

AMENDMENT NUMBER 3
TO STANDARD AGREEMENT FOR PROFESSIONAL SERVICES

THIS Amendment (the "Amendment") is made by the City of Peoria, whose address is 419 Fulton, Peoria, IL 61602 hereinafter called the **CITY** and Foth Infrastructure & Environment, LLC., Consulting Engineers, 2314 West Altorfer Drive, Peoria, IL 61615, hereinafter called the **ENGINEER**, parties to the **Agreement** (the "Agreement") dated April 24, 2012.

The Agreement is hereby amended as follows:



SERVICES included under this Amendment (Management of the Private Property Drainage Assistance Program, the Annual Drainage Repair Program and the NPDES Clean Water/MS4 Program) shall be performed under the supervision of an Illinois Professional **ENGINEER** and be sealed by that person.

The **ENGINEER** agrees to provide the above described **SERVICES** and the **CITY** agrees to compensate the **ENGINEER** for these **SERVICES** on a time and expense basis in accordance with the attached Schedule of Hourly Charges. Reimbursable direct expenses and sub-engineer services performed by another firm will be invoiced at cost. Hours in excess of 8 hours per day or 40 hours per week will only be compensated at the attached Schedule of Hourly Charges there will be no premium hourly charges awarded. 2012 Hourly rates, as included in the original agreement, shall be used for the work in 2015.

This Amendment shall remain in effect until December 31, 2015. The total fee of all projects completed under this Amendment shall not exceed TWO HUNDRED AND SEVENTY FIVE THOUSAND DOLLARS (\$275,000). The **CITY** retains the option to extend the time of the Amendment and/or increase the fee limit with City Council approval. The **CITY** and the **ENGINEER** each binds himself, his partners, successors, executors, administrators and assignees to each other party hereto in respect to all the covenants and Amendments herein and, except as above, neither the **CITY** nor the **ENGINEER** shall assign, sublet or transfer any part of his interest in the AGREEMENT or this Amendment without the written consent of the other party hereto. This Amendment, and its construction, validity and performance, shall be governed and construed in accordance with the laws of the State of Illinois. This Amendment is in the best interest of the City of Peoria and authorized by 720 ILCS 5/33E-9.

Except as set forth in this Amendment, the Agreement is unaffected and shall continue in full force and effect in accordance with its terms. If there is conflict between this Amendment and the Agreement or any earlier amendment, the terms of this Amendment will prevail.

IN WITNESS WHEREOF, the parties hereto have affixed their hands and seals this ____ day of ____, 2014.

Executed by ENGINEER:	
Attest: 	By: 
<i>Daniel Baczkowski</i>	KEITH SUMMERS,
Title: <i>Client Team Leader</i>	Title: <i>CLIENT DIRECTOR</i>

Executed by CITY:		City of Peoria, Illinois
Attest:		Reviewed and Approved:
By:		By:
Beth Ball		Patrick Urich
Title: City Clerk		Title: City Manager
		By:
		Donald Leist
		Title: Corporation Counsel
		By:
		Michael T. Rogers
		Title: Director of Public Works

Exhibit A
2012 Hourly Rates
Foth Infrastructure & Environment, LLC

Staff	Hourly Rate
Project Manager / Senior Engineer <i>Andrea Klopfenstein</i> <i>John Dabrowski</i> <i>Jim Schmudde</i>	\$ 135.00
Project Engineer <i>Simon Alwan</i> <i>Emily Ambroso</i> <i>Matt Moffitt</i>	\$ 115.00
Staff Engineer <i>Others as needed</i>	\$ 95.00
Principal <i>Pat Sloan</i>	\$ 160.00
Senior Technician	\$ 100.00
Project Technician	\$ 90.00
Staff Technician	\$ 80.00
Environmental Technician	\$ 65.00
Survey Chief	\$ 95.00
Survey Assistant	\$ 65.00
Administrative	\$ 60.00
Clerical	\$ 50.00

Rates effective January 1, 2012, unless otherwise noted.
Rates include direct wages paid to Foth Members plus payroll taxes, FICA,
Worker's Compensation insurance, other customary and mandatory benefits,
and overhead and profit. All project-related expenses and subconsultants will
be billed according to the sheet on the following page.

2012 Standard Resource Charges*

Item	Cost basis	Std charge
Computer Usage⁽¹⁾		
AutoCAD/Intergraph	Cost/Usage	\$15.00/hr
High End Software	Cost/Usage	\$15.00 - 30.00/hr
Standard Office/Communication Expenses⁽²⁾		
Photocopies, Fax, Phone, Scans, Postage	Equipment/Material	1.5% of labor
Travel		
Automobile Travel	Mileage	IRS Rate ⁽³⁾
Public Transportation		Cost + 15%
Subsistence and Lodging		Cost + 15%
Survey Vehicles	Mileage	\$0.72/mi ⁽⁴⁾
Off Road Vehicle Usage	Day	\$50.00
CADD Plotting/Drawing Reproduction		
Bond (black & white)	Equipment/Labor/Material	\$0.35/sq ft
Bond (color)	Equipment/Labor/Material	\$1.25/sq ft
Equipment		
Special equipment rates quoted on an individual basis, if requested.		
Subconsultants WBE/DBE/MBE		Cost ⁽⁵⁾
Outside Printing Costs		Cost ⁽⁵⁾
Specialty Mailing Services		Cost ⁽⁵⁾
Miscellaneous		Cost ⁽⁵⁾

Notes: The cost of specific technical equipment and employee travel expenses needed on projects is in addition to the above hourly rates. This list is not all inclusive but represents the most common resource charges applied to Foth projects.

