

Agreement No.	BO1223
Effective (NTP) Date	11/19/2018
Supplement Amount	\$76,914.58
Total Agreement Amount	\$893,347.09

## PROFESSIONAL SERVICES AGREEMENT SUPPLEMENT NO. #1

CITY OF LEXINGTON  
MILLER & ASSOCIATES, INC.  
PROJECT NO. URB-1705(3)  
CONTROL NO. 61457  
LEXINGTON EAST VIADUCT

**THIS SUPPLEMENTAL AGREEMENT** is between the City of Lexington ("LPA") and Miller & Associates, ("Consultant"), collectively referred to as the "Parties".

**WHEREAS**, Consultant and LPA entered into an agreement ("Original Agreement") BO1223 providing for Consultant to provide preliminary engineering for LPA's Federal Aid project, and

**WHEREAS**, it is necessary that additional environmental review tasks be added under this Supplemental Agreement, and

**WHEREAS**, it is necessary to increase Consultant's compensation by this Supplemental Agreement for the additional work necessary to complete the services under this Agreement.

**WHEREAS**, it is the desire of LPA that the project be constructed under the designation of Project No. URB-1705(3), as evidenced by the Resolution of LPA, attached as EXHIBIT "A" and incorporated herein by this reference, and

**NOW THEREFORE**, in consideration of these facts and mutual promises, the Parties agree as follows:

### **SECTION 1. SCOPE OF SERVICES**

Consultant will perform the additional work as set out in in Exhibit "B" Consultant Work Order 1, attached and incorporated herein by this reference.

### **SECTION 2. NOTICE TO PROCEED AND COMPLETION SCHEDULE**

LPA issued Consultant a written Notice-to-Proceed on November 19, 2018. Any work or services performed by Consultant on the project prior to the date specified in the written Notice-to-Proceed is not eligible for reimbursement.

Consultant will complete all work stipulated in the Original Agreement and this Supplemental Agreement by November 8, 2019.

### **SECTION 3. FEES AND PAYMENTS**

For the work required, SECTION 9 FEES AND PAYMENTS of the Original Agreement is hereby amended in accordance with Exhibit "B" so that the fixed-fee-for-profit is increased from \$23,090.76 to \$31,901.69, an increase of \$8,810.93. Actual costs are increased from \$793,341.75 to \$861,445.40, an increase of \$68,103.65. The total agreement amount is

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increased from \$816,432.51 to \$893,347.09, an increase of \$76,914.58 which Consultant must not exceed without the prior written approval of LPA.

**SECTION 4. CONFIDENTIAL INFORMATION**

Documents submitted to State, including invoices, supporting documentation, and other information are subject to disclosure by State under the Nebraska Public Records Act found at Neb.Rev.Stat. § 84-712 et.seq. Accordingly, Consultant shall redact or not submit to State information that is confidential, including, but not limited to, financial information such as social security numbers, tax ID numbers, or bank account numbers. Consultant understands that State does not have sufficient resources to review and redact confidential information submitted by Consultant. If such confidential information is submitted, Consultant shall have no right of action of any kind against State for the disclosure of such information.

**SECTION 5. ENTIRE AGREEMENT**

The Original Agreement, any and all other previous supplements thereto, and this Supplemental Agreement, constitute the entire agreement ("The Agreement") between the Parties. The Agreement supersedes any and all other previous communications, representations, or other understandings, either oral or written; all terms and conditions of the Original Agreement and all previous supplements thereto, to the extent not superseded, remain in full force and effect, and are incorporated herein as if set forth in their entirety.

**SECTION 6. CONSULTANT CERTIFICATION AND REAFFIRMATION**

The undersigned duly authorized representative of Consultant, by signing this Supplemental Agreement, hereby reaffirms, under penalty of law, the truth of the certifications set out in the Original Agreement and all Supplements thereto, including this Supplement. Further, Consultant has a duty to inform LPA of any material changes in the accuracy of all assertions set out in the Original Agreement and all Supplements thereto.

**SECTION 7. CERTIFICATION OF LPA**

By signing this Supplemental Agreement, I do hereby certify that, to the best of my knowledge, Consultant or its representative has not been required, directly or indirectly as an express or implied condition in connection with obtaining or carrying out this agreement to:

- (a) employ or retain, or agree to employ or retain, any firm or person, or
- (b) pay or agree to pay to any firm, person, or organization, any fee, contribution, donation, or consideration of any kind.

