

**MODIFICATION NO. 2
To
A/E SERVICES AGREEMENT**

**FOR INCORPORATING THE PROFESSIONAL ENGINEERING SERVICES
FOR
Town of Whitestown, IN
*Attachment N – Wastewater Treatment Plant Expansion***

1. **DATE:** November 30, 2023
2. **CLIENT:** Town of Whitestown, IN
3. **ORIGINAL AGREEMENT:** Dated February 15, 2022
4. **CONSULTANT:** ms consulting, inc.
5. **MODIFICATIONS UNDER CONTRACT CLAUSES**

Section 2 – Design Phase
Section 3 – Bidding or Negotiating Phase
Section 4 – Construction Phase
Scheduling
Lump Sum Fee

6. **REASON FOR MODIFICATION**

This modification is for design services related to the additional scope items as well as change in scope from the original design. The change in scope is further defined below.

7. **MODIFICATION IN AGREEMENT**

1. **Scope of Work**

ADD SECTION No. 2.a WITH THE FOLLOWING:

The following shall be additional design scope items for the project:

Preliminary Treatment (\$18,000):

Design of a new odor control unit to replace the existing unit and expand on foul air treatment capacity. This included new duct design with air balancing, structural foundation design and appurtenances.

Secondary Treatment (\$11,000):

Design of a final effluent analyzer system for the monitoring of ammonia, phosphorus and dissolved oxygen prior to final discharge. This also included communication of the system(s) in the new SCADA system.

Sludge Treatment (\$41,000):

Design of a new polymer storage room to go in place of the old phosphorus chemical storage area. This included structural modification of the existing building, design of secondary spill containment areas, relocation of the polymer feed skid, and exterior pavement modifications.

Chemical Feed Systems (\$44,000):

Design of a new bulk chemical storage system in the Tertiary Filter Building. Including the relocation of the existing feed pumps, re-routing of existing chemical lines, routing of new chemical lines, personal safety systems and associated appurtenances.

Heating, Ventilation and Air Conditioning [HVAC] (\$21,000):

Re-design of the Tertiary Filter Building and Collection Systems Maintenance Building HVAC systems to change them from electrical heat generation to natural gas. Including natural gas distribution system (on site) design, internal building distribution piping, heating unit design, air diffusion system design, ventilation modifications and appurtenances.

Plumbing (\$13,000):

Design a compressed air distribution system for the Collection Systems Maintenance Building. Including air compression, distribution piping design and electrical.

Summary of Additional Out of Original Scope Items = \$148,000

The following shall represent a change in design scope items for the project:

Change in WWTP Design Scope (\$256,500)

Change in design scope of the project brings the estimated construction cost in line with the Town's available funding. This redesign includes civil/site, structural, architectural, HVAC/plumbing, electrical and SCADA redesign services. The redesign will reduce the overall construction cost of the project significantly. The scope includes the following:

- Redesign of the SBR treatment system to reuse the existing SBR Electrical Building.
- Design of a small Electrical Building for the ASH Blowers.
- Modification of site plans to remove the tertiary filter building / MCC and the maintenance building.
- Process treatment redesign including new hydraulic profile
- SCADA System value engineering coordination with Town's Integrator.
- Electrical system design modifications to reduce overall cost.
- IDEM Permit resubmission

ADD SECTION No. 3.1.a WITH THE FOLLOWING:

Change in Bidding or Negotiating Phase Scope (\$45,000)

The contractor procurement method will be changed to a Build-Operate-Transfer (BOT) method. The scope addition will include coordination services for the procurement of a BOT contractor as well as evaluation of value engineering concepts presented by the chosen Contractor.

ADD SECTION No. 4.a WITH THE FOLLOWING:

Change in Construction Administration Length of Time (\$244,000)

The length of the construction contract shall be 22 months.

Additionally, the BOT procurement method requires a greater level of engineer engagement during administration of construction activities.

Change in Construction Inspection Rate (\$210,000)

The Hourly fee including all per diems, mileage and expenses shall be \$120 per hour with a Not-to-Exceed Fee of \$430,000. This is based on 20 months of activity.

Scheduling

Task	Start*	Finish*
Compile and Review Existing Data & Reports	January 2022	March 2022
Complete Design Memo	March 2022	March 2023
Design	December 2023	March 2024
Permits	March 2024	May 2025
Bidding or Negotiating	January 2024	April 2024
Construction (22 Months)	May 2024	May 2026
Post-Construction	May 2026	July 2026

Total Lump Sum Fee for items listed above as indicated below:

Task	Previous Fee	Change (Δ)	New Fee
Design Memo Report	\$15,000 LSum	N/A	\$15,000 LSum
Design Phase	\$590,000 LSum	+\$404,500	\$996,500 LSum
Bidding Phase - VE	\$20,000 LSum	+\$45,000	\$50,000 LSum
Construction Administration Phase (22 mos)	\$140,000 LSum	+\$244,000	\$384,000 LSum
Construction Observation Services (20 mos)	\$220,000 Hourly	+\$210,000	\$430,000 Hourly
Total	\$985,000	+\$903,500	\$1,875,500

All other parts of the Engineering Agreement are unchanged and remain in force.

IN WITNESS WHEREOF, the parties hereunto have caused this Modification No. 1 to be executed, as of the date and year first above written, by affixing the signature of the duly authorized officer of **ms consultants, inc.** and by the **Town of Whitestown, IN.**

Client: **Town of Whitestown, IN**

Consultant: **ms consultants, inc**

Signature

Signature

Printed Name

Printed Name

Title

Title

Signature

Signature

Printed Name

Printed Name

Title

Title