

**AMENDMENT NO. 2 TO THE CONTRACT**  
BETWEEN CITY OF RACINE (MUNICIPALITY),  
THE WISCONSIN DEPARTMENT OF TRANSPORTATION  
AND BAXTER & WOODMAN, INC. (CONSULTANT) FOR

*Project ID 2703-08-01  
South Memorial Drive  
Durand Avenue to 17<sup>th</sup> Street  
Local Street  
Racine County*

The contract made and entered into by and between the MUNICIPALITY, DEPARTMENT and CONSULTANT, dated August 6, 2024, is hereby amended as set forth on the following pages.

The primary reason(s) for this amendment:

*Project scope changed by the DEPARTMENT by requiring addendum to the PSE bid documents for inclusion of a revised special provision and requested plan updates for a previously unknown differing Hazardous Materials study results; and changes to pay items and special provisions resulting from unexpected procurement issue for traffic signal transformer bases (T-bases).*

The contract completion date of August 1, 2026 remains the same (no change). ✓

Compensation for all SERVICES provided by the CONSULTANT under the terms of the CONTRACT for project ID 2703-08-01 is amended as follows: Actual cost to the CONSULTANT up to \$234,781.16 (an increase of \$7,739.51) plus a fixed fee of \$17,998.60 (an increase of \$585.33) not to exceed \$252,779.76 (an increase of \$8,324.84) in total. ✓

Compensation for all SERVICES provided by the CONSULTANT under the terms of the CONTRACT shall be for an amount not to exceed \$ 278,824.38 (an increase of \$8,324.84). ✓

The DEPARTMENT REPRESENTATIVE is: *Michael Baird, PE; Local Program Project Manager; WisDOT DTSD, SE Region, 141 NW Barstow Street, PO Box 798, Waukesha, WI 53187-0798; Michael.Baird@dot.wi.gov; Office (262) 548-5918.*

The MUNICIPALITY REPRESENTATIVE is: *Ara Molitor, PE; City Engineer; City Hall, 730 Washington Ave., Racine, WI 53403; ara.molitor@cityofracine.org; (262) 636-9121*

The CONSULTANT REPRESENTATIVE is: *David Hemmerich, PE; Associate Vice President; Baxter & Woodman, Inc., 256 S. Pine Street, Burlington, WI 53105; dhemmerich@baxterwoodman.com; (815) 444-3207.*

In witness whereof, the parties hereto have caused this amendment to be executed and approved on the date signed by their authorized officers or representatives.

For the CONSULTANT

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

For the DEPARTMENT

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

For the MUNICIPALITY

By: \_\_\_\_\_

Cory Mason

Title: Mayor \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Kathleen Fischer

Title: Financial Director \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Tara McMenamin

Title: City Clerk \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Scott Letteney

Title: City Attorney \_\_\_\_\_

Date: \_\_\_\_\_

## **THREE PARTY AMENDEDED SPECIAL PROVISIONS**

The following special provisions amend the contract special provisions for change in scope for required addendum to the PSE bid documents for inclusion of a revised special provision and requested plan updates for a previously unknown differing Hazardous Materials study results; and changes to pay items and special provisions resulting from unexpected procurement issue for traffic signal transformer bases (T-bases).

### **VI. SPECIAL PROVISIONS**

#### ***AMENDED SCOPE OF SERVICES***

#### **B. ENVIRONMENTAL DOCUMENTATION**

Add the following to Article (4) of this section:

- (h) Revise plans sheets with areas of petroleum contamination identified by the DEPARTMENT's Phase 2.5 Haz Mat report after project advertisement with a different hatch pattern and identification information. It is anticipated that one (1) Plan sheet needs to be revised and one (1) plan sheet needs to be added to show all areas.
- (i) Re-develop estimated excavation quantities, including items where excavation is incidental, of potentially petroleum-contaminated soil in the areas identified in (h). Convert the quantity to tonnage and update the new/revised special provision provided by the DEPARTMENT. Update miscellaneous quantities for the areas or petroleum contamination identified.
- (j) Prepare and submit an addendum to the bidding documents in accordance with the MANUAL that includes revised special provisions, revised and added plan sheets, and updates to pay items and quantities resulting from the post-advertisement changes identified in (h) and (i).