I acknowledge that this certification is to be furnished to the FHWA, upon their request, in connection with this agreement involving participation of Federal-Aid highway funds and is subject to applicable LPA and federal laws, both criminal and civil.

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**IN WITNESS WHEREOF**, the Parties hereby execute this Supplemental Agreement pursuant to lawful authority as of the date signed by each party. Further, the Parties, by signing this Supplemental Agreement, attest and affirm the truth of each and every certification and representation set out herein.

**EXECUTED** by Consultant this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

MILLER & ASSOCIATES, INC.  
Reed A. Miller

\_\_\_\_\_  
President

STATE OF NEBRASKA     )  
  )ss.  
BUFFALO COUNTY     )

**SUBSCRIBED AND SWORN** to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Notary Public

**EXECUTED** by LPA this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

CITY OF LEXINGTON  
John Fagot

\_\_\_\_\_  
Mayor

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Clerk

STATE OF NEBRASKA  
DEPARTMENT OF TRANSPORTATION  
Form of Agreement Approved for  
Federal Funding Eligibility:

\_\_\_\_\_  
Date

## Consultant Work Order (Local Projects)

Project No.: <b>URB-1705(3)</b>		Control No.: <b>61457</b>	
Consultant: (Name and Representative) Miller and Associates Inc. (Prime)- Gary Steele, PE, WSP USA Inc. (Subconsultant)-Karl Fredrickson, PE		Agreement No.: <b>BO1223</b>	Work Order No.: <b>1</b>
LPA: (Name and Representative) <b>City of Lexington, Dennis Burnside</b>		Constr. Change Order No.: (If applicable) <b>NA</b>	
<p>All parties agree the following described work needs to be performed by the consultant as part of the referenced project. All parties concur and hereby give notice to proceed based on the following: justification to modify contract, scope of services, deliverables, schedule, and estimated total fee. All other terms of existing agreements between the parties are still in effect. It is understood by all parties that the work described herein will become part of a future supplement to the agreement indicated above.</p>			
<p>Justification to modify agreement: (Include scope of services, deliverables, and schedule) See attached scope of services and fee schedule.</p>			
Work Title		Summary of Fee	
Modification No. 1 to address additional tasks and work effort involved with environmental documentation.		A. Total Direct Labor Cost	<b>= 28,032.75</b>
		B. Overhead (Factor * x A)	<b>= 39,226.23</b>
		C. A + B	<b>= 67,258.98</b>
		D. Profit/Fee (Factor ** x C)	<b>= 8,810.93</b>
*Overhead Factor:	139.93%	E. FCCM (Factor*** x A)	<b>= 154.18</b>
**Profit/Fee Factor:	13.10%	F. Direct Non-Labor Cost	<b>= 690.50</b>
***Facility Capital Cost of Money (FCCM):	0.55%	G. Subconsultant Services	<b>= 0</b>
Total Fee Notes: NA		<b>TOTAL FEE: C + D + E + F + G</b>	<b>= 76,914.58</b>
		<input checked="" type="checkbox"/> ESTIMATED TOTAL FEE:	76,914.58
		<input type="checkbox"/> FINAL TOTAL FEE:	

**Work Order Authorization – May be granted by email and attached to this document.**

**Consultant:**

Gary Steele                      Gary Steele                      11-14-18  
Name                                      Signature                                      Date

**LPA:**

Dennis Burnside                      Dennis Burnside                      11-19-18  
Name                                      Signature                                      Date

**LPS PC (for Preliminary Engineering) and State Rep. (for Construction Engineering):**

\_\_\_\_\_  
Name                                      Signature                                      Date

**LPS Unit Head Review (for PE Phase):**

Greg Wood                      Greg Wood                      11/19/2018  
Name                                      Signature                                      Date

**LPS Manager or Construction Engineer (Construction Phase):**

\_\_\_\_\_  
Name                                      Signature                                      Date

**FHWA: (FHWA Approval on Full Oversight Projects Only):**

\_\_\_\_\_  
Name                                      Signature                                      Date

Notice to Proceed will be granted by email by:  
LPS PC for Preliminary Engineering & CD PC for Construction Engineering.

