

## **SUPPLEMENTAL AGREEMENT NO. 5**

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**Cedar River Recreational Improvement Project**  
**Cedar Falls, Iowa**  
**City Project Number MC-038-3290**

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4/24/23

**WHEREAS**, a Professional Services Agreement was entered into by the City of Cedar Falls, Iowa (CLIENT) and Riverwise Engineering, LLC (CONSULTANT) PO Box 706, Durango, CO 81301, dated September 5, 2017 for 30% preliminary design, instream and upland (riverbank) drawings, cost estimating, and project reporting as part of the Cedar River Recreational Improvement Project (Agreement); and

**WHEREAS**, the CLIENT and CONSULTANT entered into Supplemental Agreement 1, dated July 16, 2018, for 60% preliminary design, permitting, final design and bid letting services; and

**WHEREAS**, the CLIENT and CONSULTANT entered into Supplemental Agreement 2, dated May 6, 2019, for bathymetric survey services, and

**WHEREAS**, the CLIENT and CONSULTANT entered into Supplemental Agreement 3, dated October 19, 2021, for construction phase services, and

**WHEREAS**, the CLIENT and CONSULTANT entered into Supplemental Agreement 4, dated April 20, 2022, for revised design and bid letting services, and

**WHEREAS**, the CLIENT and CONSULTANT desire to enter into this Supplemental Agreement No. 5 for construction phase services based on the revised design through Supplemental Agreement No. 4.

**NOW THEREFORE**, it is mutually agreed to amend the original Professional Services Agreement as follows:

**I. SCOPE OF SERVICES**

CONSULTANT shall perform additional professional services in connection with the Cedar River Recreational Improvement Project in accordance with the services listed in Exhibit A attached hereto.

**II. COMPENSATION**

Compensation for the above Services will be a direct expense in accordance with Part VI of the Agreement. The fee for these services is One Hundred Ninety-Eight Thousand One Hundred Seventy Dollars (\$198,170.00).

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III. In all other aspects, the obligations of the CLIENT and CONSULTANT shall remain as specified in the Professional Services Agreement dated September 5, 2017 or as specified in Supplemental Agreements 1-4.

**IN WITNESS WHEREOF**, the parties hereto have executed this agreement on the day and year written below.

**APPROVED FOR CLIENT**

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

Printed Name: \_\_\_\_\_

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

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

**APPROVED FOR CONSULTANT**

By: Shane Sigle \_\_\_\_\_

Printed Name: Shane Sigle \_\_\_\_\_

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

Date: 4/24/23 \_\_\_\_\_

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**EXHIBIT A**  
Construction Phase Services & Compensation by Activity

TASK	Subtotal	Task Subtotal
<b>Task 1: Bidding Review and City/Contractor Coordination</b>		\$ 3,680
1.1 <b>Bid Documents Review:</b> Includes review and coordination with City staff to update RWE staff on the bid progress and contractor coordination. This may include review of rock specifications, delivered rocks, coordination with the rock supplier and Peterson Contractors.	\$ 3,680	
<b>Task 2: Construction Services</b>		\$ 194,490
2.1 <b>Pre-Construction Meeting:</b> Includes two RWE and one Align representative on-site to assist or lead the pre-construction meeting with Peterson Contractors, all relevant stakeholders, and subcontractors. The meeting will be held on-site and at City Hall.	\$ 5,400	
2.2 <b>RWE On Site Construction Administration (assumes six visits of two days each and eight visits for one-day each (estimate):</b> Includes one RWE project manager (Shane Sigle, Mike Harvey, or Riley Gelatt) on-site for six visits of two days to provide construction observations and work with chosen contractor to complete project based on engineered design and construction standards. Each site visit is \$4,500. Includes one RWE construction specialist (Ty Graham, Andy Reimenschneider) on-site for twenty six half-day visits. Each site visit is \$1,890. Staff will visit to observe structural boulder and concrete placement and layout, safety improvements, hazard mitigation, recreational amenity creation, material placing for public access, and to troubleshoot foundation issues, structural issues, grading, slope, trail, scheduling, and recreational whitewater related issues. Includes value engineering options and suggestions during construction, as available. The six project manager visits will focus on observations during creation of the six recreational instream structures and the visits by the construction specialist will focus on value engineering, contractor interface to convey design and construction principles, best management practices, techniques, safety protocols for construction, recreational feature optimization, safety protocols for structure performance, and safety for river users.	\$ 76,140	
2.2A <b>ALIGN On Site Construction Administration (estimate):</b> <b>Specialty Stone Work:</b> Quarry site visit or on-site sorting and labeling; Architect to select layout on site and number stones for placement and shipping. Includes Turtle Back Landing (Structure #6) observations and submittal approval, vertical wall setting, and stone seat wall setting. <b>Stone Toe Connection -</b> Observations for keying into established stone and upstream headwall setting at all trails. <b>Shoreline Stone:</b> Observations for stone setting and walkways 2 hrs. daily during upland set-up times. Assistance with establishing planting pocket locations. <b>Concrete:</b> Align will schedule on site concrete color consultant to instruct on Turtle Back Landing surface prep, forming, edge coloring, and stamping surface decoration. Includes Upper Plaza surface decoration layout assistance <b>Planting:</b> Includes layout of small plants and grid protected planting. <b>Signage:</b> Includes leading artwork and design text consultation with sign contractor plus placement of signs. Includes site map art for location map.	\$ 21,500	

