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## LEGAL DOCUMENT

<b>Agreement:</b> E01482	<b>Project Specific</b>	<b>Active</b>
<b>Name:</b> Salisbury Casselman Bridge Replacement		<b>Selection Process:</b> Modified <b>Initiating Org:</b> Engineering District 9-0
 <b>Supplement:</b> 3	<b>Normal</b>	<b>Executed</b>
<b>Description:</b> provide funding for Core Borings		

### Project Specific Agreement E01482 Supplement # 3

**Engineering District 9-0**  
Initiating Organization

**\$40,000.00**  
Supplemental Agreement Cost

**PB Americas, Inc. 11-1531569**  
Consultant - FID

**Cost Plus Fixed Fee**  
Method(s) of Payment

THIS SUPPLEMENTAL AGREEMENT, made and entered into on 10/26/2011, at Harrisburg, Pennsylvania, between the Commonwealth of Pennsylvania, acting through its Department of Transportation, by the Secretary, ("Department"), and PB Americas, Inc., a Corporation of CONSULTANTS, registered as such in the Commonwealth of Pennsylvania, their heirs, executors, administrators, successors, or assigns, ("CONSULTANT").

#### WITNESSETH:

WHEREAS, the Department and the Consultant, under date of 09/10/2009, entered into an Agreement, designated in the Department's

files as No. E01482, wherein the Consultant agreed to perform all work and services, and furnish all equipment and materials not otherwise provided, for Preliminary Engineering, Environmental Studies, Final Design, and Construction Services for the replacement of the SR 669 over the Casselman River (BMS 55 0669 0110 0866) in Salisbury Borough, Somerset County; and

WHEREAS, the Department and the Consultant, under date of 12/06/2010 entered into Supplement Agreement 1 to provide for Misc. Line, Grade, and Typical Section alternatives for the Salisbury Bridge Replacement.; and

WHEREAS, the Department and the Consultant, under date of 03/23/2011 entered into Supplement Agreement 2 to provide for additional work for Phase I Archaeology and to extend the time for Part 1 to 12/31/2011; and

WHEREAS, the Department and the Consultant desire to supplement the Agreement to provide funding for Core Borings;

Now, THEREFORE, the parties hereto, for and in consideration of the foregoing premises and mutual promises, hereinafter contained, with the intention of being legally bound thereby, agree as follows:

### **1. Terms, Conditions and Provisions**

- a. The Consultant agrees to comply with and to provide the required work and services in accordance with the provisions listed below, which are incorporated into this AGREEMENT by reference, as though physically attached.
  - i. **Commonwealth Contractor Responsibility Provisions, dated April 16, 1999**
  - ii. **Consultant Integrity Provisions, dated October 7, 2010**
  - iii. **Commonwealth Nondiscrimination Clause for Consultant Agreements, dated July 30, 2010**
  - iv. **Federal Nondiscrimination and Equal Employment Opportunity Clauses, dated January 1976**
  - v. **Offset Provision for Commonwealth Contracts, dated April 16, 1999**
  - vi. **Pennsylvania Election Code, dated February 22, 2001**
  - vii. **Publication 442, Bureau of Design Specifications for Consultant Agreements, dated August 4, 2010**
  - viii. **Provisions Concerning the Americans With Disabilities Act, dated January 2001**
- b. By signing this Agreement, the Consultant certifies their compliance with the following requirements:
  - i. **Consultant's Certification of Non-Collusion, dated February 1990**
  - ii. **Certification Regarding Debarment, Suspension and Other Responsibility Matters, dated August 1990**
  - iii. **Certificate of Restrictions on Lobbying, dated August 6, 1990**
  - iv. **Consultant's Acceptance of PA Workmen's Compensation Act, dated August 1999**
- c. By signing this Agreement, the Department certifies their compliance with the following requirement:
  - i. **Department's Certificate of Non-Collusion, dated January 1999**
- d. The Consultant agrees to comply with and to provide the required work and services in accordance with the **Department's**

**Standard Agreement Special Requirements, dated April 26, 2001** and the following standard method of payment special provisions: **Method of Payment - Cost Plus Fixed Fee, dated May 1, 2009**, which have been made available to the Consultant in electronic or paper form, and the Consultant's **Technical Proposal**, and **Price Proposal**, which are incorporated into this Agreement by reference.

e. That the maximum cost of each part of this supplement is as follows:

<u>Part</u>	<u>Current Cost</u>	<u>Supplemental Adjustment</u>	<u>New Part Total</u>
1	461,270.11	40,000.00	501,270.11

f. That the maximum cost of this Agreement is as follows:

<u>Current Cost</u>	<u>Supplemental Adjustment</u>	<u>New Agreement Cost</u>
934,437.66	40,000.00	974,437.66

g. That the time of completion for each Part shall be the termination date of this Agreement or as shown below, whichever occurs first:

Part 1 - 12/31/2011 .

h. That the Department approved invoice template has been amended and will be available to the Consultant effective the execution date of this Supplemental Agreement.

i. That all other terms and conditions of the Agreement, which are not changed by this Supplemental Agreement, remain in full force and effect.

**Document Status:** Executed  
**Negotiator:** Sube, Paula S.

Attachments		
Name	Created By	Created On
<i>No records found.</i>		

Workflow

Status	Name	Disposition	Date/Time
Draft	Paula S Sube/PennDOT	Submit	10/21/2011 09:13:41 AM
Consultant Review	Joseph Difiore/PennDOT BP-000069 - Vice President	Approve	10/22/2011 01:29:10 PM
Deputy Secretary Review	R. Wayne Willey/PennDOT	Approve	10/22/2011 04:38:50 PM
Chief Counsel Review	Michael H Kline/PennDOT	Approve	10/24/2011 05:15:54 PM
Comptroller Review	Andrew K Peters/PennDOT	Approve	10/26/2011 11:24:36 AM
CAD Chief Approval	Gary R Kleist/PennDOT	Execute	10/26/2011 04:51:31 PM

Audit Information			
Created By	Created On	Modified By	Modified On
Paula S Sube/PennDOT	10/21/2011 07:34:19 AM	Gary R Kleist/PennDOT	10/26/2011 04:51:31 PM

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