FMIS Approval Date:

NA  
Local Funds

Notice to Proceed Date:

Wood  
11/19/2018

Distribution: Consultant, LPA – RC, State Rep., FHWA, LPS PC, NDOT Agreements Engineer, Highway Funds Manager, CD PC

NDOT Form 250, September 17

**SCOPE OF SERVICES  
WSP USA Inc. MODIFICATION NO. 1  
CWO NO. 1 BO1223-001**

**PROJECT NUMBER: URB 1705(3)  
CONTROL NUMBER: 61457  
LEXINGTON EAST VIADUCT**

**EXHIBIT B**

**UNDERSTANDINGS**

The original agreement anticipated an 18-month duration to complete WSP USA Inc.'s (WSP) (f/k/a Parsons Brinckerhoff, Inc.) work. The Nebraska Department of Transportation (NDOT) (formerly Nebraska Department of Roads (NDOR)) process for completion and review of the National Environmental Policy Act (NEPA) Environmental Assessment (EA) has and continues to evolve. To address NDOT's and FHWA's changing requirements for process document review, delivery changes and sample documentation provided have required additional meetings, draft submittals and revisions, multiple workshops, coordination and project management and work effort necessary to complete the NEPA EA tasks.

The extended duration has exhausted the originally estimated hours to complete the work. NDOT, in coordination with FHWA, began requiring monthly NEPA Environmental Assessment (EA) meetings for all projects in Nebraska with EA's for project sponsors and their consultants.

Additional scope of services and level-of-effort to address these changes are as follows:

**TASK 100 - PROJECT MANAGEMENT**

**Task 103—Project Meetings**

**Task 103.1 Public Hearing**

Public hearing materials were previously prepared and submitted to NDOT in advance of an anticipated public hearing dry run in mid-2016. Due to draft EA approval processes these materials will need to be revised and updated per Task 103.2 below, the NDOT Nebraska Public Involvement Procedure, and submitted for NDOT approvals.

Public Hearing Dry Run through NDOT: This task was not included in the original scope and is added with this modification. The dry run and dry Run Meeting will include preparation of meeting materials and presentation necessary for the public hearing. The draft meeting materials will be submitted to NDOT for review and the scope assumes one (1) rounds of review and edits per document to address NDOT's comments prior to the Dry Run and one (1) round of edits post the dry run. Following acceptance from NDOT, the materials will be submitted to FHWA prior to the dry run.

The dry run meeting is to be held at NDOT facilities 1500 Nebraska Hwy. 2 in Lincoln, Nebraska. The date will be scheduled as soon as practical upon approval of the draft EA (DEA). The Public Hearing will be held in Lexington, Nebraska, with the City coordinating and obtaining the meeting location.

**Deliverables**

1. Attendance Sign-in Sheets.
2. Information sheet (English).
3. Information Sheet (Spanish).
4. Legal Notice (English).
5. Public Notice Newspaper Advertisement Lexington Clipper-Herald.
6. Public Notice Newspaper Advertisement, Que Pasa (monthly paper owned by Lexington Clipper-Herald).
7. Citizen Comment Sheets (English).
8. Citizen Comment Sheets (Spanish).
9. News Release (English).
10. Exhibit boards (Purpose and Need, Preferred Alternative, Detours, Preliminary Plans).
11. Presentation of the project utilizing PowerPoint recorded project information.

**Task 103.2 Public Involvement Plan**

NDOT has updated processes for review of meeting materials presented to the public requiring the public involvement plan to be reviewed, updated where applicable, and submitted for NDOT's approval. Note; translators (Spanish, Somali, etc.) at the public hearing will be provided by the City of Lexington.

**Deliverables**

1. Updated Public Involvement Plan.

**Task 104 – Project Administration**

This task includes activities to initiate and monitor project schedules, workload assignments and internal cost controls, prepare and process invoices, prepare project correspondence with the client, and maintain project records. Estimated time for this task was initially based on an 18-month duration. As NDOT and FHWA processes and review times have been changed it is estimated that the total project duration for reporting will be 72 months. For estimation of hours it is estimate an additional 8 months of duration from the approval of this modification.