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**EXHIBIT A (continued)**  
**Construction Phase Services & Compensation by Activity**

TASK	Subtotal
2.3 <b>Responding to RFI's, Review Material Submittals, Remote Inspection:</b> Includes coordination with contractor to answer questions, concerns, and comments during the construction process. Includes RWE and Align review of material submittals, shop drawings, rock sizing and specifications, and coordination with the City on options available. This is an estimate and will be billed hourly.	\$ 24,150
2.4 <b>Initial Product Testing and Hydraulic Optimization Site Visit:</b> Includes one RWE representative on-site to test each of five hydraulic drop structures and associated instream elements for optimal performance. Ideally, site visit will include subsequent observations during dewatering and modification of drop structures, as needed.	\$ 22,500
2.5 <b>First Hydrograph Maintenance Site Visit:</b> Includes one RWE representative on-site to review areas requiring modifications resulting from the river's impact following the first hydrograph. Deliverables include a memo summarizing findings and recommendations.	\$ 7,200
2.7 <b>Project Management/Coordination:</b> Coordination between City staff, contractor, permitting agencies, and relevant stakeholders on permitting requirements, timing, scheduling, stages, processes, and . This is an estimate and will be billed hourly.	\$ 14,000
2.8 <b>Expenses:</b> Includes costs associated with travel, phone, office, printing, and media. Site visits from out of state are \$1900/visit and in-state representatives are \$250.	\$ 23,600
	<b>\$ 198,170</b>
<b>Total for Task 1 and 2:</b>	<b>\$ 198,170</b>

**Notes:**

- 1) Does not include additional surveying following construction nor any permit conditions or requests from permitting agencies. Does not include wetland, archaeological, cultural, or any biological surveys that may be requested during permitting.
- 2) Does not include additional local permits that may be necessary prior to construction.
- 3) Does not include contract administration, Project management/coordination, pay application review and approval, shop drawing review, quantity verifications, weather monitoring and recording, daily reports, SWPPP management or coordination, staging area coordination, river level monitoring or recording, demobilization plans, and federal and state agency coordination and reporting.
- 4) Project layout and timing planning, consulting on construction order related to structures, remote construction oversight, contractor questions regarding pay items, construction techniques, construction phasing, and permit condition interpretation and compliance may be billed under Item 2.3.
- 5) Does not include Items 2.6 originally proposed by RWE. This tasks is shown below. Additional work related to this task will be billed on an hourly basis.

2.6 **Contract Administration:** Includes review and approval of invoices, and recommendations to the City during the contractor payment process. Includes on-site review of work completed when the site visit is coupled with the on-site contract administration visits.

**Hourly Rates Schedule**

**Riverwise Engineering, LLC**

Principal: \$195/hr.

Project Engineer/Manager: \$180/hr.

Construction Specialist: \$135/hr.

Engineering technician: \$95/hr.

AutoCAD/Civil3D: \$115/hr.

Administrative: \$75/hr.

**Align Architects**

Principal Architect \$150.00/hr.

Preservation Architect \$140.00/hr.

Landscape Architect \$125.00/hr.

Registered Architect \$115.00/hr.

Draftsperson \$95.00/hr.

Office Administration \$65.00/hr.