

**SANTA FE SOLID WASTE MANAGEMENT AGENCY
AMENDMENT No. 7
PROFESSIONAL SERVICES AGREEMENT
CDM SMITH INC.
(On-Call Engineering Services - 2016)**

This AMENDMENT No. 7 (the "Amendment") to the PROFESSIONAL SERVICES AGREEMENT, dated October 20, 2016 (the "Agreement"), is made and entered between the Santa Fe Solid Waste Management Agency ("Agency") and CDM Smith Inc. ("Contractor"). The Amendment shall be effective as of the date this Amendment is executed by the Agency.

RECITALS

Under the terms of the Agreement, Contractor has agreed to provide on-call engineering services (RFP No. '16/35/P).

Pursuant to Article 18, Amendment of the Agreement, and for good and valuable consideration, the receipt and sufficiency of which are acknowledged by the parties, the Agency and Contractor agree as follows:

1. SCOPE OF SERVICES

Article 1, Scope of Services of the Agreement is hereby amended to include additional compensation for topographic survey using ground survey rather than a drone survey and to increase the survey limits by 6.6 acres for the unlined portion of former Cell 6A Wedge (now part of Cell 6 B) required for Task 7 – Landfill Cell 6B Design and Task 8 – Landfill Cell 6B Construction Quality Assurance at the Caja del Rio Landfill as described in Exhibit A attached hereto.

2. COMPENSATION

Article 3, Compensation of the Agreement is hereby amended to increase the amount of compensation by a total of One Thousand Two Hundred Eleven Dollars and No Cents

(\$1,211.00) so that Article 3 reads in its entirety as follows:

A. The Agency shall pay to Contractor in full payment for services rendered, a sum not to exceed Five Hundred Ninety-Three Thousand Six Hundred Seventy-Six Dollars and No Cents (\$593,676.00), including applicable gross receipts taxes pursuant to the cost estimate as contained in Exhibit A.

| DESCRIPTION | AMOUNT |
|-------------------|--------------|
| ORIGINAL CONTRACT | \$242,465.00 |
| AMENDMENT NO. 1 | \$38,383.00 |
| AMENDMENT NO. 2 | \$0.00 |
| AMENDMENT NO. 3 | \$74,227.00 |
| AMENDMENT NO. 4 | \$0.00 |
| AMENDMENT NO. 5 | \$4,100.00 |
| AMENDMENT NO. 6 | \$233,290.00 |
| AMENDMENT NO. 7 | \$1,211.00 |
| CONTRACT TO DATE | \$593,676.00 |

B. Contractor shall be responsible for payment of gross receipts taxes by the State of New Mexico on the sums payable under this Agreement.

C. Payment shall be made upon receipt and approval by the Agency of reasonably detailed invoices describing the services performed. Invoices shall be rendered not more than once each month. Compensation shall be paid only for services performed.

D. Detailed invoices containing reimbursement expenses shall be itemized.

3. AGREEMENT IN FULL FORCE

Except as specifically provided in this Amendment, the Agreement remains and shall remain in full force and effect, in accordance with its terms.

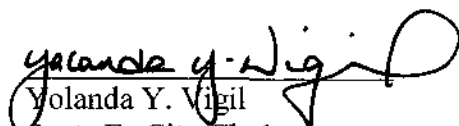
IN WITNESS WHEREOF, the parties have executed this AMENDMENT No. 7 to the Santa Fe Solid Waste Management Agency Professional Services Agreement as of the dates set forth below.

SANTA FE SOLID WASTE MANAGEMENT AGENCY:


Renee Villarreal
Chair, Joint Powers Board

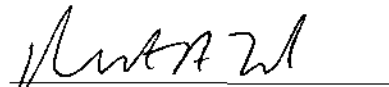
5-30-19
Date:

ATTEST:


Yolanda Y. Vigil
Santa Fe City Clerk

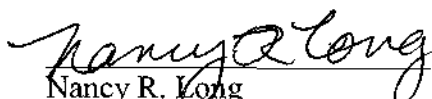
6-21-19
Date *dlw*

CONTRACTOR:


Robert A. Fowlie
Client Services Leader
CDM Smith Inc.

