

1316 COUNTY-CITY BUILDING
227 W. JEFFERSON BOULEVARD
SOUTH BEND, INDIANA 46601-1830



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CITY OF SOUTH BEND JAMES MUELLER, MAYOR
BOARD OF PUBLIC WORKS

September 10, 2024

Ms. Jessica Clark
Lochmueller Group, Inc.
112 West Jefferson Blvd., Suite 500
South Bend, Indiana 46601
jclark@lockgroup.com

RE: Amendment No. 1 to Professional Service Agreement

Dear Ms. Clark:

At its September 10, 2024 meeting, the Board of Public Works approved the above referenced amendment for design of Coal Line Trail Phase 3 to include additional survey work in the amount of \$11,626.00.

Enclosed please find the original of the amendment for your signature. Please sign and return the original amendment to hhorvath@southbendin.gov. Please retain a copy for your records.

If you have any further questions, please call this office at (574) 235-9251.

Sincerely,

/s/ Theresa Heffner

Theresa Heffner, Clerk

Enclosures
TH/hh



INTER-OFFICE MEMORANDUM

DEPARTMENT OF PUBLIC WORKS

TO: Board of Public Works
FROM: Gemma Stanton, Project Engineer
SUBJECT: PSA Amendment 1
DATE: 8/30/2024

Attached is a request to amend the PSA for the design of Coal Line Trail Phase 3 with Lochmueller Group. This amendment is needed to complete a Location Route Control Survey and topographic survey at intersections along College Street for raised intersection design. The additional cost is \$11,626.00. This increase is eligible for 80% reimbursement from INDOT and we are working to secure funds from MACOG to cover \$9,300.80 with a contribution of \$2,325.20. Sufficient funds for the full amount of the amendment have been appropriated from TIF-River West.

I request the Board of Public Works approve Amendment 1. Thank you for your consideration. Please call with your questions.

AMENDMENT NO. 1

THIS AMENDMENT NO. 1 IS MADE AND ENTERED INTO THIS ____ DAY OF _____, 2024 BY AND BETWEEN CITY OF SOUTH BEND, HEREINAFTER REFERRED TO AS “LPA” AND LOCHMUELLER GROUP, INC., HEREINAFTER REFERRED TO AS “CONSULTANT”.

W I T N E S S E T H

WHEREAS, LPA and CONSULTANT did on November 28, 2024 enter into a Contract to provide services for Coal Line Trail, Phase 3, Engineering services and design of a multi-use path and urban design features., and

WHEREAS, additional surveying is required, and

WHEREAS, LPA desires the CONSULTANT to provide the services, and

WHEREAS, the CONSULTANT has expressed an interest in providing the additional required services, and

WHEREAS, in order for the CONSULTANT to provide the additional services, it is necessary to amend the original agreement, and

NOW, THEREFORE, it is agreed by and between both parties that the original Contract be amended as follows:

I. Section IV Compensation on page 1 or 17 is hereby deleted in its entirety and hereby replaced in its entirety with the following:

SECTION IV COMPENSATION. The LPA shall pay the CONSULTANT for the Services performed under this Contract as set forth in Appendix “D” which is herein attached to and made an integral part of this Contract. The maximum amount payable under this Contract shall not exceed **\$361,336.00**.

II. Items 1.9 and 1.10 of Appendix “A” are added as follows:

1.9 Perform Location Control Route Survey (LCRS) generally along the centerline of College Street.

1.10 Perform pick up survey at the side streets on the west side of College Street, approximately 80' x 50' locations outside of previously surveyed area to provide data for raised intersection design.

III. Item 1.0 Amount of Payment of Appendix “D” is hereby deleted in its entirety and hereby replaced in its entirety with the following:

1.0 AMOUNT OF PAYMENT

1.1 The CONSULTANT shall receive compensation for providing such professional services under Appendix “A” of this Contract in the amount of a total fee not-to-

exceed Three Hundred Sixty-One Thousand Three Hundred Thirty-Six Dollars (\$361,336.00), unless an amendment to this Contract is executed by the parties that increases the maximum amount payable.

