

**SUPPLEMENTAL AGREEMENT NO. 9
TO CONTRACT FOR PROFESSIONAL SERVICES
BETWEEN THE
CITY OF FOLEY AND VOLKERT, INC.**

THIS SUPPLEMENTAL AGREEMENT, made and entered into this _____ day of _____, 2013 by and between the City of Foley (hereinafter called the OWNER), AND Volkert, Inc. (hereinafter called the CONSULTANT).

WITNESSETH, THAT:

WHEREAS, the Owner and the Consultant entered into an Agreement on April 22, 2010 (Original Contract) whereby, the Consultant is to provide all necessary professional services associated with improvements to the Foley Municipal Airport, Foley, Alabama, as is more specifically set forth in said Agreement; and

WHEREAS, the Owner now desires to proceed with the preparation of design documents and construction phase services to accomplish the following airport improvement:

Displace RW 36 and Pavement Maintenance (Construction)

See Attachment "A" for detailed scope of work

WHEREAS, the Consultant is agreeable to completing the required work for fees that are acceptable to the Owner and in accordance with the latest requirements of the Federal Aviation Administration for federal funding of projects;

NOW THEREFORE, it is hereby agreed between the parties hereto that the Original Contract be supplemented as follows:

SECTION I. BASIC SERVICES

The engineer shall furnish and perform basic services consisting of design, bidding and construction phase services as described in the General Provisions of the Original Contract and made a part hereof for the following described project:

The proposed project will provide final construction services for the displacement of the Runway 36 Threshold. The displacement will include construction of approximately 200 LF of runway and approximately 300 LF of taxiway. The construction is required to lower the existing threshold to eliminate the terrain violation created by the displacement. The constructed areas will be utilized by air traffic via declared distances. The project will also include modifications to the MIRL/MITL and installation PAPI for RW 18/36.

The scope of services will include a Bid Phase, and Construction Phase. Special Services will include Construction Observation, Geotechnical Investigation, FAA Documentation and DBE Plan Update.

SECTION II. SPECIAL SERVICES

The engineer shall furnish and perform special services consisting of:

- A. Construction Observation- Volkert will provide periodic observation of the construction work by a Resident Project Representative (RPR) as outlined in the General Provisions..
- B. Geotechnical Investigation – Provide geotechnical investigation services by Subconsultant at the rates established in the attached Attachment “A”, and hourly rates for Engineer’s services as specified below in Section III, Method of Payment.
- C. FAA Documentation – Provide services to complete and submit standard FAA required documentation associated with the AIP grant program as described in the attached Attachment “A”.
- D. DBE Plan Update- Provide services to update the Sponsor’s DBE plan by subconsultant at the rates established in the attached Attachment “A”, and hourly rates for Engineer’s services as specified below in Section III, Method of Payment.

SECTION III. METHOD OF PAYMENT

The Consultant agrees to provide all services included in Section 1, Basic Services, of this Supplemental Agreement at the lump sum amount of Eleven Thousand Three Hundred and Three Dollars and Twenty Four Cents (\$11,303.24) as summarized in ATTACHMENT “A” hereto.

For all work associated with Special Services included in Section II, the Engineer will be compensated a fee consisting of direct salary as defined herein, plus Current ALDOT audited rate for overhead, plus out-of-pocket expenses, plus profit at ten percent (10%) as summarized in Attachment “A” attached hereto.

Direct salary is actual salary paid to each employee.

In addition to compensation computed above, reimbursement of actual cost shall be made for travel, subsistence, printing costs and other general out-of-pocket expenses required specifically for the contract.

The Owner will pay the Engineer for special services performed by subconsultants at the actual invoice amount. Consultant's time for assisting and coordinating the subconsultants services will be billed as special services.

All work encompassed herein shall be accomplished in accordance with the requirements of the aforesaid Original contract, and all requirements of said Agreement except as specifically modified by this Supplemental agreement, shall remain in full force and effect.

CITY OF FOLEY

Attest: _____

John E. Koniar
Mayor

VOLKERT, INC.