NDOT required a Microsoft Project schedule be developed using NDOT's outline. This scope anticipates 3 updates to the schedule generally every two months.

**Deliverables:** Monthly invoices and progress reports (8).  
MS Project schedule in pdf format (3).

**Task 107 - Quality Assurance/Quality Control (QA/QC)**

The original agreement was anticipated to have one (1) review cycle of the DEA by NDOT and FHWA prior to completed the Final DEA. This modification provides for an additional two (2) submittals for review cycles requiring QA/QC reviews of submittals.

**TASK 300 - ENVIRONMENTAL ANALYSES, PERMITS, and CLEARANCES**

**Task 314 Prepare Draft Environmental Assessment Document (DEA)**

NDOT and FHWA initiated scheduled "Monthly Environmental Assessment EA Meetings" to review and coordinate all federal aid projects with an EA. These EA meetings are attended via conference phone calls. This amendment provides for seven (7) Monthly EA Meetings attended by two (2) WSP staff.

The DEA will be revised to convert the text of the DEA into a "reader friendly" format and the reorganization of the DEA will move the majority of technical details to appendices. FHWA, through NDOT, agreed to proceeding with the "reader friendly" format utilizing guidance from the Center for Environmental Excellence by AASHTO. The revised DEA would not generate new resource information, rather it would reorganize existing information into a format to be reader friendly and address FHWA's partial review comments. The rewrite would consist of:

1. Rewrite Chapters 1-9 which would now be organized into Chapters 1-7 with associated appendices.
2. After review of Chapters 1-7 and appendices above, revisions required by NDOT (received on August 10, 2018), would be made and the DEA would be submitted to FHWA by NDOT for FHWA's review. For estimation of hours, one (1) revision addressing NDOT's review comments received August 10, 2018, are included, and one (1) review by FHWA and revisions addressing FHWA's comments are included in this modification.

**Deliverables:**

1. DEA Chapters 1-7 with appendices in electronic format (1 copy).
2. DEA Chapter 1-7 with appendices and signature pages printed and bound (3 hard copies).

The DEA is anticipated to be approved after FHWA's first review and revisions and resubmittal of the DEA (line 2 above).



**TENTATIVE SCHEDULE:**

NOTE: The proposed schedule is contingent upon other agencies meeting dates outlined for tasks they have responsibility for as shown.

Task Name	Duration	Start	Finish
Tentative Schedule for DEA tasks, CWO No. 1	160 days	Mon 12/17/18	Fri 7/26/19
NTP with CWO No. 1	0 days	Mon 12/17/18	Mon 12/17/18
Submit electronic DEA in reader friendly format for FHWA Reviews	16 days	Mon 12/17/18	Mon 1/7/19
FHWA Review (Calendar 30 days)	24 days	Tue 1/8/19	Fri 2/8/19
Address FHWA comments, print DEA for signatures, prepared Public Hearing materials	28 days	Wed 2/13/19	Fri 3/22/19
Schedule and hold Dry Run of Public Hearing	18 days	Mon 3/25/19	Wed 4/17/19
Schedule, advertise and conduct Public Hearing	32 days	Thu 4/18/19	Fri 5/31/19
Compile and respond to public hearing comments to incorporate into DEA.	20 days	Mon 6/3/19	Fri 6/28/19
Address public information comments from FHWA	10 days	Mon 7/1/19	Fri 7/12/19
Anticipate FHWA written Finding of No Significant Impact (FONSI) of EA	1 day	Fri 7/26/19	Fri 7/26/19

**Staffing Plan** **Mod No. 1 Environmental Services**

Project Name: Lexington East Viaduct Project Number: URB 1705(3)  
 Consultant: WSP USA Inc. Control Number: 61457  
 Consultant PM: Karl Fredrickson, 402-323-6572, karl.fredrickson@wsp.com  
 Prime PM: Gary Steele, Miller and Assoc., (308) 234-6456, gsteele@millerconsulting.cor  
 Date: October 3, 2018



