



STATE OF MICHIGAN

DEPARTMENT OF TRANSPORTATION

LANSING

JENNIFER M. GRANHOLM  
GOVERNOR

KIRK T. STEUDLE  
DIRECTOR

June 25, 2008

Mr. Kim Murphey  
City of Rochester Hills  
1000 Rochester Hills Drive  
Rochester Hills, Michigan 48309-3033

Dear Mr. Murphey:

STU 63459, 35908B, STP 0763( 098), RR 6055  
MDOT Third Party Agreement No. 07-5580/S1/A1  
HAMLIN ROAD - CROOKS ROAD TO LIVERNOIS ROAD

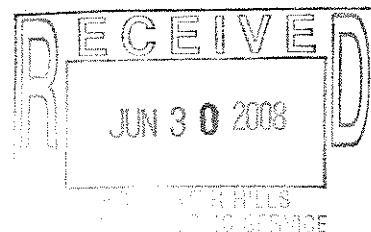
The Local Agency Programs Unit of the Michigan Department of Transportation approved the subject Amendment #1 to the agreement on June 23, 2008. Enclosed are three copies of the said agreement to be executed by the City of Rochester Hills.

Please enter the date of execution in the indicated spaces on Page 1 of the agreement and return one copy of the agreement to the Local Agency Programs Unit. Please be sure the title and signature lines are completed on these forms.

Sincerely,

Brent Schriner, P.E.  
Urban Staff Engineer  
Local Agency Programs

Enclosures



# SUBCONTRACT APPROVAL

DISTRIBUTION: WHITE - Approval Process      CANARY - Requester

CONTRACT NUMBER

07-5580/S1/A1

## MDOT

BUREAU Highway Development	DIVISION Design	ORG. CODE
BUREAU CONTACT PERSON Brent M. Schrinier, P.E.		PHONE NO. (517) 241-2911

## PRIME CONTRACT

PRIME CONTRACTOR  
City of Rochester Hills

### PURPOSE OF PRIME CONTRACT

Amendment #1 to 3rd Party Agreement for ROW Phase for widening Hamlin Road from Crooks Rd to Livernois Rd

STU 63459-35908B

TERM OF PRIME CONTRACT BEGINNING DATE: 08/20/07      ENDING DATE: 11/20/08	AMOUNT OF PRIME CONTRACT \$ 3,700,000.00
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## SUBCONTRACT

SUBCONTRACTOR Hubbell, Roth, & Clark, Inc.	ARE THERE PREVIOUS SUBCONTRACTS WITH THIS PRIME?  <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO  (If Yes, list Subcontract number, Contractor and amount on attached sheets.)
PURPOSE OF SUBCONTRACT ROW Acquisition	

TERM OF SUB CONTRACT BEGINNING DATE: 10/12/07      ENDING DATE: 11/20/08	AMOUNT OF SUBCONTRACT \$ 199,856.00
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## REQUESTER

REQUIRED APPROVAL DATE asap	REASON FOR REQUIRED APPROVAL DATE amendment to revise original authorization due to original 3rd party contract error
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I have reviewed the terms of the subcontract and am satisfied that it complies with all the terms and conditions of the prime contract.

CONTRACT ADMINISTRATOR (Signature) <i>William Stonebrook</i>	PHONE # 3-2281	DATE 6-19-08
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## REVIEW COMPLETED

COMMISSION AUDIT (Signature) <i>Deirda S. Shepard</i>	DATE 6/20/08
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## APPROVED

DEPUTY DIRECTOR - BUREAU OF FINANCE (Signature) <i>[Signature]</i>	DATE 6/23/08
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NEED:  FHWA       FAA       OTHER: \_\_\_\_\_

SUBCONTRACT NO. 07-5580/51/H1  
CONTROL SECTION NO. STU 63459  
JOB NO. 35908B  
FEDERAL PROJECT NO. STP 0763(098)  
FEDERAL ITEM NO. RR 6053  
Job No. 20070594

FIRST AMENDMENT TO  
RIGHT OF WAY SERVICES CONTRACT  
A SURFACE TRANSPORTATION PROGRAM CATEGORY C PROJECT

CITY OF ROCHESTER HILLS – HUBBELL, ROTH & CLARK, INC.