6-3-19
Date

APPROVED AS TO FORM:


Nancy R. Long
Agency Attorney

5-30-19
Date:



6001 Indian School Road NE, Suite 310
Albuquerque, New Mexico 87110
tel: 505-243-3200
fax: 505-243-2700

May 15, 2019

Mr. Randall Kippenbrock, P.E.
Executive Director
Santa Fe Solid Waste Management Agency
149 Wildlife Way
Santa Fe, New Mexico 87506-8342

Subject: Santa Fe Solid Waste Management Agency, On-Call Engineering Services Contract
Task 7 – Landfill Cell 6B Design and Task 8 – Landfill Cell 6B Construction Quality
Assurance (CQA); Amendment #7 Request for Additional Compensation for Topographic
Survey

Dear Mr. Kippenbrock:

CDM Smith Inc. (CDM Smith) is pleased to provide the Santa Fe Solid Waste Management Agency (SFSWMA) with this Request for Additional Compensation for the Topographic Survey required for Task 7 – Landfill Cell 6B Design and Task 8 – Landfill Cell 6B Construction Quality Assurance (CQA) constituting Amendment #7 to the On-Call Engineering Services Contract

**Request for Additional Compensation for the Topographic Survey required for
Task 7 – Landfill Cell 6B Design and Task 8 – Landfill Cell 6B CQA**

The topographic survey was originally scheduled to be performed by our subcontractor, Volo Pervidi, LLC (Volo) using drone technology, on or about December 28th, 2018. Due to weather issues (snow storms) the survey was postponed several weeks, at which point SFSWMA recommended that we proceed with a ground survey rather than a drone survey. CDM Smith contacted Volo for an update to their fee for (1) performance of a ground survey rather than a drone survey; and (2) to increase the survey limits by about 6.6 acres to encompass the unlined portion of former Cell 6A (considered part of the Cell 6B project). The field work was performed by Volo on January 22nd, 2019 (with follow-up visits); and final delivery of the survey data was completed on February 5th, 2019.

Cost Proposal

SFSWMA was notified via email on January 16th, 2019 of the fee increase and schedule and provided CDM Smith with notice to proceed. The survey fee increased by \$1,211 including NMGRIT at the July 1, 2018 rate of 7.875% (\$1,122 excluding NMGRIT), bringing the total survey fee to \$7,144 including NMGRIT. The updated Cost Proposal for the Proposal for Task 7 – Landfill Cell 6B Design and Task 8 – Landfill Cell 6B CQA is provided as **Attachment A**.





Mr. Randall Kippenbrock, P.E.
May 15, 2019
Page 2

Compensation to the increased upper limit is requested consistent with the terms and conditions of the 2016 On-Call Engineering Services Contract. The basis of payment will be a not-to-exceed billing rate basis, using the billing rates shown in the Fee Estimate.

We appreciate your review of this Request. Please feel free to contact us via phone (505.353.3713) or via email (tucholke@cdmsmith.com) if you have any questions or comments.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dacia Tucholke".

Dacia Tucholke
Project Manager
CDM Smith Inc.

A handwritten signature in cursive script, appearing to read "Robert A. Fowlie".

Robert A. Fowlie, P.E., BCEE
Client Services Leader
CDM Smith Inc.

Attachments:

A Cost Proposal

cc: File

COST PROPOSAL
Proposal for Task 7 – Landfill Cell 6B Design and Task 8 – Landfill Cell 6B Construction Quality Assurance (CQA)
SFSWMA On-Call Engineering Services Contract

