

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

DEPARTMENT: Capital Improvement Department

AGENDA DATE: February 6, 2018

CONTACT PERSON/PHONE: Sam Rodriguez, P.E., City Engineer, 212-0065
Bruce D. Collins, Purchasing Director, 212-1181

DISTRICT(S) AFFECTED: Citywide

STRATEGIC GOAL: No. 7: Enhance and Sustain El Paso's Infrastructure Network

SUBJECT:

Discussion and action on a Resolution that the City Manager be authorized to sign a Second Amendment to On-Call Agreement for professional civil engineering services by and between the City of El Paso and Huitt-Zollars, Inc., a Texas corporation, for the Consultant to continue to provide basic and Additional services on a task by task basis for an additional amount not to exceed \$100,000, thereby extending the contract amount from an amount not to exceed \$800,000 to an amount not to exceed \$900,000; 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:

November 16, 2017 the City first entered into an Amendment to the ON-Call Agreement pursuant to the authority delegated to the City Engineer to approve additional basic services, extending the contract amount from \$750,000 to an amount not to exceed \$800,000.

Huitt-Zollars completed the pre-final design for the RC Poe and Edgemere roundabout. The plans require modifications and a pedestrian HAWK system should be added to the current construction documents. This amendment will provide the capacity required to complete the design documents which is funded by the 2012 Street CIP program.

SELECTION SUMMARY:

N/A

PROTEST

No protest received for this requirement.

Protest received.

COUNCIL REPRESENTATIVE BRIEFING:

Was a briefing provided? Yes or Not Applicable (Routine)
If yes, select the applicable districts.

- District 1
- District 2
- District 3
- District 4
- District 5
- District 6
- District 7
- District 8
- All Districts

PRIOR COUNCIL ACTION:

November 16, 2017 Council amended on-call contract.

AMOUNT AND SOURCE OF FUNDING:

2012 Street CIP

BOARD / COMMISSION ACTION:

N/A

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

DEPARTMENT HEAD:



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 On-Call Agreement for professional civil engineering services by and between the City of El Paso and **HUITT-ZOLLARS, INC.**, a Texas corporation, for the Consultant to continue to provide basic and Additional services on a task by task basis for an additional amount not to exceed One Hundred Thousand and 00/100 Dollars (\$100,000.00), thereby extending the contract amount from an amount not to exceed Eight Hundred Thousand and 00/100 Dollars (\$800,000.00) to an amount not to exceed Nine Hundred Thousand and 00/100 Dollars (\$900,000.00); 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 _____ 2018.

CITY OF EL PASO:

Dee Margo, Mayor

ATTEST:


Laura D, Prine, Interim City Clerk

APPROVED AS TO FORM:



Sol M. Cortez
Senior Assistant City Attorney

APPROVED AS TO CONTENT



Samuel Rodriguez, P.E., City Engineer
Capital Improvement Department

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

SECOND AMENDMENT
ON-CALL AGREEMENT
FOR PROFESSIONAL SERVICES

This Second Amendment to that certain On-Call Agreement for Professional Services is made this ___ day of February, 2018, by and between the City of El Paso, a Texas municipal corporation (the "*Owner*"), and Huitt-Zollars, Inc., (the "*Consultant*").

WHEREAS, on June 12, 2016, the Owner entered into an On-Call Agreement for Professional Services for Consultant to perform professional civil engineering services on a task by task basis (the "*Agreement*").

WHEREAS, the Agreement may be amended under the provisions of Section 3.1 and Attachment "C"; and

WHEREAS, on November 16, 2017 the City entered into a First Amendment to On-Call Agreement pursuant to the authority delegated to the City Engineer to approve additional basic services for an amount not to exceed \$50,000.00, thereby extending the contract amount from \$750,000.00 to an amount not to exceed \$800,000.00.

WHEREAS, the parties hereto further desire to amend the Agreement for the Consultant to continue to perform the basic and Additional services for an amount not to exceed One Hundred Thousand Dollars (\$100,000.00), thereby extending the contract amount from an amount not to exceed \$800,000.00 to an amount not to exceed \$900,000.00.

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

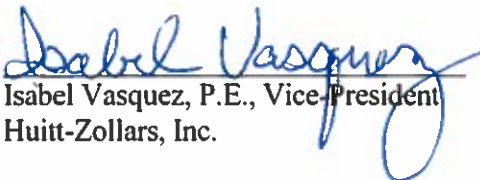
1. **Scope of Services.** The Owner hereby authorizes the Consultant to continue to perform the Services as described in Attachment "A" and "C" of the Agreement.
2. **Payments to Consultant.** Payments to the Consultant shall be made pursuant to the schedule enumerated within Attachment "D" of the Agreement. Payment to the Consultant for the additional basic and Additional services will be compensated based on the rates established in Attachment "B" of the Agreement.
3. **Time of Completion.** The additional services the subject of this First 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

Tomás González,
City Manager


CONSULTANT


Isabel Vasquez, P.E., Vice President
Huitt-Zollars, Inc.

APPROVED AS TO FORM:


Sol M. Cortez
Senior Assistant City Attorney

APPROVED AS TO CONTENT:


Samuel Rodriguez, P.E., City Engineer
Capital Improvement Department

(Acknowledgements Begin on the Following Page)

ACKNOWLEDGEMENTS

THE STATE OF TEXAS §
§
COUNTY OF EL PASO §

This instrument was acknowledged before me on this _____ day of _____, 2018,
by **Tomás González**, as **City Manager of the City of El Paso, Texas**.

Notary Public, State of Texas

My commission expires:

THE STATE OF TEXAS §
§
COUNTY OF EI PASO §

This instrument was acknowledged before me on this 25th day of January, 2018,
by **Isabel Vasquez, P.E.**, as **Vice-President of Huitt-Zollars, Inc.**

Maria T. Chacon

Notary Public, State of Texas

My commission expires:

Sept 14, 2019

