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October 1, 2025

Taylor Davis

City of Foley Engineering
200 W Laurel Ave, Suite 225
Foley, AL 36535
Via email: tdavis@cityoffoley.org

Re: Amendment #1 to the Professional Services Agreement
Wilson Ave & Equestrian Street

Taylor,

Enclosed is Amendment #1 to the Professional Services Agreement in connection with the engineering design of Wilson Avenue and Equestrian Street.

The Amendment includes the addition of Waters of the United States (WOTUS) permitting and Cultural Resources Investigations in conjunction with that permitting process.

If the amended Agreement is acceptable to you, please sign and return one copy to me for our records.

Thank you for your confidence in me and us and for this opportunity to be of service.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Joshua T. Eisenhauer', is written over a light blue horizontal line.

Joshua T. Eisenhauer, P.E.
Project Manager

Enclosures



**Amendment #1 to the
PROFESSIONAL SERVICES AGREEMENT**

PROJECT NAME: Wilson Avenue & Equestrian Street

This amendment to the Agreement is by and between

City of Foley

200 W. Laurel Avenue, Suite 225
Foley, AL 36535

hereafter referred to as “Foley”, and

Allen Engineering and Science

1100 C Dauphin Street
Mobile, AL 36604

hereafter referred to as “AllenES”.

Whereas, Foley and AllenES entered into an Agreement dated April 21, 2025, and

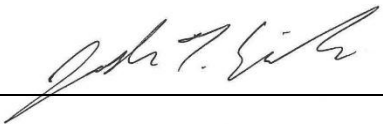
Whereas, Foley wishes to retain AllenES to perform additional WOTUS Permitting services in support of the project.

Therefore, Foley and AllenES agree to amend the Scope of Work, and Project Schedule and Cost, both of which are attached.

All other sections of the original Agreement not amended shall remain.

APPROVED FOR
Allen Engineering and Science

APPROVED FOR
City of Foley

By: 

By: _____

Printed Name: Joshua T. Eisenhauer, P.E.

Printed Name: _____

Date: October 1, 2025

Date: _____



SCOPE OF WORK:

WOTUS PERMITTING ASSISTANCE

AllenES will assist with any required Section 404 permitting. AllenES will prepare a WOTUS determination report describing the methods used to make our determination and include data sheets gathered during the onsite reconnaissance. The report will be suitable for submittal to the USACE for a jurisdictional determination (JD). Please note that while AllenES is confident in our delineations, jurisdictional waters determinations must be verified by the USACE.

AllenES will provide recommendations on the permitting options and will prepare and submit a Pre-Construction Notification (PCN) along with the appropriate application forms. Based on the initial WOTUS survey, we anticipate an individual 404 permit will be required. This effort will likely require:

- Agency consultation (USACE, USFWS, SHPO)
- WOTUS determination report
- Development of a PCN
- Phase I Cultural Assessment

In the event the project cannot avoid WOTUS impacts, AllenES will evaluate USACE approved mitigation banks within the service area to obtain associated cost per mitigation credit. In conjunction with the USACE, a suitable number of credits will be specified to offset any WOTUS impacts, pending the type and quality of those WOTUS impacts. Preferences will be given to those mitigation banks that are acceptable to the USACE, have credit availability, and provide the best financial option.

ASSUMPTIONS

- AllenES assumes one revision to the PCN will be required per USACE feedback/comments.
- Mitigation costs are not included in this scope but can be provided via change order once the type/quantity of wetland credits are established.

CULTURAL RESOURCES SERVICES

AllenES will engage a third-party archaeological firm to provide a Phase I Cultural Resources Survey for the proposed project area. The cultural resources survey will require background research, fieldwork phases, and analysis. A report of findings will be prepared and submitted describing the methods, results, and recommendations of the investigation. All components of the study will comply with the standards set by the Alabama Historical Commission (AHC).



PROJECT SCHEDULE AND COST:

AllenES proposes to perform all services on a lump sum basis.

AllenES will prepare and submit the JD and PCN within 30 days of Notice to Proceed. The entire permitting process could take up to 8 months.

The total cost of this amendment is \$27,720.00 which will be added to task 4. This amount does NOT include the cost to purchase the wetland mitigation credits.