| Title: Name: | | | | | | | | | | | | Total Hours | Labor Subtotal | ODCs | | SUBCONTRACTORS | | TOTALS | | |
|---|------------------|--------------------------|-----------|-------------|-----------|-----------|----------------|-------------------|----------|--------------------|--------------|---------------|----------------|------------------------|---------------------------|----------------|-------------|---------------|--|--|
| | Contract Officer | Sr. Technical Consultant | Prof V | Prof V (PM) | Prof VII | Prof IV | Prof II | Designer/ Drafter | Clerical | Sr. Contract Admin | ODC Subtotal | | | Subcontractor Subtotal | Subcontractor With Markup | SUBTOTAL | NMGR | TOTAL By TASK | | |
| | Fowlie | Gabel | McHugh | Tucholke | Stalnaker | Smith | Williams/ Reed | Doak | Fitch | Milodovskaia | | | | | | | | | | |
| Contract Billing Rate: | \$ 230.00 | \$ 240.00 | \$ 165.00 | \$ 165.00 | \$ 200.00 | \$ 150.00 | \$ 120.00 | \$ 140.00 | \$ 85.00 | \$ 120.00 | | | | | 10% | | 7.875% | | | |
| | | | | | | | | | | | | | | | | | | | | |
| Subtask 7.1 - Project Management | | | | | | | | | | | | | | | | | | | | |
| Project Kickoff Meeting | 2 | | | 12 | | | 16 | | | | 30 | \$ 4,360.00 | \$ - | \$ - | \$ - | \$ 4,360.00 | \$ 343.35 | \$ 4,703.35 | | |
| Project Management and Administration | 8 | 4 | | 52 | | | | | 8 | 24 | 96 | \$ 14,940.00 | \$ 323.00 | \$ - | \$ - | \$ 15,263.00 | \$ 1,201.96 | \$ 16,464.96 | | |
| Task Subtotals | 10 | 4 | 0 | 64 | 0 | 0 | 16 | 0 | 8 | 24 | 126 | \$ 19,300.00 | \$ 323.00 | \$ - | \$ - | \$ 19,623.00 | \$ 1,545.31 | \$ 21,168.31 | | |
| Subtask 7.2 - Preparation of Construction Documents | | | | | | | | | | | | | | | | | | | | |
| Cell 6B Survey | | | | 2 | | | 8 | 8 | | | 18 | \$ 2,410.00 | \$ - | \$ 6,020.00 | \$ 6,622.00 | \$ 9,032.00 | \$ 711.27 | \$ 9,743.27 | | |
| Construction Plan Preparation | 2 | 8 | | 8 | | | 70 | 100 | 4 | | 192 | \$ 26,440.00 | \$ 50.00 | \$ - | \$ - | \$ 26,490.00 | \$ 2,086.09 | \$ 28,576.09 | | |
| Contract Documents and Technical Specifications | 2 | 8 | | 8 | | 50 | 36 | 12 | 16 | | 132 | \$ 18,560.00 | \$ 750.00 | \$ - | \$ - | \$ 19,310.00 | \$ 1,520.66 | \$ 20,830.66 | | |
| Review Meetings (2) | | 4 | | 8 | | | 8 | | 4 | | 24 | \$ 3,580.00 | \$ 197.00 | \$ - | \$ - | \$ 3,777.00 | \$ 297.44 | \$ 4,074.44 | | |
| Opinion of Probable Cost Estimates | | 2 | | 4 | 14 | | 8 | | | | 28 | \$ 4,900.00 | \$ 5.00 | | \$ - | \$ 4,905.00 | \$ 386.27 | \$ 5,291.27 | | |
| Task Subtotals | 4 | 22 | 0 | 30 | 14 | 50 | 130 | 120 | 24 | 0 | 394 | \$ 55,890.00 | \$ 1,002.00 | \$ 6,020.00 | \$ 6,622.00 | \$ 63,514.00 | \$ 5,001.73 | \$ 68,515.73 | | |
| Subtask 7.3- Bidding Services | | | | | | | | | | | | | | | | | | | | |
