridges@cityofdenton.com Security Level: Email, Account Authentication (Optional) Electronic Record and Signature Disclosure: Not Offered via DocuSign | | |

| Carbon Copy Events | Status | Timestamp |
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| Jane Richardson jane.richardson@cityofdenton.com Security Level: Email, Account Authentication (Optional) Electronic Record and Signature Disclosure: Not Offered via DocuSign | | |
| Noreen Housewright Noreen.Housewright@cityofdenton.com Security Level: Email, Account Authentication (Optional) Electronic Record and Signature Disclosure: Not Offered via DocuSign | | |
| Chad Allen chad.allen@cityofdenton.com Security Level: Email, Account Authentication (Optional) Electronic Record and Signature Disclosure: Not Offered via DocuSign | | |
| Notary Events | Signature | Timestamp |
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| Payment Events | Status | Timestamps |
| Electronic Record and Signature Disclosure | | |

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If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

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If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of your DocuSign account. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use your DocuSign Express user account to receive required notices and consents electronically from us or to sign electronically documents from us.

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How to contact City of Denton:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: kevin.gunn@cityofdenton.com

To advise City of Denton of your new e-mail address

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at kevin.gunn@cityofdenton.com and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

In addition, you must notify DocuSign, Inc to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in DocuSign.

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To withdraw your consent with City of Denton

To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to kevin.gunn@cityofdenton.com and in the body of such request you must state your e-mail, full name, US Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

| | |
|----------------------------|---|
| Operating Systems: | Windows2000? or WindowsXP? |
| Browsers (for SENDERS): | Internet Explorer 6.0? or above |
| Browsers (for SIGNERS): | Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above) |
| Email: | Access to a valid email account |
| Screen Resolution: | 800 x 600 minimum |
| Enabled Security Settings: | <ul style="list-style-type: none">•Allow per session cookies•Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection |

** These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

By checking the 'I Agree' box, I confirm that:

- I can access and read this Electronic CONSENT TO ELECTRONIC RECEIPT OF ELECTRONIC RECORD AND SIGNATURE DISCLOSURES document; and
- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
- Until or unless I notify City of Denton as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by City of Denton during the course of my relationship with you.