Attest: Margaret Hancken Guy E. O'Connor
Name: Margaret Hancken Name: Guy E. O'Connor, P.E.
Title: Controller/Secretary Title: Senior Vice President

ATTACHMENT A
ENGINEERING FEE PROPOSAL

FOR

PROFESSIONAL SERVICES

**DISPLACE RW 36 AND PAVEMENT MAINTENANCE
(CONSTRUCTION)**

AT

FOLEY MUNICIPAL AIRPORT

FOR THE

CITY OF FOLEY

FOLEY, ALABAMA

By

Volkert, Inc.

April, 2013

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**SUMMARY OF ESTIMATED ENGINEERING COST
BASIC SERVICES**

Project Displace RW 36 and Pavement Maintenance (Construction)....\$11,303.24

SUMMARY OF ESTIMATED CONSTRUCTION COST

Project Displace RW 36 and Pavement Maintenance (Construction)..\$320,000.00

SUMMARY OF PROJECT COST

PROJECT – DISPLACE RW 36 AND PAVEMENT MAINTENANCE (CONSTRUCTION)

PROJECT DESCRIPTION

SECTION I. BASIC SERVICES

The proposed project will provide final construction services for the displacement of the Runway 36 Threshold. The displacement will include construction of approximately 200 LF of runway and approximately 300 LF of taxiway. The construction is required to lower the existing threshold to eliminate the terrain violation created by the displacement. The constructed areas will be utilized by air traffic via declared distances. The project will also include modifications to the MIRL/MITL and installation PAPI for RW 18/36.

The scope of services will include a Bid Phase, and Construction Phase. Special services will include Construction Inspection, Geotechnical Investigation, services, FAA Documentation and DBE Plan Update.

BASIC SERVICES

(1) Bid Phase	\$3,541.81
(2) Construction Phase	\$7,761.43
Sub-Total	\$11,303.24

SPECIAL SERVICES

(1) Construction Observation	
(a) Volkert, Inc	\$34,637.72
(2) Geotechnical Investigation	
(a) Geotechnical Engineering	\$5,420.00
(b) Volkert, Inc	\$271.00
(3) FAA Documentation	
(a) Volkert, Inc	\$3,305.97
(4) DBE Plan Update	
(a) Riverview Consultant.....	\$6,000.00
(b) Volkert, Inc.	\$300.00
Sub-Total	\$49,934.69
Total Project.....	\$61,237.93

Manhour Estimate for Basic Services
Project -Displace RW36 and Pavement Maintenance-
Construction

	Project Mgr	Staff 2 Prof	Staff 1 Prof	Technician
C. Bid Phase				
1. Pre-Bid Meeting	4		4	
2. Addendums and Questions	1	1	2	
3. Bid Opening	4			
4. Bid Evaluation and Recommendation	2			
5. Contract Preparation / Printing / Execution		1	3	8
Total	11	2	9	8

D. Construction Phase- 4 Months				
1. Pre-Construction Meeting	4		4	
2. Periodic Site Visit - (4 Visits)	8	4	16	
3. Shop Drawings	1	2	8	
4. Admin./Meetings	2	2		
5. Report(s) Pay Estimates, F-25 Forms	4			
6. Final Inspection	4			
7. Record Drawings			2	4
Total	23	8	30	4

Cost Estimate for Basic Services
Project -Displace RW36 and Pavement Maintenance-
Construction

A. Bid Phase	Rate	Manhour	Cost
Project Manager	\$50.48	11	\$555.28
Staff 2 Professional	\$45.67	2	\$91.34
Staff 1 Professional	\$27.31	9	\$245.79
Technician	\$31.16	8	\$249.28
Total Direct Labor			\$1,141.69
Combined Overhead		160.37%	\$1,830.93
Out of Pocket			
Mileage-2 trip @ 90 mi @ \$0.565/mi		\$101.70	
Total Out of Pocket			\$101.70
Sub-Total			\$3,074.32
Operating Margin		15%	\$461.15
FCCM		0.556%	\$6.35
Total Bid Phase Estimate			\$3,541.81