#	Code	Classification	#	Code	Classification
1	PR	Principal	6	EPP	Environmental Policy & Practice Lead
2	PM	Program Manager	7	DES	Designer/Tech
3	SEP	Sr. Environmental Planner	8	ADM	Administrative
4	EP	Environmental Planner	9	SPLN	Sr. Planner
5	AEENG	Assistant Engineer	10	ED	Copy Editor

<b>Overhead Rate <sup>[1]</sup></b>
139.93%
<b>Fee for Profit Rate <sup>[2]</sup></b>
13.10%
<b>FCCM (if applicable)</b>
0.55%

**BLENDED RATES TABLE**

Template: T-WB-X1 (rev 2-13-17) CPFF

Employee Name	Job Title & Certifications <sup>[3]</sup>	Hourly Salary Rate <sup>[4]</sup>	% Assigned
<b>Principal</b>			
Karl Fredrickson	Assistant Vice President	\$73.31	100%
<b>Blended Rate:</b>		<b>\$73.31</b>	
<b>Program Manager</b>			
Karl Fredrickson	Project Manager	\$73.31	100%
<b>Blended Rate:</b>		<b>\$73.31</b>	
<b>Sr. Environmental Planner</b>			
Steve Lane	Sr. Environmental Planner	\$63.48	100%
<b>Blended Rate:</b>		<b>\$63.48</b>	
<b>Environmental Planner</b>			
Valerie Jones	Environmental Planner	\$47.64	100%
<b>Blended Rate:</b>		<b>\$47.64</b>	
<b>Assistant Engineer</b>			
Jackie Gatotho	Assistant Engineer	\$33.99	100%
<b>Blended Rate:</b>		<b>\$33.99</b>	
<b>Environmental Policy &amp; Practice Lead</b>			
Manisha Patel	Environmental Policy & Practice Leader	\$101.70	100%
<b>Blended Rate:</b>		<b>\$101.70</b>	
<b>Designer/Tech</b>			
			100%
<b>Blended Rate:</b>			
<b>Administrative</b>			
Linda Minten	Sr. Supervising Project Accountant	\$57.75	100%
<b>Blended Rate:</b>		<b>\$57.75</b>	
<b>Sr. Planner</b>			
Jamy Lyne	Supervising Planner/Public Involvement	\$70.06	100%
<b>Blended Rate:</b>		<b>\$70.06</b>	
<b>Copy Editor</b>			
Michael Babin	Copy Editor	\$43.11	100%
<b>Blended Rate:</b>		<b>\$43.11</b>	



**Consultant's Estimate of Hours**

**Mod No. 1 Environmental Services**

Project Name: Lexington East Viaduct Project Number: URB 1705(3)  
 Consultant: WSP USA Inc. Control Number: 61457  
 Consultant PM: Karl Fredrickson, 402-323-6572, karl.fredrickson@wsp.com  
 Prime PM: Gary Steele, Miller and Assoc., (308) 234-6456, gsteele@millerconsulting.com  
 Date: May 14, 2018

