

**FIRST AMENDMENT TO THE
AGREEMENT TO FURNISH ON CALL PROJECT MANAGEMENT SERVICES
TO THE CITY OF WESTMINSTER FOR "ROADS, FACILITIES, AND CONSTRUCTION"
BETWEEN THE CITY OF WESTMINSTER AND Anser Advisory Management, LLC
DATED June 26, 2024**

The City of Westminster (hereinafter referred to as “City” or “Owner”) and Anser Advisory Management, LLC (hereinafter referred to as “Contractor” or “Consultant”) agree to amend the Agreement described above as follows:

1. Article IV, CONSULTANT'S FEE, shall be amended to read as follows with new language appearing in underline and deleted language appearing in ~~striketrough~~:

The compensation for the Project shall be according to the fee schedule attached hereto and incorporated herein as **Appendix B and Appendix D**, including reimbursable expenses as described therein. The maximum amount billable under this Agreement shall not exceed ~~two hundred fifty thousand dollars (\$250,000.00) per fiscal year~~, four hundred thirty nine thousand five hundred sixty dollars (\$439,560.00) for fiscal year 2024. The Consultant shall submit invoices to the City for services rendered during the preceding month, such invoices to be in the form and detail reasonably required by the City. Reimbursable expenses shall be itemized. The City agrees to pay the Consultant within thirty (30) days of receipt of properly documented invoices.

2. Article I, THE PROJECT , shall be amended to read as follows with new language appearing in underline and deleted language appearing in ~~striketrough~~:

The project consists of providing the City with project management and construction management services on an as-needed basis as more specifically described in **Appendix A**, Scope of Services, and Appendix D, attached hereto and incorporated herein by this reference (hereinafter, the “Project”). The specific tasks will be identified in subsequent Task Orders, form is attached hereto and incorporated herein as **Appendix C**, which shall become part of this Agreement after execution, and shall be subject to all terms and conditions herein.

1. Appendix D, attached, is incorporated into the agreement.
2. All other terms and conditions of this Agreement shall remain in effect.

SIGNATURE PAGE FOLLOWS

This Amendment is dated the _____ day of _____, 20__.

Anser Advisory Management, LLC

CITY OF WESTMINSTER

By: _____

By: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

STATE OF _____)
) ss
COUNTY OF _____)

ATTEST:

City Clerk

The foregoing instrument was acknowledged
before me this ____ day of _____, 20__,

(Seal)

by _____ the
(name)
_____ of
(title)

Witness my hand and official Seal

My commission expires: _____

(SEAL)

Notary Public

APPROVED AS TO LEGAL FORM

By: _____
City Attorney

I certify that either an appropriation has been made by the City Council or that sufficient funds have
otherwise been made available for the payment of this Agreement.

City Manager

Account No. _____

City of Westminster
92nd Ave and Eaton Project
Owner's Representative Fee Proposal

~~July 11, 2024~~, Revised August 13, 2024

Aaron Kirchner
City of Westminster
4800 W 92nd Ave
Westminster, CO 80031

Dear Mr. Aaron Kirchner,

Anser Advisory is requesting a **not-to-exceed** fee of \$189,560 per the attached fee matrix for the 92nd and Eaton Project (Master Agreement GSX-CON-24-1979).

- **Statement of Work:**

Customary owner's representative services for construction and project management for the pre-construction/permitting/bidding, construction, and post-construction closeout phases of the project. We perform all OR scope of services in-house. We will manage and hold the contracts with the field inspector consultant and the material testing consultant.

- **2024 Hourly Rates for All Personnel Involved in the Project:**

Principle-in-Charge – Travis	\$170 / hr.
Project Director – Maribel	\$150 / hr.
Senior Project Manager - Karley	\$145 / hr.
Project Associate – Tyler	\$93 / hr.

- **Preliminary Schedule with Fee Breakdown**

Please see the attached Fee Matrix on Page 2.