B. Construction Phase	Rate	Manhour	Cost
Project Manager	\$50.48	23	\$1,161.04
Staff 2 Professional	\$45.67	8	\$365.36
Staff 1 Professional	\$27.31	30	\$819.30
Technician	\$31.16	4	\$124.64
Total Direct Labor			\$2,470.34
Combined Overhead		160.37%	\$3,961.68
Out of Pocket			
Mileage-6 trip @ 90 mi @ \$0.565/mi		\$305.10	
Total Out of Pocket			\$305.10
Sub-Total			\$6,737.12
Operating Margin		15%	\$1,010.57
FCCM		0.556%	\$13.74
Total Construction Phase Estimate			\$7,761.43

Cost Estimate for Special Services
Project -Displace RW36 and Pavement Maintenance-
Construction

1. Construction Observation	Manhour	Rate	Cost
Construction Project Manager	120	\$40.00	\$4,800.00
Resident Project Manager 2	260	\$25.75	\$6,695.00
Total Direct Labor			\$11,495.00
Combined Overhead		160.37%	\$18,434.53
Out of Pocket			
Mileage - 30 trips @ 90 mi @ 0.556/mi		\$1,501.20	
Total Out of Pocket			\$1,501.20
Sub-Total			\$31,430.73
Operating Margin		10%	\$3,143.07
FCCM		0.56%	\$63.91
Total Construction Observation			\$34,637.72

2. Geotechnical Investigation and Material Testing		
Geotechnical Engineering-Testing, Inc.		\$5,420.00
Volkert, Inc.	5%	\$271.00
Total Geotechnical Investigation		\$5,691.00

Cost Estimate for Special Services
Project -Displace RW36 and Pavement Maintenance-
Construction

3. FAA Documentation	Manhour	Rate	Cost
FY2013 Grant Application			
Project Manager	2	\$50.48	\$100.96
Staff 1 Professional	4	\$27.31	\$109.24
Technician	4	\$31.16	\$124.64
Sub-Total Direct Labor			\$334.84
Grant Quarterly Reports (4)			
Project Manager	2	\$50.48	\$100.96
Staff 1 Professional	8	\$27.31	\$218.48
Technician	4	\$31.16	\$124.64
Sub-Total Direct Labor			\$444.08
FY2014 Grant Pre-Application			
Project Manager	2	\$50.48	\$100.96
Staff 1 Professional	4	\$27.31	\$109.24
Technician	4	\$31.16	\$124.64
Sub-Total Direct Labor			\$334.84
Total Direct Labor			\$1,113.76
Combined Overhead		160.37%	\$1,786.14
Out of Pocket			
Mileage - 2 trips @ 90 mi @ 0.555/mi		\$99.90	
Total Out of Pocket			\$99.90
Sub-Total			\$2,999.80
Operating Margin		10%	\$299.98
FCCM		0.556%	\$6.19
Total FAA Documentation			\$3,305.97

4. DBE Plan Update		
Riverview Consultants		\$6,000.00
Volkert, Inc.	5%	\$300.00
Total DBE Plan		\$6,300.00

GEOTECHNICAL ENGINEERING-TESTING, INC.

PROFESSIONAL ENGINEERS

GEOTECHNICAL EVALUATIONS - GEOSCIENCES - CONSTRUCTION MATERIALS - PAVEMENT MANAGEMENT

904 Butler Drive
Mobile, Alabama 36693
Telephone: (251) 666-7197
Fax: (251) 666-7380
E-Mail: marketing@geoengr.com
Web Site: www.geoengr.com

Lynn C. Doyle, P.E.
Curt Doyle, P.E.
Edith Loudon, P.E.
Jeff L. Kuhr, P.E.

April 10, 2013

Volkert, Inc.
3809 Moffett Road
Mobile, AL 36618

Attn: Mr. Bobby Odom, P.E.

