

LEGAL DOCUMENT

Agreement: E00016	Open End /Project Specific	Active
Name: US 30 Coatesvile-Downingtown Bypass Reconstruction	Selection Process: Normal	Initiating Org: Engineering District 6-0
Supplement: 3	Normal	Executed
Description: extend the time of the project specific open end from May 30, 2012 to May 31, 2017		

Open End / Project Specific Agreement E00016 Supplement # 3

Engineering District 6-0
Initiating Organization

\$0.00
Supplemental Agreement Cost

Gannett Fleming, Inc. 25-1613591
Consultant - FID

Cost Plus Fixed Fee
Method(s) of Payment

THIS SUPPLEMENTAL AGREEMENT, made and entered into on 04/24/2012, by and between the Commonwealth of Pennsylvania, acting through its Department of Transportation, by the Secretary, ("Department"), and Gannett Fleming, 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 05/30/2002, entered into an Agreement, designated in the Department's

files as No. E00016, 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 consultation during construction on S.R. 0030, Section 100, the Coatesville-Downingtown Bypass, in Chester County; and

WHEREAS, the Department and the Consultant, under date of 10/03/2006 entered into Supplement Agreement 1 to The terms of the agreement are revised to reflect a change in the duration from five (5) to ten (10) years.; and

WHEREAS, the Department and the Consultant, under date of 01/08/2010 entered into Supplement Agreement 2 to This Supplement is to add additional Sub-Consultants to the Team in Preparation of a Technical Proposal for Work Order 1 Amendment 1.; and

WHEREAS, the Department and the Consultant desire to supplement the Agreement to extend the time of the project specific open end from May 30, 2012 to May 31, 2017;

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 October 25, 2010**
 - 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 October 25, 2010**
 - 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. The scope of work and services, as set forth in the consultant's technical proposal, are to be performed in conformance with the requirements of this agreement and the applicable provisions of the current Department Publications, Manuals, Handbooks, Policies and Procedures. The Department and the Consultant shall confer at any time when the Department issues an amendment, revision, amplification, increase, and/or change to any Publication, Manual, Handbook, Policy or Procedures to determine whether there is a change in scope and/or accepted work and services completed by the Consultant which is ordered changed. The department, with the approval of the Federal Highway Administration (FHWA) when applicable, where there is such a change, will issue a Supplemental Agreement.

- f. That the maximum cost of this Agreement is changed from \$12,000,000.00 to \$12,000,000.00, a difference of \$0.00.

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

- h. 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	04/20/2012 10:07:57 AM
Consultant Review	Esther McGinnis/PennDOT BP-000064 - Vice President	Approve	04/20/2012 10:12:37 AM
Deputy Secretary Review	R. Wayne Willey/PennDOT	Approve	04/21/2012 01:16:18 PM

Chief Counsel Review	Michael H Kline/PennDOT	Approve	04/23/2012 05:54:58 PM
Comptroller Review	Brenda A Zorbaugh/PennDOT	Approve	04/24/2012 11:51:29 AM
CAD Chief Approval	Matthew R Weaver/PennDOT	Execute	04/24/2012 03:50:03 PM

Audit Information			
Created By	Created On	Modified By	Modified On
Michele L Harter/PennDOT	04/20/2012 10:07:53 AM	Matthew R Weaver/PennDOT	04/24/2012 03:50:03 PM

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Mon Apr 30 14:08:22 EDT 2012
 Official ECMS Date/Time