| Pre-bid Meeting | | 2 | | 8 | | | 14 | | 2 | | 26 | \$ 3,650.00 | \$ 83.00 | \$ - | \$ - | \$ 3,733.00 | \$ 293.97 | \$ 4,026.97 | | |
| Services During Bidding | | 4 | | 16 | | | 36 | | 16 | | 72 | \$ 9,280.00 | \$ 260.00 | \$ - | \$ - | \$ 9,540.00 | \$ 751.28 | \$ 10,291.28 | | |
| Major Milestone Schedule | | 2 | | 2 | | | 4 | | 2 | | 10 | \$ 1,460.00 | \$ 1.00 | \$ - | \$ - | \$ 1,461.00 | \$ 115.05 | \$ 1,576.05 | | |
| Task Subtotals | 0 | 8 | 0 | 26 | 0 | 0 | 54 | 0 | 20 | 0 | 108 | \$ 14,390.00 | \$ 344.00 | \$ - | \$ - | \$ 14,734.00 | \$ 1,160.30 | \$ 15,894.30 | | |
| Subtask 8.1 - Services During Construction | | | | | | | | | | | | | | | | | | | | |
| Contract Document Conformance | | | | | | | 24 | 8 | 8 | | 40 | \$ 4,680.00 | \$ 250.00 | \$ - | \$ - | \$ 4,930.00 | \$ 388.24 | \$ 5,318.24 | | |
| Pre-Construction Meeting | | | | 6 | | | 16 | | | | 22 | \$ 2,910.00 | \$ 83.00 | \$ - | \$ - | \$ 2,993.00 | \$ 235.70 | \$ 3,228.70 | | |
| Reviews: Submittals, RFIs, COs, Pay Apps | 2 | 6 | | 2 | | | 80 | 8 | 4 | | 102 | \$ 13,290.00 | \$ 10.00 | \$ - | \$ - | \$ 13,300.00 | \$ 1,047.38 | \$ 14,347.38 | | |
| Progress Meetings (4) | | 2 | | 8 | | | 24 | | | | 34 | \$ 4,680.00 | \$ 294.00 | \$ - | \$ - | \$ 4,974.00 | \$ 391.70 | \$ 5,365.70 | | |
| Site Visits (4) | | 2 | | 4 | | | 24 | | | | 30 | \$ 4,020.00 | \$ 294.00 | \$ - | \$ - | \$ 4,314.00 | \$ 339.73 | \$ 4,653.73 | | |
| Site Walkthroughs (2) | | 2 | | 4 | | | 16 | | | | 22 | \$ 3,060.00 | \$ 147.00 | \$ - | \$ - | \$ 3,207.00 | \$ 252.55 | \$ 3,459.55 | | |
| Subgrade/Drainage Material CQA | | 2 | | 4 | | | 32 | | | | 38 | \$ 4,980.00 | \$ 420.00 | \$ - | \$ - | \$ 5,400.00 | \$ 425.25 | \$ 5,825.25 | | |
| Liner/Leachate System CQA | | 2 | 40 | 4 | | | 358 | | | | 404 | \$ 50,700.00 | \$ 8,653.00 | \$ - | \$ - | \$ 59,353.00 | \$ 4,674.05 | \$ 64,027.05 | | |
| Task Subtotals | 2 | 16 | 40 | 32 | 0 | 0 | 574 | 16 | 12 | 0 | 692 | \$ 88,320.00 | \$ 10,151.00 | \$ - | \$ - | \$ 98,471.00 | \$ 7,754.59 | \$ 106,225.59 | | |
| Subtask 8.2 - Engineering Certification Report | | | | | | | | | | | | | | | | | | | | |
| CQA Report | | | | 4 | | | 80 | 32 | 16 | | 132 | \$ 16,100.00 | \$ 300.00 | \$ - | \$ - | \$ 16,400.00 | \$ 1,291.50 | \$ 17,691.50 | | |
| QA/QC | 4 | 10 | | 8 | | | | | | | 22 | \$ 4,640.00 | \$ - | \$ - | \$ - | \$ 4,640.00 | \$ 365.40 | \$ 5,005.40 | | |
| Task Subtotals | 4 | 10 | 0 | 12 | 0 | 0 | 80 | 32 | 16 | 0 | 154 | \$ 20,740.00 | \$ 300.00 | \$ - | \$ - | \$ 21,040.00 | \$ 1,656.90 | \$ 22,696.90 | | |
| Project Totals | 20 | 60 | 40 | 164 | 14 | 50 | 854 | 168 | 80 | 24 | 1474 | \$ 198,640.00 | \$ 12,120.00 | \$ 6,020.00 | \$ 6,622.00 | \$ 217,382 | \$ 17,119 | \$ 234,501 | | |