#### **N. TRAFFIC**

Add the following article to this section:

- (11) The DEPARTMENT identified a potential procurement issue with transformer bases (T-bases) being proposed for the traffic signal, necessitating changes to the PSE documents post-PSE submittal to account for potential impacts to the project. These changes included:
  - (a) Revisions to the Prosecution and Progress special provision to include an interim completion date, with associated liquidated damages, allowing for additional time to final completion in the event of delays procuring T-bases.
  - (b) Remove standard pay item for Removing Traffic Signal, including special provision, and add a new pay item for Removing and Salvage Traffic Signal,

including preparing a new special provision article, to allow temporary use of existing T-bases until new T-bases become available.

- (c) Update AASHTOware and miscellaneous quantities in the plans for the change in pay items.
- (d) Revise the Construction Time Chart for interim completion date and revised final completion date.
- (e) Coordinate with the Consultant of the City of Racine's other traffic signal project effected by the issue to maintain consistent language for bidders.
- (e) Coordinate the revised PSE documents with the DEPARTMENT for inclusion in the final bid documents prior to advertisement.

**Summary of Staff Hours and Direct Labor Costs**

**PROJECT TOTAL**

**Project ID:** 2703-08-01 Amendment 2

Classification		Project Manager		Lead Engineer		Project Engineer		Eng. Tech II		Signal Engineer										Total Direct Labor			
Avg. Hourly Wage		\$75.00		\$65.00		\$46.00		\$31.00		\$58.00													
Task	Task Code	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars		
<b>PRELIMINARY &amp; FINAL DESIGN</b>																							
<b>Plan Preparation</b>		0	\$0.00	2	\$130.00	4	\$184.00	2	\$62.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	8	\$376.00
Haz Mat Excavation Details (revise 1 sheet, add 1 sheet)				2		4		2															
<b>Develop Quantities and Estimates</b>		0	\$0.00	2	\$130.00	4	\$184.00	2	\$62.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	8	\$376.00
Calculate/estimate quantities																							
100% Milestone (additional Haz Mat quantities)				1		2																	
Prepare Estimate Documentation Report/Determine unit prices								2															
100% Milestone (for changed pay item for T-bases and revise Haz Mat pay items)				1		2		2															
<b>Develop PSE Documents</b>		4	\$300.00	9	\$585.00	4	\$184.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	17	\$1,069.00
Revise Special Provisions to address T-base issue		1		2																			
Revise Special Provisions for updated Haz Mat requirements		1		2		1																	
Revise Construction Time Chart				1																			
Coordinate SPV language for T-base issue with consultant for similar project				1																			
Coordinate revised PSE documents with WisDOT Central office		1		1		1																	
Prepare Addendum for updated Haz Mat bidding documents		1		2		2																	
<b>ENVIRONMENTAL AND CULTURAL IMPACT</b>																							
<b>Analyze Hazardous Materials Site Impact</b>		1	\$75.00	3	\$195.00	6	\$276.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	10	\$546.00
Estimate excavation quantity within petroleum contaminated areas (3 areas)				2		6																	
Review updates to Haz Mat report identifying petroleum contamination		1		1																			
<b>TRAFFIC OPERATIONS</b>																							
<b>Design Traffic Signal and Details</b>		3	\$225.00	2	\$130.00	0	\$0.00	0	\$0.00	2	\$116.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	7	\$471.00
Review procurement issue with T-bases		1		1						1													
Coordinate feasibility of interim use of salvaged T-bases with WisDOT and City		2																					
Develop pay item and SPV for temporary use of salvaged T-bases				1						1													
<b>TOTAL:</b>		8	\$600.00	18	\$1,170.00	18	\$828.00	4	\$124.00	2	\$116.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	50	\$2,838.00

