



July 24, 2023

Taylor Davis, PE
Deputy City Engineer
City of Foley
PO Box 1750
Foley, AL 36536

**RE: East Verbena Avenue Parking Improvements
Contract Amendment
City of Foley**

Dear Taylor:

Thank you for the opportunity to work with the City of Foley. The Capstone Engineering Group, LLC wants to offer an amendment to their existing contract to offer the following services for the permitting, bidding, and CE&I on the upcoming East Verbena Avenue Parking Improvements project. This project will provide needed parking and drainage improvements to East Verbena Avenue in Foley. This amendment will allow us to work with the City of Foley from the beginning of design to the end of construction.

SECTION A – PROJECT UNDERSTANDING

The City of Foley wants to make improvements on East Verbena Avenue. The current parking areas will be reconstructed and repaved and drainage improvements will be added. The Capstone Engineering Group has a current contract with the City of Foley for the design of the improvements. The City of Foley is requesting that The Capstone Engineering Group amend their scope to provide permitting, bidding, and CE&I services to complete the construction of the project. Please find below the amended scope for the project, including each additional task needed to get the project through completion of construction. Please also refer to the attached Fee Schedule to see fees associated with each task letter.

TASK C: BID PHASE SERVICES

The Capstone Engineering Group will provide with the following tasks to assist the City of Foley with the bidding of the project:

- a. Provide a list of quantities/bid items for the improvements to the City of Foley
- b. Prepare bid documents to be distributed to interested contractors
- c. Conduct a pre-bid meeting with interested contractors and provide them with information about the project
- d. Open bids with the City of Foley and provide a certified bid tabulation for the project
- e. Recommend a contractor to the City of Foley to perform the construction

TASK D: ENGINEERING SERVICES DURING CONSTRUCTION

The Capstone Engineering Group will provide the following engineering service tasks needed during construction:

- a. Review any shop drawings or submittals presented by the contractor
- b. Process any Request For Information (RFIs)
- c. Prepare and present any change orders should they be necessary due to unforeseen circumstances
- d. Work with the utility companies during relocation of utilities

TASK G: ADVANCED SERVICES DURING CONSTRUCTION (CONSTRUCTION STAKING, RECORD DRAWINGS, INSPECTION)

The Capstone Engineering Group will provide the following tasks during construction of the project:

- a. Meet with the approved contractor prior to construction to discuss expectations for the project
- b. Work with a surveyor to provide construction staking
- c. Provide daily inspection services during construction to ensure the project is being constructed per the plans and specifications
- d. Meet with the contractor as needed to discuss progress and any construction issues
- e. Prepare record drawings of the improvements to submit to the City of Foley

TASK I: CONSTRUCTION TESTING

The Capstone Engineering Group will work with a geotechnical firm, who will provide the following geotechnical construction testing tasks needed during construction of the project:

- a. Provide compaction testing of earthwork to ensure compaction limits are reached
- b. Provide density testing of the base course of the parking lot, proof roll, and testing during asphalt placement

TASK J: ADMINISTRATION

The Capstone Engineering Group will provide the following administration tasks needed during construction:

- a. Review payment applications from the contractor, provide approvals, and submit approved payment applications to the City of Foley for payment
- b. Near construction completion, meet with the contractor and put together a punch list of items that need to be addressed prior to completion of the project
- c. Make sure at the end of the project that all items between the contractor and the City of Foley have been agreed upon and closeout the project



TASK K: ENVIRONMENTAL / PERMITTING (ADEM/ALDOT)

The Capstone Engineering Group will provide the following environmental and permitting tasks needed prior to construction beginning:

- a. Prepare permit applications, plans, and specifications for ALDOT approval
- b. Complete ADEM application for a Notice of Intent (NOI)
- c. Prepare any maps necessary for the ADEM permit

SECTION B – FEES

The Capstone Engineering Group will provide the tasks mentioned above at the fees provided on the attached Fee Schedule. Our total fee for the permitting, bidding, and CE&I of this project will be **\$27,668.00**. Attached to this proposal, please also find our rate schedule outlining our hourly rates.