MDOT Job No. 35908B

This agreement made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2008 by and between Hubbell, Roth & Clark, Inc., a Michigan Corporation, hereinafter referred to as the CONSULTANT, and the City of Rochester Hills, hereinafter referred to as the CITY, provides as follows:

WHEREAS, the CONSULTANT and the CITY, entered into an Agreement dated October 12, 2007 (“the Agreement”) for the performance of certain Right of Way Acquisition Services and other related work required in connection with the reconstruction of Hamlin Road, Crooks to Livernois, hereinafter called the PROJECT; and

WHEREAS, the Agreement had been prepared based on erroneous Exhibit A for the CONSULTANT that included the sub consultant costs as a deduction from the CONSULTANT’S fee and should have been an addition to the CONSULTANT’S COST; and

WHEREAS, the parties hereto intend to rectify this error and amend the Agreement to incorporate the additional costs that were omitted from the total costs.

NOW, THEREFORE, it is agreed between the parties to amend the Agreement as follows:

1. In addition to the costs set forth in the Agreement, the agreement will be amended by seventy four thousand, nine hundred nine dollars and ninety nine cents (\$74,909.99) as set forth in the First Amendment Exhibit A.
2. MAXIMUM AGREEMENT AMOUNT PAYABLE

The Agreement is amended to provide that the maximum amount payable is increased by seventy four thousand nine hundred nine dollars and ninety nine cents (\$74,909.99) to a maximum amount for both the Agreement and First Amendment of one hundred ninety nine thousand eight hundred fifty five dollars and ninety nine cents (\$199,855.99), as set forth in the First Amendment, Exhibit B.

3. CONTINUATION OF REMANING PROVISIONS

Except as specifically set forth herein all terms and provisions of the Agreement and attachments and exhibits remain as originally set forth thereon.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals by their duly authorized agents and representatives the day and year first above written.

HUBBELL, ROTH & CLARK, INC.

By Walter H. Almy

Its Vice Pres.

CITY OF ROCHESTER HILLS

By \_\_\_\_\_

Its \_\_\_\_\_

**DERIVATION OF COST PROPOSAL**

**Exhibit A - Prime**

Control Section 63459 , Job Number

Project Description: Hamlin Rd., Crooks to East of Livernois

**Consultant Name: Hubbell, Roth and Clark, Inc.**

**DIRECT LABOR**

Classification (Name)	Person Hours	X	Hourly Rate	=	Labor Costs
James Isaacs, Senior Project Surveyor	300.50		\$ 42.75		\$ 12,846.38
James Aiello, Senior Project Engineer	227.50		\$ 40.00		\$ 9,100.00
Jennifer Wichman, Construction Office Tech	84.50		\$ 19.75		\$ 1,668.88
John Hinton, Senior Construction Observer	54.50		\$ 24.50		\$ 1,335.25
Rob DuPrie, Senior Construction Observer	57.50		\$ 26.15		\$ 1,503.63
	Total Hours		<u>724.50</u>	Total Labor	<u>\$ 26,454.13</u>

**OVERHEAD**

Total Labor	\$ 26,454.13	X	<u>153.54%</u>	= \$ 40,617.66	Total Labor	<u>\$ 40,617.66</u>
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**DIRECT EXPENSES**

No Direct Expenses				Total Direct Costs	<u>\$0.00</u>
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**COST OF MONEY**

Total Labor	\$ 26,454.13	X	1.74%	= \$ 460.30	Total Cost of Money	<u>\$ 460.30</u>
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**FIXED FEE**

(Total Labor	+	Total Overhead)		11% Total Fixed Fee	
\$ 26,454.13	+	\$ 40,617.66	X		<u>\$ 7,377.90</u>

TOTAL COSTS \$ 74,909.99

FIRST AMENDMENT to  
RIGHT OF WAY SERVICES CONTRACT 35908B  
EXHIBIT B  
Hamlin Road, Crooks to Livernois

City of Rochester Hills – Hubbell, Roth & Clark, Inc.

AMENDED PROJECT COST SUMMARY EXHIBIT

	<u>Total Not-to-Exceed Fee</u>	<u>Fixed Fee</u>
Original Right of Way Services Contract	\$124,946.00	\$4,928.06
First Amendment	\$74,908.99	\$7,377.90
AMENDED TOTAL AGREEMENT	\$199,855.99	\$12,305.96