(1) Computer Usage fee is designed to cover the following: 1) maintaining computer systems and software and other technology.

(2) Communication fee is designed to cover Foth's costs for the following: 1) all telephone and long distance charges, except for extended long distance calls or conference calls; 2) all charges associated with facsimile sending and receiving; 3) all standard postal and shipping charges, except express mail; and 4) all normal copying and other reproduction costs, except for major or outside reproduction costs.

(3) Mileage rates are subject to change based on Federal Government Standards.

(4) Mileage rates are subject to change based on economic conditions.

(5) If requested, Foth shall procure and coordinate the services of independent laboratories, subconsultants, drilling contractor, etc. The cost of the independent services shall be passed on directly to the owner.



Millennia Professional Services
Billing and Average Hourly Rates by Classification
 as of 1/12/2012

Classification	2012 Individual Billing Rate	2012 Average Hourly Rate
President		\$55.90
+ Paul J Moreno, PE	\$ 55.90	
Vice President		\$55.90
+ Ramon Dela Cruz, PE	\$ 55.90	
Project Manager		\$48.13
+ Paul Moreno, PE	\$ 50.70	
+ Ramon Dela Cruz, PE	\$ 50.70	
Dan Evans, PLS	\$ 43.00	
Resident Engineer		\$50.70
+ Paul J Moreno, PE	\$ 50.70	
Project Engineer		\$41.00
+ Thomas Ngo, PE	\$ 41.00	
Director of Surveying		\$45.00
Lance Vinsel, PLS	\$ 45.00	
Engineer III		\$30.50
Carmen Dean, PE	\$ 30.50	
Engineer II		\$27.50
Angela Burks, EIT	\$ 27.50	
Engineer I		\$24.00
Jeffrey Hall, EIT	\$ 24.00	
Technician IV		\$31.00
Rod Weaver	\$ 34.00	
Chad Breedlove	\$ 29.50	
Phillip Todd Keefauver	\$ 29.50	
Technician III		\$26.00
Adam Stambaugh	\$ 26.00	
Technician II		\$23.25
Dave Joos	\$ 23.50	
Justin Malec	\$ 23.00	
Technician I		\$21.18
Jeff Garrison	\$ 22.50	
Sofia Blanco	\$ 22.00	
Derek Huffman	\$ 21.00	
* Jose Olague	\$ 20.39	
Joseph Pham	\$ 20.00	
Administrator		\$19.00
Sofia Blanco	\$ 22.00	
Denise Turner	\$ 16.00	
Intern		\$8.51
* Cole Janssen	\$ 9.27	
* Timothy Cowell	\$ 8.62	
* Aaron Peterson	\$ 8.25	
* Eric Calmer	\$ 7.88	

* Reduced Benefit Employees with no health, holiday or sick benefits. Hourly Rate shown has been adjusted to reflect this by burden reduction multiplier (7.91 percent of pay rate) issued by Bureau of Design & Environment.

+ Denotes Owner/Principal

Note: Raises are given annually on or around February 1st.

The multiplier to be used for this project is 2.5



MILLENNIA PROFESSIONAL SERVICES

Millennia Direct Costs – Effective 7/1/2009

Per Diem	Up to State Rate Maximum
Lodging (Overnight)	Up to State Rate Maximum
Lodging (Extended)	Actual Cost (based on IDOT's and firm's policy)
Air Fare Coach Rate (with two weeks' notice)	As Approved
Vehicles:	
Mileage	Up to State Rate Maximum
Daily Rate (owned or leased)	\$45/day
Overtime	(Premium Portion)
Tolls	Actual Cost
Digital Photo Processing	Actual Cost
Photo Processing	Actual Cost
Cell Phones – (traffic systems, survey, phase III only)	\$70/month/phone (maximum) – Phase III (max. of three without IDOT approval)
Telephone Usage (traffic system monitoring)	Actual Cost
2-Way Radio (survey or phase III only)	Actual Cost
Overnight Delivery/Postage/Courier Service	Actual Cost
Copies of Deliverables/Mylars (in-house)	Actual Cost
Copies of Deliverables/Mylars (outside)	Actual Cost
Specific Insurance (required for project)	Actual Cost
CADD	Actual Cost (max. \$15.00/hour)
Monuments (permanent)	Actual Cost
Advertisements	Actual Cost
Web Site	Actual Cost
Facility Rental for Public Meetings & Exhibits/Renderings & AV	Actual Cost
Transcriptions (specific to project)	Actual Cost
Recording Fees	Actual Cost
Courthouse Fees	Actual Cost
Testing of Soil Samples	Actual Cost
Lab Services	Actual Cost
Storm Sewer Cleaning and Televising	Actual Cost (2-3 quotes will be provided)
Traffic Control and Protection	Actual Cost (2-3 quotes will be provided)
Aerial Photography and Mapping	Actual Cost (2-3 quotes will be provided)
Utility Exploratory Trenching	Actual Cost (2-3 quotes will be provided)
Shift Differential	Actual Cost (based on firm's policy)
PROJECT Site Travel	Actual Cost (based on IDOT's and firm's policy)