

## LEGAL DOCUMENT

<b>Agreement:</b> 061867	<b>Project Specific</b>	<b>Active</b>
<b>Name:</b> Bridge replacements on S.R. 1009, Section 04B on S.R. 2103, Section 01B	<b>Selection Process:</b> Normal	<b>Initiating Org:</b> Engineering District 6-0
 <b>Supplement:</b> 5	<b>Normal</b>	<b>Executed</b>
<b>Description:</b> add work for the conservation of the Pineville Rd Bridge Concrete Mile Marker and mounting recommendations.		

### Project Specific Agreement 061867 Supplement # 5

**Engineering District 6-0**  
Initiating Organization

**\$0.00**  
Supplemental Agreement Cost

**Jacobs Engineering Group, Inc. 95-4081636**  
Consultant - FID

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

THIS SUPPLEMENTAL AGREEMENT, made and entered into on 01/27/2012, at Harrisburg, Pennsylvania, between the Commonwealth of Pennsylvania, acting through its Department of Transportation, by the Secretary, ("Department"), and Jacobs Engineering Group, 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 01/02/2002, entered into an Agreement, designated in the Department's

files as No. 061867, wherein the Consultant agreed to perform all work and services, and furnish all equipment and materials not otherwise provided, for Part 1 - Preliminary Engineering and Environmental Studies, Part 2 - Final Design, and Part 3 - Services During Construction on S.R. 1009, Section 04B; and Part 4 - Preliminary Engineering and Environmental Studies, Part 5 - Final Design, and Part 6 - Services During Construction on S.R. 2103, Section 01B; both located in Bucks County.

Part 1 - Preliminary Engineering and Environmental Studies: S.R. 1009, Section 04B; State Project No. 0-1009-03-04B-0610, Prog. 322, Federal Project No. Q10-X061-156, MPMS No. 13164.

Part 2 - Final Design: S.R. 1009, Section 04B; State Project No. 0-1009-04-04B-0610, Prog. 322, Federal Project No. (Pending), MPMS No. 13164.

Part 3 - Services During Construction on S.R. 1009, Section 04B: State Project No. 0-1009-07-04B-0610, Prog. 362, Federal Project No. (Pending), MPMS No. 13164.

Part 4 - Preliminary Engineering and Environmental Studies: S.R. 2103, Section 01B; State Project No. 0-2103-03-01B-0610, Prog. 321, MPMS No. 13242.

Part 5 - Final Design: S.R. 2103, Section 01B; State Project No. 0-2103-04-01B-0610, Prog. 321, MPMS No. 13242.

Part 6 - Services During Construction: S.R. 2103, Section 01B; State Project No. 0-2103-07-01B-0610, Prog. 361, MPMS No. 13242; and

WHEREAS, the Department and the Consultant, under date of 08/20/2004 entered into Supplement Agreement 1 to to provide, under Part 4, additional preliminary engineering to include additional walls; and to provide, under Part 5, additional final design for the additional walls; and

WHEREAS, the Department and the Consultant, under date of 12/22/2004 entered into Supplement Agreement 2 to to provide for, under Parts 2 and 5, additional work and services associated with core borings and document preparation; and

This Agreement was reassigned on 11/07/2008, Reassignment Agreement 430023.

WHEREAS, the Department and the Consultant, under date of 06/03/2009 entered into Supplement Agreement 3 to complete Part 4 Preliminary Engineering and Environmental studies for the design of a bridge replacement on S.R. 2103, Section 01B in Buckingham Township. The Final Design work was suspended while an agreement on design criteria and a turnback was achieved between the Department and Buckingham Township. The design must be reworked to comply with the new criteria and terms of the Turnback agreement.; and

WHEREAS, the Department and the Consultant, under date of 07/23/2010 entered into Supplement Agreement 4 to to provide for, under Part 5, additional work and effort to complete the final design of S.R. 2103, Sec. 01B. The Project was on hold until a Bridge Transfer Agreement was executed; and

This Agreement was reassigned on 12/01/2010, Reassignment Agreement 430041.

WHEREAS, the Department and the Consultant desire to supplement the Agreement to add work for the conservation of the Pineville Rd Bridge Concrete Mile Marker and mounting recommendations.;

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>
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4

404,778.94

0.00

404,778.94

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

<u>Current Cost</u>	<u>Supplemental Adjustment</u>	<u>New Agreement Cost</u>
1,372,066.57	0.00	1,372,066.57

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 4 - 03/31/2012 .

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: Harter, Michele L.**

**Attachments**

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

**Workflow**

Status	Name	Disposition	Date/Time
Draft	Michele L Harter/PennDOT	Submit	01/20/2012 02:59:52 PM
Consultant Review	Jeff Purdy/PennDOT BP-004561 - Vice President	Approve	01/23/2012 05:56:48 PM
Deputy Secretary Review	R. Wayne Willey/PennDOT	Approve	01/25/2012 06:37:38 AM
Chief Counsel Review	Michael H Kline/PennDOT	Approve	01/26/2012 02:59:55 PM
Comptroller Review	Brenda A Zorbaugh/PennDOT	Approve	01/27/2012 10:46:51 AM
CAD Chief Approval	J. Michael Long/PennDOT	Execute	01/27/2012 12:31:45 PM

**Audit Information**

<b>Created By</b>	<b>Created On</b>	<b>Modified By</b>	<b>Modified On</b>
Michele L Harter/PennDOT	01/20/2012 02:58:42 PM	J. Michael Long/PennDOT	01/27/2012 12:31:45 PM

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**Tue Jan 31 13:28:32 EST 2012**  
Official ECMS Date/Time