Re: Proposed Scope of Services and Fees for Materials Testing Services During the Runway and Parallel Taxiway Grade Modifications at the Foley Municipal Airport in Foley, Alabama

Gentlemen:

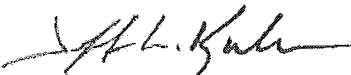
Geotechnical Engineering-Testing, Inc. (GET) is please to provide Volkert, Inc. a proposed scope of services and associated fees for construction materials testing (CMT) services during the runway and parallel taxiway grade modifications at the Foley Municipal Airport in Foley, Alabama. Our services will consist of field and laboratory tests on samples of hot mix asphalt-paving materials (HMA). Other testing such as relative compaction testing on subgrade soils may be required and engineering consultation may be provided during the course of the project.

Our fees will be based on our standard unit fees for tests performed and hours worked on the project. Attached is a list of services and fees most likely to be required. Total fees for this project should not exceed \$5,420.00. You will be notified before any services performed that would cause fees to exceed the estimated total. Other services and fees will be provided as required.

We thank you very much for your consideration of using our firm for providing the materials testing services on your project.

Regards,

Ron Attebery, Supervisor
Construction Services


Jeff L. Kuhr, P.E.
Geotechnical Engineer
Alabama License No. 27830
Date: 4/10/13

Attachments



PROFESSIONAL MEMBERSHIPS:

- American Society of Civil Engineers - National Society of Professional Engineers - ASFE/ The Association of Firms Practicing in the Geosciences - Deep Foundations Institute - American Society for Testing and Materials - International Society of Soil Mechanics and Foundation Engineering - Society of American Military Engineers - National Water Well Associations - American Concrete Institute - Institute of Transportation Engineers - American Public Works Association -

**TABULATION OF ESTIMATED UNITS OF SERVICE AND FEES FOR
CONSTRUCTION MATERIALS TESTING AND ENGINEERING
FOR THE PROPOSED RUNWAY & TAXIWAY GRADE MODIFICATIONS AT
THE FOLEY MUNICIPAL AIRPORT IN FOLEY, ALABAMA**

APRIL 10, 2013

<u>ITEM OF SERVICE</u>	<u>EST. UNITS</u>	<u>UNIT FEE</u>	<u>EST. TOTAL FEE</u>
1. Modified PD	3 Each	\$ 140.00 /Ea	\$ 420.00
2. Technician Level II (5 days @ 8 hrs/day)	40 Hours	\$ 47.00 /Hr	\$ 1,880.00
3. Technician Level IV (5 days @ 8 hrs/day)	40 Hours	\$ 67.50 /Hr	\$ 2,700.00
4. Professional Geotechnical Engineer	8 Hours	\$ 100.00 /Hr	\$ 800.00
5. Clerical	1 Hours	\$ 40.00 /Hr	\$ 40.00
Estimated Subtotal			\$ 5,420.00
			<u>\$ 5,420.00</u>
ESTIMATED TOTAL			<u>\$ 5,420.00</u>

RIVERVIEW CONSULTANTS, INC.

121 Ivy Trace ♦ McDonough, Ga. 30253 ♦ Phone (904) 343-6647

Mr. Bobby Odom
Assistant Vice President
Volkert & Associates, Inc.
3809 Moffet Road
P.O. Box 7434
Mobile, AL 36618

04-29-2013

Dear Mr. Odom:

Riverview Consultants, Inc. proposes to prepare one FY '13 - FY'14(vertical AIP) Overall DBE Goal Setting Methodology; 2) a separate cover Small Business Enterprise (SBE) element; and 3) an Updated DBE Plan for the City of Foley, Alabama (the City), in accordance with the requirements of 49 CFR Part 26, for Foley Municipal Airport via a subcontract agreement with Volkert & Associates, Inc. U.S. DOT's recently restructured Regulations require that non- primary Southern Region Airports submit three year goals by 08-01-2011; that all approved DBE Programs must include an SBE element; and that all DBE Plans must be updated to include all recent DOT adjustments.