Pre-Construction/Permitting	\$17,035
Construction	\$43,959
Project Closeout	\$27,132
Warranty	\$9,130
Construction Inspections – Benesch	\$54,530
Material Testing – Ground Engineering	\$17,775
Inspections & Material Testing Allowance	\$20,000
Total	\$189,560

Thank you,



Travis Guerette
Vice President
Anser Advisory

Anser Advisory City of Westminster 92nd and Eaton Project 8/13/2024												
		July 1, 2024	August 1, 2024	September 1, 2024	October 1, 2024	November 1, 2024	December 1, 2024	January 1, 2025	February 1, 2025	December 1, 2025		
Pre-Construction / Bidding Phase		X	X	X								
Construction Phase (3 Months)				X	X	X						
Closeout Phase (3 Months)							X	X	X			
Warranty										X		
Average Hours Per Week	Rate											Total
Principal in Charge	\$ 170	1	1	1	1	1	1	1	1	1		9
Project Director	\$ 150	2	2	2	2	2	2	2	2	2		18
Senior Project Manager	\$ 145	4	8	10	10	10	4	4	4	4		58
Project Associate	\$ 93	4	8	15	15	15	10	10	10	10		97
	\$ -	0	0	0	0	0	0	0	0	0		-
Total Hours per Week		11	19	28	28	28	17	17	17	17	-	182
Total Hours per Month		48	82	121	121	121	74	74	74	74	0	788
Fee Per Month	Rate											Total
Principal in Charge	\$ 170	\$ 736	\$ 736	\$ 736	\$ 736	\$ 736	\$ 736	\$ 758	\$ 758	\$ 758	\$ -	\$ 6,691
Project Director	\$ 150	\$ 1,299	\$ 1,299	\$ 1,299	\$ 1,299	\$ 1,299	\$ 1,299	\$ 1,338	\$ 1,338	\$ 1,338	\$ -	\$ 11,808
Senior Project Manager	\$ 145	\$ 2,511	\$ 5,023	\$ 6,279	\$ 6,279	\$ 6,279	\$ 2,511	\$ 2,587	\$ 2,587	\$ 2,587	\$ -	\$ 36,641
Project Associate	\$ 93	\$ 1,611	\$ 3,222	\$ 6,040	\$ 6,040	\$ 6,040	\$ 4,027	\$ 4,148	\$ 4,148	\$ 4,148	\$ -	\$ 39,423
0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Fee Per Month		\$ 6,157	\$ 10,279	\$ 14,354	\$ 14,354	\$ 14,354	\$ 8,573	\$ 8,831	\$ 8,831	\$ 8,831	\$ -	\$ 94,564
Reimbursable Expenses / Sub-Consultants												Total
Construction Inspections - Benesch		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 54,530.00
Material Testing - Ground Engineering		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 17,775.00
Inspections & Testing Allowance		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,000.00
Mileage		\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ -	\$ 2,250.00
Budget4Cast		\$ 49.00	\$ 49.00	\$ 49.00	\$ 49.00	\$ 49.00	\$ 49.00	\$ 49.00	\$ 49.00	\$ 49.00	\$ -	\$ 441.00
Reimbursable Allowance		\$ 299.00	\$ 299.00	\$ 299.00	\$ 299.00	\$ 299.00	\$ 299.00	\$ 299.00	\$ 299.00	\$ 299.00	\$ -	\$ 94,996.00
Grand Total Per Month		\$ 6,456	\$ 10,578	\$ 14,653	\$ 14,653	\$ 14,653	\$ 8,872	\$ 9,130	\$ 9,130	\$ 9,130	\$ -	\$ 189,560

**Billing rates shall increase 3% annually beginning on January 1.

Fee Breakdown Summary	
Pre-Construction / Bidding Phase	\$ 17,035
Construction Phase (3 Months)	\$ 43,959
Closeout Phase (3 Months)	\$ 27,132
Warranty	\$ 9,130
Sub-Consultants	\$ 92,305
Grand Total	\$ 189,560

August 1, 2024

Karley Olson, CCM
Sr. Project Manager
Anser Advisory
999 18th Street South
Denver, CO 80202

RE: **92nd Ave. & Eaton St. Streetscape Construction Inspection Services**
Project No. CITY-23-0006
Request for Proposal

Dear Karley:

Thank you for giving Alfred Benesch & Company (Benesch) the opportunity to submit this proposal to provide construction inspection services for the 92nd Avenue & Eaton Street Streetscape project.

The scope of services includes 16 weeks of inspection services estimated to be required for the project. If the project is delayed and requires additional weeks of inspection, we will charge for these services at the established billing rates.

James Newberry, PE, CCM will be our Project Manager for this project. Mark Fletcher will lead our inspection efforts for this project by monitoring and documenting day-to-day activities and coordinating directly with the Contractor. Both have served in these same roles on previous roadway construction projects in the surrounding areas and are familiar with the project requirements and communication protocols.

Benesch proposes to perform the construction inspection services defined in Exhibit B on a time and materials basis up to a not to exceed fee amount of:

Option A – Full Time Inspection - \$88,258.00

Option B – Part Time Inspection - \$54,530.00

Please refer to the attached Exhibit A for our detailed estimate of fees.