Kf KF SL VJ JG MP LM JL

TASKS	PERSONNEL CLASSIFICATIONS										Total
	PR	PM	SEP	EP	AENG	EPP	DES	ADM	SPLN	ED	
<b>Task 100. Project Management</b>	<b>4</b>	<b>55</b>	<b>42</b>	<b>32</b>		<b>6</b>		<b>16</b>	<b>147</b>		<b>302</b>
103 Project Meetings											
103.1 Public Hearing & Dry Run											
1. Meeting Planning (english and spanish)											
a) Hearing Materail review with NDOT (1) meetings		2	2								4
b) Public Involvement Schedule		1						8			9
c) Update Public Involvement Plan		2						8			10
d) Venue coordination (at Lex City Hall)		2									2
e) Venue floor plans		2						8			10
f) Preparation of legal notice and press releases (english & spanish)		2						22			24
2. Targeted Outreach Mailing											
a) Distribution List											
b) Public Notice (200) (english and spanish)		2	4	6					16		28
3. Meeting Document Preparation											
a) Provide name tags (10)			1	4					2		5
b) Attendance sheets (spanish, english)									3		3
c) Provide Fact Sheets (english/spanish)									18		18
e) Provide presentation boards (english/spanish)											
4. Public Hearing Dry Run Meetings											
a) Meeting prep and participation (1) (2 staff)		5	5						10		20
b) Continuity meeting prep and participation											
e) Coordinate onsite media											
5. Provide Summary											
a) Provide Comment Matrix		4	8	22					16		50
b) Provide Public Involvement Summary Memo		2							8		10
c) Provide Public Involvement Report		4	4						24		32
6. Provide Electronic Copy of Files		2							4		6
104 Project Administration	4	25						16			45
107 Microsoft Project Schedule			18								18
107 Quality Assurance/Quality Control						6					6
<b>Task 300. Environmental Analysis</b>		<b>16</b>	<b>56</b>	<b>42</b>		<b>6</b>				<b>8</b>	<b>128</b>
314. Prepare Draft Environmental Assessment (DEA)											
Prep and attend monthly NDOT EA Meetings		14	14								28
DEA Reader Friendly Rewrite-review revisions (2)		2	42	42		6				8	100
<b>Total Days</b>	<b>0.5</b>	<b>8.88</b>	<b>12.3</b>	<b>9.25</b>		<b>1.5</b>		<b>2</b>	<b>18</b>	<b>1</b>	<b>53.8</b>
<b>Total Hours</b>	<b>4</b>	<b>71</b>	<b>98</b>	<b>74</b>		<b>12</b>		<b>16</b>	<b>147</b>	<b>8</b>	<b>430.0</b>

**Direct Expenses**

**Mod No. 1 Environmental Services**

Project Name: Lexington East Viaduct Project Number: URB 1705(3)  
 Consultant: WSP USA Inc. Control Number: 81457  
 Consultant PM: Karl Fredrickson, 402-323-6572, karl.fredrickson@wsp.com  
 Prime PM: Gary Steele, Miller and Assoc., (308) 234-6456, gsteele@millerc consulting.com  
 Date: October 3, 2018

<b>Subconsultants:</b>			<b>Amount</b>
<b>Subtotal</b>			
<b>Printing and Reproduction:</b>			
	<b>Qty</b>	<b>Unit Cost</b>	<b>Amount</b>
Colored Exhibits - Fact Sheets (8.5x11)	200	\$0.40	\$80.00
Postage	50	\$0.49	\$24.50
Public Meeting Materials (name tags, sign in sheets, comment forms, etc)	1	\$250.00	\$250.00
Venue Rental (At City Council Chambers)			
Mounted boards (8@4'x3')	96	\$3.50	\$336.00
<b>Subtotal</b>			<b>\$690.50</b>
<b>Mileage/Travel:</b>			
	<b>Qty</b>	<b>Unit Cost</b>	<b>Amount</b>
Mileage/Travel: Lincoln to Lexington (+local travel)			
Rental Car			
Airfare (to Lincoln)			
<b>Subtotal</b>			
<b>Lodging/Meals:</b>			
	<b>Qty</b>	<b>Unit Cost</b>	<b>Amount</b>
Motel (statewide excluding Omaha)			
Motel Omaha			
Meals (statewide excluding Omaha)			
Meals Omaha			
Motel Tax			
<b>Subtotal</b>			
<b>Other Miscellaneous Costs:</b>			
	<b>Qty</b>	<b>Unit Cost</b>	<b>Amount</b>
<b>Subtotal</b>			
<b>TOTAL DIRECT EXPENSES</b>			<b>\$690.50</b>



**Project Cost & Breakdown**

**Mod No. 1 Environmental Services**

**Project Name:** Lexington East Viaduct **Project Number:** URB 1705(3)  
**Consultant:** WSP USA Inc. **Control Number:** 61457  
**Consultant PM:** Karl Fredrickson, 402-323-6572, karl.fredrickson@wsp.com  
**Prime PM:** Gary Steele, Miller and Assoc., (308) 234-6456, gsteele@millerconsulting.com  
**Date:** October 3, 2018

<b>DIRECT LABOR COSTS</b>			
<b>Classification</b>	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Principal	4.0	\$73.31	\$293.24
Program Manager	71.0	\$73.31	\$5,205.01
Sr. Environmental Planner	98.0	\$63.48	\$6,221.04
Environmental Planner	74.0	\$47.64	\$3,525.36
Assistant Engineer		\$33.99	
Environmental Policy & Practice Lead	12.0	\$101.70	\$1,220.40
Designer/Tech			
Administrative	16.0	\$57.75	\$924.00
Sr. Planner	147.0	\$70.06	\$10,298.82
Copy Editor	8.0	\$43.11	\$344.88
	<b>430.0</b>	<b>Subtotal</b>	<b>\$28,032.75</b>