1.2 The CONSULTANT shall be paid for the work performed under Item 1.0, 2.0, 3.0, 4.0, 5.0, 6.0, 7.0, 8.0, and 9.0 of Appendix “A” of this Contract on a lump sum basis, in accordance with the following lump sum fee schedule:

- 1.2.1. Topographic Survey Data Collection..... \$38,136.00
- 1.2.2. Urban Trail Design and Plans \$127,200.00
- 1.2.3. Decorative Lighting Design \$21,600.00
- 1.2.4. Traffic Signal Design \$10,400.00
- 1.2.5. Project Management \$20,000.00
- 1.2.6. Environmental Documentation \$65,700.00
- 1.2.7. Permitting \$8,900.00
- 1.2.8. Utility Coordination..... \$26,400.00

1.3 The CONSULTANT shall be paid for the work performed under Items 10.0 and 12.0 of Appendix “A” of this Contract on an hourly rate basis based on the rates set forth in Exhibit “1” , attached hereto and incorporated herein by reference and in accordance with the following not to exceed fee schedule:

- 1.3.1. Public Involvement \$13,200.00
- 1.3.2. Construction Phase Services \$12,200.00

1.4 The CONSULTANT shall receive payment for Title Search Services performed under Item 11.0 of Appendix “A” of this Contract based on the specific cost per unit multiplied by the actual units of work performed in accordance with the following schedule:

- 1.4.1. Title Reports (32 parcels @ \$550 each)..... \$17,600.00

Except as herein modified, changed, and amended, all terms and conditions of the original Contract dated November 28, 2023 shall continue in full force and effect.

This Amendment No. 1 increases the total fee not-to-exceed of \$349,710.00 by \$11,626.00 to a new total fee not-to-exceed amount of \$361,336.00.

IN WITNESS WHEREOF, the parties have hereunto executed this Amendment No. 1 effective the day and year first above written.

LOCHMUELLER GROUP, INC.

Jessica J. Clark, PE
Regional Leader – Northern Indiana

**CITY OF SOUTH BEND, INDIANA
BOARD OF PUBLIC WORKS**



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ATTEST:



Theresa M. Heffner, Clerk

Date: September 10, 2024

**BOARD OF PUBLIC WORKS
AGENDA ITEM REVIEW REQUEST FORM**

Date: 8/30/2024
 Name: Gemma Stanton Department of Public Works – Engineering Division
 BPW Date: September 10th, 2024 Phone Extension: 9083

Required Prior to Submittal to Board

BPW Attorney Attorney Name Michael Schmidt
 Dept. Attorney Attorney Name _____
 Purchasing _____

Check the Appropriate Item Type – Required for All Submissions

Professional Services Agreement Contract Proposal
 Open Market Contract Amendment/Addendum Special Purchase, QPA
 Bid Opening Bid Award Req. to Advertise Title Sheet
 Quote Opening Quote Award Reject Bids/Quotes
 Proposal Opening C/O & PCA No. _____ PCA
 Chg. Order, No. _____ Traffic Control Resolution
 Other: _____ Ease./Encroach

Required Information

Company or Vendor Name Lochmueller Group
 New Vendor Yes If Yes, Approved by Purchasing
 No
 MBE/WBE Contractor MBE WBE Completed E-Verify Form Attached Yes No
 Project Name Coal Line Trail Phase 3
 Project Number 123-007 (INDOT DES #2201235)
 Funding Source TIF-River West
 Account No. 324-431002
 Amount \$11,626.00
 Terms of Contract Lump sum
 Purpose/Description Amendment to PSA for design of Coal Line Trail Phase 3 to include additional survey work. Eligible for 80% reimbursement of the PSA amount from INDOT.

For Change Orders Only

Amount of Increase \$ _____
 Decrease (\$ _____)
 Previous Amount \$ _____
 Current Percent of Change: Increase _____ %
 Decrease (_____) %
 New Amount \$ _____
 Total Percent of Change: Increase _____ %
 Decrease (_____) %
 Time Extension Amount: _____
 New Completion Date: _____