TERMS AND CONDITIONS

In consideration of the engineering services provided by The Capstone Engineering Group, L.L.C., CLIENT (City of Foley) agrees to pay in addition to the invoice amount, interest at the rate of 1.5% per month (18% APR) for all balances outstanding for more than thirty (30) days from the invoice date, said interest to be calculated retroactively to the invoice date. In the event that The Capstone Engineering Group, L.L.C. prevails in any litigation brought with respect to any dispute that may arise out of or in connection with this Contract, CLIENT agrees to pay reasonable attorney's fees and expenses of The Capstone Engineering Group, L.L.C. associated with said litigation. In the event the CLIENT prevails in any such litigation, The Capstone Engineering Group, L.L.C. agrees to pay reasonable attorney's fees and expenses of the CLIENT associated with said litigation.

RESTRICTION OF USE

This proposal includes information that shall not be disclosed outside of the CLIENT and shall not be duplicated, used, or disclosed, in whole or in part, for any purpose other than to evaluate this proposal. If, however, a contract is awarded to this offer, or as a result of, or in connection with, the submission of this information, CLIENT shall have the right to duplicate, use, or disclose the information to the extent provided in the resulting contract. This restriction does not limit CLIENT's right to use information contained in this proposal if it is obtained from another source without restriction. The information subject to this restriction is contained on all pages of this proposal.

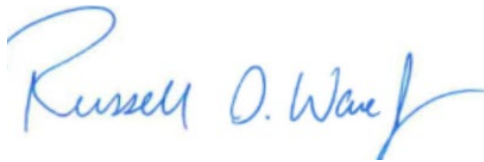
AUTHORIZATION

If this proposal meets with your approval, please prepare the standard City of Foley consultant contract, and please send to us for review and signature. We will begin the additional work immediately after our contract is signed, and we anticipate that the permitting will be completed within 1 month, bidding to be completed 1 month following, and construction starting in September/October, with the project being completed by the end of the year.



Thank you again for this opportunity and we look forward to working with the City of Foley. If any additional services are needed, they can be provided at the hourly rates attached. Please call if you have any questions or if you would like to discuss our proposal.

Sincerely,

A handwritten signature in blue ink that reads "Russell D. Ware, Jr." with a stylized flourish at the end.

Russell D. Ware, Jr., P.E.
President

Attachments: Rate Schedule
 Fee Schedule
 Engineer's Opinion of Probable Construction Cost





**East Verbena Avenue Parking Improvements
City of Foley**

**RATE SCHEDULE
Through December 31, 2023**

Principal	\$255/hr
Manager	\$200/hr
Project Manager	\$170/hr
Staff Engineer	\$135/hr
Engineer Intern	\$110/hr
Draftsman	\$90/hr
Construction Inspector	\$85/hr
Administrative Assistant	\$65/hr
2-Man Survey Crew	\$120/hr
3-Man Survey Crew	\$175/hr
4-Man Survey Crew	\$215/hr

Reimbursement Notes:

1. Out of pocket expenses shall be billed at cost.
2. Mileage outside the Tuscaloosa and Northport city limits shall be reimbursed at \$0.60 per mile.
3. Sub-consultants billed through The Capstone Engineering Group, LLC shall be subject to an additional 10% administrative fee.



**East Verbena Avenue Parking Improvements
Fee Schedule
City of Foley**

Construction Cost Estimate	\$96,673
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Basic Services (Lump Sum)

A. Preliminary Design	\$9,500
B. Final Design	\$5,225
C. Bid Phase Services	\$3,500
D. Engineering Services During Construction	\$1,500
Total Basic Services	\$19,725

Other Services (Hourly, Not To Exceed)

E. Design Surveying	\$5,500
F. Easements	\$0
G. Advanced S.D.C.	
Construction Staking	\$1,500
Record Drawings	\$500
Inspection	\$9,668
H. Design Testing	\$0
I. Construction Testing	\$2,500
J. Administration	\$1,000
K. Environmental / Permitting (ADEM/ALDOT)	\$7,500
L. Prequalification of Bidders	\$0
M. Traffic Control Plan	\$0
N. Letter of Map Revision	\$0
O. Sales and Use Tax Savings	\$0
Total Other Services	\$28,168

Total Original Contract Amount	\$20,225
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Total Amended Contract Amount	<u>\$27,668</u>
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Total Contract Amount	<u>\$47,893</u>
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East Verbena Ave Parking Improvements
City of Foley
Engineer's Opinion of Probable Construction Cost
July 24, 2023



