

**AMENDMENT A**

**TO THE CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES  
BETWEEN THE CITY OF FERNLEY AND LUMOS AND ASSOCIATES, INC.**

This Amendment A to the Contract for Professional Engineering Services between the City of Fernley and Lumos and Associates, Inc. (“Contractor”) is entered into this 3rd day of June, 2020, by and between The City of Fernley (“City”), and the Contractor; also referred to as “The Parties.”

On November 06<sup>th</sup>, 2019, the City and Contractor entered into a Contract for services related to the City of Fernley Depot Community Center Project. The parties hereby wish to:

- 1.) Amend the Scope of Work to reflect the Scope and Tasks as described in Attachment A to this Amendment, with approved additional Project funding, not to exceed \$6,729.00.

The Parties hereby approve and consent to the Amendment changes above. All of the other terms and conditions in the Contract that are not modified by this Amendment A, shall remain in full force and effect.

Each signatory for the Parties below has read the Amendment A, agrees to be bound by said document, and has the authority to bind their respective entity as listed.

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DATED \_\_\_\_\_

\_\_\_\_\_  
Lumos and Associates, Inc.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Roy Edgington  
Mayor, City of Fernley

Attest:  
DATED: \_\_\_\_\_

\_\_\_\_\_  
KIM SWANSON  
City Clerk, City of Fernley

APPROVED AS TO FORM:

DATED: \_\_\_\_\_

\_\_\_\_\_  
Brandi Jensen, City Attorney  
595 Silver Lace Blvd.  
Fernley, NV 89408  
775) 784-9861  
Attorney for the City of Fernley

## ATTACHMENT A



**Reno**  
9222 Prototype Drive  
Reno, Nevada 89521  
775.827.6111

April 27, 2020

Jessica Dover, P.E., Senior Project Manager  
City of Fernley  
595 Silver Lace Boulevard  
Fernley, Nevada 89408

**Subject: Depot Community Center Phase I Sewer Project**

Dear Jessica:

Lumos & Associates, Inc. (Lumos) appreciates the opportunity to continue to provide Construction Management and Inspection/Materials Testing services to the City of Fernley. As you aware, we have experienced significant challenges on this project including design changes, non-conforming workmanship, as well as delays to the contractor’s schedule. We have included within this letter details of our original agreement with the City of Fernley. Also included are details of construction management and inspection time provided to date as well as an estimate of the required time for completion of the project.

**Project Background**

Our proposal to provide Construction Management and Inspection/Materials Testing services was provided to the City of Fernley on October 24, 2019; the contract was approved on November 6, 2019. The project scope included fifteen (15) shifts at eight (8) hours a day for project inspection. One hundred twenty-eight (128) inspection hours were anticipated.

**Project Changes/Challenges**

Due to conflicting utilities not included on the project plans, design changes on all new manhole installations, incorrect installation of the steel casing during jack and bore operations, and other associated project delays/changes, the construction has exceeded the fifteen (15) shifts anticipated in our proposal.

**Budget Summaries**

- ***Original Proposal***  
The anticipated staff and required inspection costs are summarized below:

*Construction Inspection*

<b>Personnel</b>	<b>Rate</b>	<b>Hours</b>	<b>Amount</b>
Project Manager	\$ 175.00	4	\$ 700.00
Senior Inspector	\$ 120.00	128	\$ 15,360.00

○ **Project Delays**

As detailed above, the contractor has performed work on this project for twenty-eight (28) shifts to date, resulting in an additional thirteen (13) shifts of construction inspection. Multiple design changes, delays, and contractor workmanship also accounted for a significant increase in project management time required for project coordination and oversight.

*Construction Inspection*

<b>Personnel</b>	<b>Rate</b>	<b>Hours</b>	<b>Amount</b>
Project Manager	\$ 175.00	24	\$ 4,200.00
Senior Inspector <sup>(1)</sup>	\$ 120.00	104	\$ 12,480.00

<sup>(1)</sup> Average of eight (8) hours per working day

Lumos has provided every effort to reduce our staffing during this time. Inspection was limited to critical path items, resulting in many shifts under eight hours per day. Project management time has been reduced by half of the actual time required. These adjustments result in a cost savings of \$9,455.00 from the amount noted above and limit the additional cost-to-date to **\$7,225.00**.

In addition, the anticipated materials testing costs were less than anticipated resulting in an additional cost savings of \$1,896.00. The reduction in these costs has been summarized below:

- Contractor concrete placement for utility collars was limited to small-scale pours and considered incidental. Visual inspection of the concrete placement was performed resulting in a cost savings of \$480.00 for compressive strength specimens.
- On-site native soils used as trench backfill were consistent throughout the project eliminating the need for additional soils testing (Sieve Analysis, Plastic Index, and Moisture Density Curve) resulting in a cost savings of \$800.00.
- The materials testing reductions detailed above resulted in a \$616.00 cost savings in Construction Services Engineer review and oversight.

○ **Project Completion**

Substantial Completion was achieved on February 21, 2020. Below is a summary of what in our opinion is the minimum costs required to complete project closeout activities. Administrative costs have been excluded.

*Construction Administration*

<b>Personnel</b>	<b>Rate</b>	<b>Hours</b>	<b>Amount</b>
Project Manager	\$ 175.00	8	\$ 1,400.00

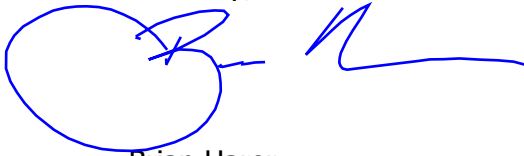
**Summary**

We understand that the Depot Community Center Phase I Sewer Project has been challenging for all parties involved. Lumos has made every reasonable effort to complete the project within the confines of the original budget. However, due to project changes, delays, and workmanship issues we have been unable to do so. We respectfully request that the City of Fernley consider this request for a contract change order of \$6,729.00 as detailed below.

<b>Task</b>	<b>Original Contract</b>	<b>Requested Change Order</b>	<b>Total Contract</b>
Task 1: Construction Administration	\$ 7,880.00	\$1,400.00	\$ 9,280.00
Task 2: Construction Inspection	\$ 19,110.00	\$ 7,225.00	\$ 26,335.00
Task 3: Materials Testing	\$ 3,390.00	- \$ 1,896.00	\$ 1,494.00
<b>Totals:</b>	<b>\$ 30,380.00</b>	<b>\$ 6,729.00</b>	<b>\$ 37,109.00</b>

If you have any questions, please do not hesitate to contact Steve Moon or myself at 775.827.6111.

Sincerely,



Brian Harer  
Project Manager, Construction Division



Steven G. Moon, P.E.  
Director, Construction Division