<b>DIRECT EXPENSES</b>	<b>Amount</b>
Subconsultants:	
Printing And Reproduction:	\$690.50
Mileage/Travel:	
Lodging/Meals:	
Other Miscellaneous Costs:	
	<b>Subtotal</b>
	<b>\$690.50</b>

<b>TOTAL PROJECT COSTS</b>	<b>Amount</b>
Direct Labor Costs	\$28,032.75
Overhead @ 139.93%	\$39,226.23
Direct Expenses	\$690.50
Facility Capital Cost of Money (FCCM) @ 0.550% (direct labor cost x FCCM%)	\$154.18
<b>SUBTOTAL</b>	<b>\$68,103.66</b>
Fee for Profit Rate @ 13.10%	\$8,810.93
	<b>TOTAL COST</b>
	<b>\$76,914.58</b>

<b>LABOR COST BY MAJOR TASKS</b>	<b>Direct Labor</b>	<b>Overhead</b>	<b>Profit</b>	<b>Amount</b>
Task 100. Project Management	\$20,348.95	\$28,474.29	\$6,395.84	\$55,219.08
Task 300. Environmental Analysis	\$7,683.80	\$10,751.94	\$2,415.08	\$20,850.82
	<b>\$28,032.75</b>	<b>\$39,226.23</b>	<b>\$8,810.93</b>	<b>\$76,069.90</b>

**Notes & Assumptions**

**Mod No. 1 Environmental Services**

**Project Name:** Lexington East Viaduct  
**Consultant:** WSP USA Inc.  
**Project Number:** URB 1705(3)  
**Control Number:** 61457  
**Consultant PM:** Karl Fredrickson, 402-323-6572, karl.fredrickson@wsp.com  
**Prime PM:** Gary Steele, Miller and Assoc., (308) 234-6456, gsteele@millerconsulting.com  
**Date:** October 3, 2018

**Notes & Assumptions**

No additional resource information will be required for the reader redraft of the DEA, material will be rewriting and reorganization of the already obtained materials (e.g. traffic/crash data, train data, wetland information, etc.)

Meeting materials will follow the NDOT's current meeting criteria and process as of the date of this modification

Existing prepared PI materials/information will be used to the extent practical and updated to current NDOT requirements.

[Empty lined area for additional notes and assumptions]

**RESOLUTION**

**PRELIMINARY ENGINEERING SERVICES AGREEMENT  
SUPPLEMENTAL AGREEMENT NO. 1 – BO1223**

CITY OF LEXINGTON

Resolution No. \_\_\_\_\_

**Whereas:** City of Lexington and Miller & Associates have previously executed a Preliminary Engineering Services Agreement (BO1223) for a transportation project for which the Local Public Agency (LPA) would like to obtain Federal funds;

**Whereas:** City of Lexington understands that it must continue to strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of this Federal-aid project; and

**Whereas:** City of Lexington and Miller & Associates, Inc. wish to enter into a preliminary engineering services supplemental agreement setting out modifications and/or additional duties and/or funding responsibilities for the Federal-aid project.

**Be It Resolved:** by the City Council of the City of Lexington, Nebraska that:

John Fagot, Mayor of City of Lexington is hereby authorized to sign the attached Preliminary Engineering Services Supplemental Agreement No. 1 between the City of Lexington and Miller Associates.

NDOT Project Number: URB-1705(3)

NDOT Control Number: 61457

NDOT Project Description: Lexington East Viaduct

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2018 at \_\_\_\_\_ Nebraska.

The City Council of City of Lexington, Nebraska:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Board/Council Member \_\_\_\_\_  
Moved the adoption of said resolution  
Member \_\_\_\_\_ Seconded the Motion  
Roll Call: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Abstained \_\_\_\_\_ Absent  
Resolution adopted, signed and billed as adopted

Attest:

\_\_\_\_\_  
Signature City Clerk