ITEM NO.	UNIT	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL COST
1	LUMP SUM	MOBILIZATION	1	\$5,000.00	\$5,000.00
2	CU YD	UNCLASSIFIED EXCAVATION (INCLUDES PAVEMENT AND OTHER REMOVALS NOT MENTIONED IN THIS LIST)	100	\$35.00	\$3,500.00
3	CU YD	BORROW EXCAVATION (LOOSE TRUCKBED MEASUREMENT) (A4 OR BETTER)	75	\$25.00	\$1,875.00
4	CU YD	REMOVAL AND REPLACEMENT OF UNSUITABLE MATERIAL (UNDERCUT) (AS DIRECTED BY THE ENGINEER)	50	\$30.00	\$1,500.00
5	GALLON	TACK COAT	32	\$4.00	\$128.00
6	SQ YD	BITUMINOUS TREATMENT A	389	\$1.00	\$389.00
7	SQ YD	MILL EXISTING PAVEMENT (APPROXIMATELY 1"-2" THICK)	25	\$7.50	\$187.50
8	TON	SUPERPAVE BITUMINOUS CONCRETE WEARING SURFACE LAYER, 1/2" MAXIMUM AGGREGATE SIZE MIX ESAL RANGE C/D (165 LBS/SQ YD)	33	\$150.00	\$4,950.00
9	TON	SUPERPAVE BITUMINOUS CONCRETE UPPER BINDER LAYER, 1" MAXIMUM AGGREGATE SIZE MIX, ESAL RANGE C/D (275 LBS/SQ YD)	54	\$175.00	\$9,450.00
10	SQ YD	CRUSHED AGGREGATE BASE COURSE, 825B, 6" COMPACTED THICKNESS	389	\$12.00	\$4,668.00
11	LIN FT	CURB REMOVAL	28	\$18.00	\$504.00
12	EACH	ADA RAMPS W/TRUNACTED DOMES	2	\$500.00	\$1,000.00
13	SQ YD	CONCRETE SIDEWALK (6" THICK)	88	\$85.00	\$7,480.00
14	CU YD	CRUSHED AGGREGATE, SECTION 825 (UNDER SIDEWALKS)	10	\$40.00	\$400.00
15	SQ YD	CONCRETE APRON (6"THICK TAPER TO ZERO)	10	\$75.00	\$750.00
16	TON	CLASS 2 RIP-RAP W/FILTER FABRIC	10	\$35.00	\$350.00
17	EACH	VERTICAL CONCRETE HEADWALL	5	\$3,500.00	\$17,500.00
18	ACRE	SEED & MULCH	0.3	\$1,500.00	\$375.00
19	LUMP SUM	LANDSCAPING	1	\$7,500.00	\$7,500.00
20	EACH	PERMANENT SIGNS (ACCESSIBLE PARKING)	2	\$325.00	\$650.00
21	LIN FT	SILT FENCE	100	\$4.50	\$450.00
22	LIN FT	WATTLE	10	\$6.50	\$65.00
23	EACH	INLET PROTECTION	2	\$350.00	\$700.00
24	LUMP SUM	EROSION CONTROL MANAGEMENT AND MAINTENANCE	1	\$1,000.00	\$1,000.00
25	LUMP SUM	TRAFFIC CONTROL	1	\$12,750.00	\$12,750.00
26	LIN FT	SOLID BLUE, CLASS 2, TYPE A, TRAFFIC STRIPE (5" WIDE)	174	\$8.00	\$1,392.00
27	SQ FT	SOLID BLUE HANDICAP MARKINGS, CLASS 2, TYPE A	5	\$75.00	\$354.00
28	LIN FT	SOLID WHITE, CLASS 2, TYPE A, TRAFFIC STRIPE (5" WIDE)	280	\$6.00	\$1,680.00
29	EACH	CONCRETE PARKING BUMPER STOPS	13	\$125.00	\$1,625.00
30	LUMP SUM	UTILITY RELOCATIONS	1	\$8,500.00	\$8,500.00
SUBTOTAL					\$96,672.50
10% Construction Engineering & Inspection (CE&I)					\$9,667.25
TOTAL OPINION OF PROBABLE CONSTRUCTION COST					\$106,339.75