**Consultant Direct Labor Rates**

**Project ID: 2703-08-01 Amendment 2**

Employee Name(a)	Classification(b)	Current Rate(c)	% Pay Increase(d)	New Pay Rate (e) (2027)	Date of Increase(f)	% Work at Current Rate(g)	% Work at Increased Rate(h) (2027)	Weighted Average Hourly Rate(i)
Hemmerich	Project Manager	\$75.00	2.20%	\$76.65	1/1/2027	100.00%	0.00%	\$75.00
Wallace	Lead Engineer	\$65.00	2.20%	\$66.43	1/1/2027	100.00%	0.00%	\$65.00
Lodzinski	Project Engineer	\$46.00	2.20%	\$47.01	1/1/2027	100.00%	0.00%	\$46.00
Harvey	Eng. Tech II	\$31.00	2.20%	\$31.68	1/1/2027	100.00%	0.00%	\$31.00
Atchison	Signal Engineer	\$58.00	2.20%	\$59.28	1/1/2027	100.00%	0.00%	\$58.00

Contract Completion Date: 8/1/2026 ✓

**Direct Expenses by Item**

**Project ID:**

**2703-08-01 Amendment 2**

Item	Task Code	Unit Amount	Unit Type	Rate	Total Expenses
Employee Vehicle Mileage			Miles	\$ 0.725	\$ -
<b>TOTAL</b>					<b>\$0.00</b>

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**Fee Computation Summary by Engineering Task**

**PROJECT TOTAL**

**Project ID:**

**2703-08-01 Amendment 2**

Task	Activity Code	Direct Labor Costs	Indirect Costs	Fixed Fee	Direct Expenses	Total
Plan Preparation	776.25	\$376.00	\$649.39	\$77.55		\$1,102.94 ✓
Develop Quantities and Estimates	786	\$376.00	\$649.39	\$77.55		\$1,102.94 ✓
Develop PSE Documents	856	\$1,069.00	\$1,846.27	\$220.48		\$3,135.75 ✓
Analyze Hazardous Materials Site Impact	765	\$546.00	\$943.00	\$112.61		\$1,601.61 ✓
Design Traffic Signal and Details	785	\$471.00	\$813.46	\$97.14		\$1,381.60 ✓
<b>TOTAL:</b>		\$2,838.00	\$4,901.51	\$585.33	\$0.00	✓ \$8,324.84

Company Wide Home Office Indirect Cost Rate: 172.71% ✓

Fixed Fee: 8.25% ✓

## Consultant Contract Total Fee Computation

Project ID	2703-08-01	2703-08-01	2703-08-01	Total for Contract
	Original Contract	Amendment 1	Amendment 2	
<b>Number of Staff Hours</b>	1830	152	50	✓ 2032
<b>Total Direct Labor</b>	\$77,170.93	\$7,256.99	\$2,838.00	✓ \$87,265.92
<b>Total Indirect Costs</b>	\$128,427.84	\$12,533.55	\$4,901.51	✓ \$145,862.90
<b>Fixed Fee</b>	\$15,916.51	\$1,496.76	\$585.33	✓ \$17,998.60
<b>Direct Expenses</b>	\$1,587.34	\$65.00	\$0.00	✓ \$1,652.34
<b>Subtotal</b>	<b>\$223,102.62</b>	<b>\$21,352.30</b>	<b>\$8,324.84</b>	✓ <b>\$252,779.76</b>
<b>Subcontract 1: University of Wisconsin - Milwaukee</b>	\$9,844.62			✓ \$9,844.62
<b>Subcontract 2: Terracon Consultants, Inc.</b>	\$8,600.00			✓ \$8,600.00
<b>Subcontract 3: First American Title Insurance Company</b>	\$7,600.00			✓ \$7,600.00
<b>Subcontract Subtotal</b>	<b>\$26,044.62</b>	<b>\$0.00</b>	<b>\$0.00</b>	✓ <b>\$26,044.62</b>
<b>TOTAL COST</b>	<b>\$249,147.24</b>	<b>\$21,352.30</b>	<b>\$8,324.84</b>	✓ <b>\$278,824.38</b>

Company Wide Home Office  
Indirect Cost Rate:

172.71% ✓

Fixed Fee: 8.25% ✓