Our **AIP reimbursable** fee of \$6,000, for these tasks, shall be billed in the following manner:

The SBE element and the updated DBE Admin. Plan	\$2,500.00
A combined FY'13 – FY 14 (vertical AIP) Methodology ...	<u>\$3,500.00</u>
Total FY '13 Costs	\$6,000.00

We will acknowledge the signed copy of this document as our Notice to Proceed; begin preparation of the Methodology; and submit the final product to you within twenty-one (21) days after receipt of the notice – to –proceed for each AIP task, and our receipt of the Airport's FY '13 and FY '14 AIP Categories and costs breakdown (Engineer's Estimate), for each AIP, from Volkert & Associates, Inc. Please sign both documents, keep one for your files, and return one to me.

Sincerely,

Willie L. Hudson

Volkert & Associates, Inc.

Riverview Consultants, Inc.

Mr. Bobby Odom, Assistant Vice President

Willie L. Hudson, President

TECHNICAL PROPOSAL

TO

VOLKERT & ASSOCIATES, INC.

FOR

THE PROVISION OF SUPPORTIVE SERVICES
DISADVANTAGED BUSINESS ENTERPRISE PROGRAM GOALS

AT

FOLEY MUNICIPAL AIRPORT

SUBMITTED: April 29, 2013
BY: RIVERVIEW CONSULTANTS, INC.
121 Ivy Trace
McDonough, Ga. 30253

Riverview Consultants, Inc. (RCI) proposes to provide Disadvantaged Business Enterprise (DBE) Program supportive services for the City of Foley, Alabama (the City) at Foley Municipal Airport in accordance with U.S. Department of Transportation's (U.S. DOT) Disadvantaged Business Enterprise Program 49 CFR, Part 26 guidelines, via a subcontract with Volkert & Associates, Inc. (the consultant)..

We propose to work for the Consultant, as its Support Team, in order to prepare the City's FY 2013 – FY '14 Overall DBE Program Requirements.

I. PURPOSES

The major purposes of these assignments are to:

- (1) Prepare FY 2013 - FY 2014 Overall DBE Goal Setting Methodology in accordance with 49CFR, Part 26.45.
- (2) Prepare the Airport's separate cover Small Business Enterprise element.
- (3) Update the Airport's DBE Plan per DOT's recent guideline amendments.
- (4) Collect and review the appropriate program information that can facilitate DBE Goals - decision making and overall project management in accordance with the City's Purchasing guidelines and applicable new federal, state and local DBE Program regulations.

II. SCOPE AND OBJECTIVES

The maximum duration of these proposed tasks is twenty-one (21) days from Notice to Proceed and the appropriate FY '13 and FY '14 AIP Engineering Estimates from the Consultant. We will:

- (1) Review the City's DBE Data Reporting forms for the Airport during the last five years' AIPs;
- (2) Prepare NAICS code reports of actual DBE participation versus DBE goals at the Airport during the last five years;
- (3.) Determine the local market's DBE relative availability (Step 1 base figure);

II. SCOPE AND OBJECTIVES cont.

- (4) Discuss our findings from items 1-3 with the Consultant to determine the direction which we need to pursue with the Preliminary Goal Setting Methodology, which shall be completed within fourteen (14) days, after the Notice-To-Proceed;
- (5) Prepare an SBE element for the Airport in accordance with existing federal, state and local regulations and in the best interest of Foley Municipal Airport within fourteen (14) days after the Notice-To-Proceed; and
- (6) Update the Airport's DBE Administrative Plan per DOT's recent amendments.

The Preliminary documents will be sent to the Consultant for perusal within fourteen calendar days after the project's starting date. We will contact the Consultant within three (3) working days after receipt of the Methodology in order to discuss the Methodology, make any necessary adjustments, and return the Final Methodology to the Consultant within four (4) days.

III. DBE task Deliverables

- A separate cover SBE element per recent DOT guidelines.
- An updated DBE Program that includes all recent U S DOT modifications.
- A combined FY '13 – FY '14 Goal setting Methodology which includes:
 - * DBE Accomplishment Reports... FY 2008 thru FY 2012
 - * DBE goal methodology and FY 2013 Overall DBE Goal.
 - * CFR 49, Part 26 Step 1 determination.
 - * CFR 49, Part 26 Step 2 adjustments.