We look forward to working with you on this project and are happy to discuss any changes you wish to discuss. Please feel free to contact us with any questions or comments you may have about this proposal.

Respectfully submitted,



James Newberry, PE, CCM
Sr. Construction Project Manager
(303) 720-8723
jnewberry@benesch.com

Cc: Mark Guikema – Vice President (Benesch)

Attachments: Exhibit A – Estimate of Fees for Construction Inspection Services
Exhibit B – Scope of Services for Construction Inspection Services

Estimate of Fees for Construction Management & Inspection Services



Anser Advisory
92nd Ave Streetscape Improvements CI

Revised on 8/1/2024

Option A - FT Inspection

Hourly Rate	Position
\$250.00	Project Principal (Mark Guikema)
\$184.00	Sr. PM Construction (James Newberry)
\$116.00	Construction Representative III (Mark Fletcher)

Task	Hours by Employee						Expenses	Total
	PRIN	SR PM	RPM II	CR III	CR II			

Construction Management & Inspection

Pre-Construction Tasks

Includes Project Kickoff Meeting, Project Preparation and
Pre-Construction Pictures/Videos

\$0.00 \$0.00

Construction Tasks

Construction Management & Engineering

4

48

0

640

0

\$170.00

\$10,002.00

Construction Inspection

\$2,720.00

\$76,960.00

Phase 2 Construction Inspection

\$0.00

\$0.00

Includes on-site observation, pay item measurement &
documentation, monitoring traffic control & environmental
compliance, daily diaries and photos, etc.

> Assumes 3 hrs/week for PM, 40 hrs/wk for Insp for 16 weeks

Materials Testing

Performed by NONE

\$0.00 \$0.00

Project Closeout Tasks

Includes Final Walkthrough, Punch List Development, Punch List Inspection,
Final Project Audit, Final Documentation Submittal

4

50

0

648

0

0

\$0.00

\$1,296.00

Total Fee (Not To Exceed Limit):

\$88,258.00

Hourly labor rates indicated herein are based on the attached Standard Billing Rates.

*Hours shown in this proposal are based on information provided in the proposal and during the pre-proposal meeting. Benesch would be happy to discuss these assumptions and approaches with the City and modify as deemed necessary

Estimate of Fees for Construction Management & Inspection Services



Anser Advisory
92nd Ave Streetscape Improvements CI

Revised on 8/1/2024

Option B - PT Inspection

Hourly Rate	Position
\$250.00	Project Principal (Mark Guikema)
\$184.00	Sr. PM Construction (James Newberry)
\$116.00	Construction Representative III (Mark Fletcher)

Task	Hours by Employee						Expenses	Total
	PRIN	SR PM	RPM II	CR III	CR II			

Construction Management & Inspection

<u>Pre-Construction Tasks</u> Includes Project Kickoff Meeting, Project Preparation and Pre-Construction Pictures/Videos							\$0.00	\$0.00
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<u>Construction Tasks</u> Construction Management & Engineering Construction Inspection Phase 2 Construction Inspection Includes on-site observation, pay item measurement & documentation, monitoring traffic control & environmental compliance, daily diaries and photos, etc. > Assumes 2 hrs/week for PM, 24 hrs/wk for Insp for 16 weeks	4	32	0	384	0		\$170.00 \$1,632.00 \$0.00	\$7,058.00 \$46,176.00 \$0.00
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<u>Materials Testing</u> Performed by NONE							\$0.00	\$0.00
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<u>Project Closeout Tasks</u> Includes Final Walkthrough, Punch List Development, Punch List Inspection, Final Project Audit, Final Documentation Submittal		2		8			\$0.00	\$1,296.00
	4	34	0	392	0	0		

Total Fee (Not To Exceed Limit): \$54,530.00

Hourly labor rates indicated herein are based on the attached Standard Billing Rates.

*Hours shown in this proposal are based on information provided in the proposal and during the pre-proposal meeting. Benesch would be happy to discuss these assumptions and approaches with the City and modify as deemed necessary

GROUND

ENGINEERING

July 31, 2024

Subject: Proposal for Materials Testing Services,
Westminster Downtown Streetscape Design
92nd Avenue and Eaton Street

Proposal No. 2407-1432

Attn: Aaron Kirchner
City of Westminster
4800 West 92nd Avenue
Westminster, CO 80031

Dear Mr. Kirchner,

Ground Engineering Consultants, Inc. (GROUND) appreciates the opportunity to prepare a proposal to provide materials testing services for the Westminster Downtown Streetscape Design 92nd Avenue and Eaton Street project located in Westminster, Colorado. Please note that the services detailed below will only be provided as scheduled by the Owner, Owner's Representative, Contractor, or applicable Subcontractors. Additional services beyond those below can be provided. Please contact our office for a fee estimate for additional services that may be needed.

