

**AMENDMENT TO
PROFESSIONAL SERVICES AGREEMENT
FOR CIVIL ENGINEERING SERVICES FOR
SOUTH ZARZAMORA STREET OVERPASS AT
UNION PACIFIC RAILROAD AND FRIO CITY ROAD PROJECT
NO.: 23-01612
AMENDMENT NO. 5**

This Amendment to the Professional Services Agreement for Civil Engineering Services for the South Zarzamora Street Overpass at Union Pacific Railroad and Frio City Road Project ("Project"), is entered into by and between the City of San Antonio ("City"), a home rule municipal corporation, acting by and through its City Manager, and Structural Engineering Associates, Inc. ("Consultant"), acting by and through its duly authorized corporate representative, as set out below. The City and Consultant are referred to collectively herein as the "Parties".

WHEREAS, on October 5, 2017, through Ordinance 2017-10-05-0742, City Council approved the execution of a Professional Services Agreement between the Parties; and

WHEREAS, on September 26, 2018, the Parties executed a Professional Services Agreement in an amount not to exceed \$3,404,084.86 ("Original Agreement"); and

WHEREAS, the Parties have previously amended the Original Agreement adding additional services and contract capacity of \$109,283.78 for a total current contract capacity of \$3,513,368.64; and

WHEREAS, the Parties seek to add additional professional services and increase the contract capacity by \$1,066,441.13 to the Project, as described in the Fee Proposal attached as **Exhibit 1**, and summarized in the table below:

Original contract capacity	\$3,404,084.86
Previous contract Amendments	\$109,283.78
Present contract capacity	\$3,513,368.64
Amendment amount	\$1,066,441.13
New contract capacity	\$4,579,809.77

WHEREAS, it is understood between the Parties that Exhibit 1 is attached solely for reference to the additional scope of services contained therein, and City is not bound by any additional terms or conditions contained therein nor in any attachments thereto; and

WHEREAS, the Contract Price is hereby revised to a not to exceed amount of \$4,579,809.77; and

NOW THEREFORE, in consideration of the terms, covenants, agreements and demises herein contained each to the other given, the sufficiency and receipt of which are hereby acknowledged,

the Original Agreement is amended as follows:

1. **Contract Price.** The not to exceed amount of the Contract Price is hereby increased in the amount of \$1,066,441.13 for a revised not to exceed Contract Price of FOUR MILLION, FIVE HUNDRED SEVENTY-NINE THOUSAND, EIGHT HUNDRED NINE AND 77/100 U.S. DOLLARS (\$4,579,809.77).
2. **Additional Services.** The additional services described in the proposal letter attached as **Exhibit 1**, excluding any additional terms contained therein or in any attachments thereto, are hereby added and incorporated into the Original Agreement.
3. **Signatory Authority.** Consultant represents, warrants, assures and guarantees that the signatory below has full legal authority to execute this Agreement on behalf of Consultant and to bind Consultant to all terms, performances and provisions herein contained.

Except as amended hereby, all other provisions of the Agreement and corresponding Amendments are hereby retained in their entirety and remain unchanged.


EXECUTED and **AGREED** on this date: _____.

CITY OF SAN ANTONIO

**STRUCTURAL ENGINEERING
ASSOCIATES, INC.**

(Signature)

Razi Hosseini, P.E., R.P.L.S.
Director/City Engineer,
Public Works Department



(Signature)

David T. Covarrubias
Principal

Approved as to Form:

Tino Gallegos
Assistant City Attorney

Exhibit 1