Scope of Project

The proposed project will generally consist of the streetscape improvements and lane modifications to 92nd Avenue and Eaton Street in Westminster.

Personnel

- James Booze (main point of contact) Principal/Field Services Supervisor
- Sam Franke Field Technician
- Carl Rosa Field Technician

Resumes for the staff identified above are attached to this submittal.

Project Team Experience

GROUND has over 40 years of experience providing services on similar contracts to municipalities along the Front Range, including the City of Westminster. Below are a few references that we have provided similar services for on recent projects. Additional references can be provided upon request.

Southeast Metro Stormwater Authority (SEMSWA)

Mr. Jon Nelson, P.E.

Phone: 303-858-8844, Email: jnelson@swmswa.org

Jefferson County

Ms. Robin Jellison

Phone: 303-271-5028, Email: rjellison@co.jefferson.co.us

City of Broomfield

Ms. Kathryn Langdon

Phone: 303-464-5802, Email: klangdon@broomfield.org

City of Boulder

Mr. Gerrit Slatter, P.E.,

Phone: 303-441-1978; Email: slatterg@BoulderColorado.gov

Douglas County

Mr. Daniel R. Roberts, P.E.

Phone: 303-663-6284; Email: drroberts@douglas.co.us

Boulder County Transportation

Mr. Bill Eliassen

Office: 303-682-6709; Email: beliasen@bouldercounty.org

City of Aurora

Mr. Raul Griego, City of Aurora (transportation projects), and Mr. Ray Serrano, City of Aurora (utility inspection projects)

Office: 303-326-8213, 720-859-4402; Email: rgriego@auroragov.org, rserrano@auroragov.org

Fee Estimate

To assist in the budgeting of this project, we are providing the following general scope of services and approximate costs for each service. To prepare this estimate, a number of assumptions were made regarding the project construction sequencing, the actual number of hours and associated tests may be more or less.

The fees outlined below represent an estimate of the time and unit cost for the proposed scope of services, based on our understanding of the project quantities and assuming proper scheduling of our services. The estimate detailed is not inclusive of costs associated with retesting. An overtime rate of an additional \$15.00 per hour above the hourly rate will be billed for hours over 8 per day and all hours on nights and weekends, and double time will be billed on major holidays. Additionally, when a scheduling request is received for services to be completed during night work, a minimum of 8 hours will be billed for each scheduling request. A \$75.00 fee for late notice service requests will be charged per occurrence; which includes requests made after 5:00 PM the weekday prior to or the day of the requested service. The unit fee will only be charged if our office can accommodate the request, there are no guarantees that late notice requests will be accommodated but we will make every reasonable effort.

Estimated Time					
Soils Technician	\$65.00	per hour	64	Hours	\$4,160.00
Concrete Technician	\$65.00	per hour	88	Hours	\$5,720.00
Asphalt Technician	\$65.00	per hour	14	Hours	\$910.00
Reinforcing Steel Technician	\$75.00	per hour	12	Hours	\$900.00
PM Management/Meetings/Review	\$125.00	per hour	15	Hours	\$1,875.00
Laboratory Testing and Unit Billing					
Trip Charge	44	Trips @	\$15.00		\$660.00
Soil					
Proctor Compaction	2	Tests @	\$130.00		\$260.00
Proctor Compaction w ith Rock Correction	1	Tests @	\$200.00		\$200.00
Gradation	3	Tests @	\$75.00		\$225.00
Atterberg Limit (single point)	3	Tests @	\$85.00		\$255.00
Concrete					
Concrete Compression Test, Cylinders (each)	110	Tests @	\$18.00		\$1,980.00
Asphalt					
AC Content and Extracted Gradation	2	Tests @	\$190.00		\$380.00
Theoretical Maximum Specific Gravity	2	Tests @	\$125.00		\$250.00
Total Proposed Estimate					\$17,775.00

This estimate has been compiled based on information provided to GROUND Engineering Consultants, Inc. as of the date of proposal. General Conditions and Limitations of Liability have been submitted herewith, and are incorporated herein by reference. This estimate is not inclusive of any retests, nor of any changes to scope or schedule of work.