



Design Services

For

Roadway & Utility Improvements: Lincoln Dr, Mockingbird Ln, and Indian Bend Rd

CHANGE ORDER #3

6401 East Lincoln Drive • Paradise Valley, Arizona 85253 • Phone: (480) 348-3622

You hereby are authorized and directed to make the following change(s) in accordance with terms and conditions of the Contract:

The additional work includes: contract time extension of 6-months, plan revisions, and additional changes received as a result of not starting construction contract in July 2019. For more details, see attached proposal dated Nov 14, 2019.

FOR THE Additive Sum of \$52,005.00

Original Agreement Amount	\$1,121,656.72
Sum of Previous Changes	\$ 215,520.00
This Change Order	\$ 52,005.00
Present Agreement Amount	\$1,389,181.72
Time Extension Date (6 Additional months)	June 30, 2021

Your acceptance of this Change Order shall constitute a modification to our Contract and will be performed subject to all the same terms and conditions in our Contract dated May 26, 2016, as fully as if the same were repeated in this acceptance.

The cost of this Change Order is shown below in accordance with the cost sharing responsibilities defined in the Development Agreement between the Town and Five Star Development Resort Communities, LLC. The cost sharing is as follows:

Five Star:

50% Lincoln Dr	\$14,227.50
50% Mockingbird Ln, south of Indian Bend	\$ 4,707.50
100% Indian Bend Rd	\$ 9,415.00
Total:	\$28,350.00

Town of Paradise Valley:

50% Lincoln Dr	\$14,227.50
100% Lincoln Dr (additional revisions)	\$ 4,720.00
50% Mockingbird Ln, south of Indian Bend	\$ 4,707.50
Total:	\$23,655.00

The above referenced Change In Scope Request is hereby executed on:

December 5, 2019

Town of Paradise Valley, Arizona

Jill Keimach
Town Manager

Doug Allen
Chief Financial Officer

Paul Mood
Town Engineer

Five Star Development Resort Communities, LLC

Jerry. C Ayoub
Its Sole Member

Contractor hereby acknowledges receipt and agreement with this Change In Scope Request.

James Barr / Vice President
Printed Name / Title

T.Y. LIN International
Company Name

60 E. Rio Salado Parkway, Ste #501
Address

Tempe AZ 85281
City State Zip

Signature

Date

11/21/19

November 20, 2019

Mr. Jason Harris, MBA, PE, PMP, CPPO
Capital Projects Administrator
Town of Paradise Valley
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

**Subject: Proposal for Additional Professional Engineering and Construction Administration Services – Roadway and Utility Improvements on Lincoln Dr, Mockingbird Ln, and Indian Bend Rd
Town of Paradise Valley Project No. 2016-14**

Dear Mr. Harris:

TY Lin International is pleased to present our proposal to provide additional Professional Engineering and Construction Administration Services for the Roadway and Utility Improvements on Lincoln Dr, Mockingbird Ln, and Indian Bend Rd within the Town of Paradise Valley.

Major elements contributing to required additional services include:

- Time extension: Addendum #2 contract assumed May 2019 design completion, current schedule projecting 6-month design extension duration to December 2019;
- Design Options: Reconfiguration of median and south back of curb locations/alignments along the south side of Lincoln Drive;
- Utility Coordination: Extensive coordination with utility providers during design extension duration along with various design changes to mitigate utility conflicts.

For convenience, we have prepared the attached Scope of Services (Exhibit "A") and Professional Fees (Exhibit "B") that describes the various tasks and associated fees (\$52,005.00) to complete the work. In general, we anticipate completing the final design of the project in December 2019, and Construction Administration services over the duration of the project's construction (anticipated to be approximately 12-months).

It should be noted that the original contract rates from May 2016 have been utilized by the Consultant throughout the lifetime of the project in developing professional fees for addenda. Consultant has not requested escalation of rates to account for staff salary adjustments over the last 3+ years.

We look forward to the opportunity to complete this project with the Town and should you have any questions regarding the attached proposal, please feel free to contact me.

Sincerely,



James Barr, P.E.
Project Manager
Vice President

EXHIBIT "A" – SCOPE OF SERVICES TOWN OF PARADISE VALLEY TOWN PROJECT NO. 2016-14 CONTRACT ADDENDUM #3

Project Background

The Town of Paradise Valley "Town" and Five-Star Development "Five-Star" have entered into a Special Use Permit (SUP) and Development Agreement (DA) to jointly develop Lincoln Drive, Mockingbird Lane and Indian Bend Road surrounding the proposed Ritz-Carlton Development. The agreement committed the Town to complete design within 360 days after the building permit was issued to Five-Star for non-grading improvements on the property and to complete construction on Lincoln Drive within eighteen (18) months after completion of design.

Improvements at the Tatum Boulevard and Lincoln Drive intersection (Location 12 per Exhibit E of DA) have already been completed as part of this project. The project will be constructed via the CM at Risk (CMAR) delivery method.

Project Timeline

The following timeline illustrates project development schedule to date:

May 2016

Town, Five-Star, and T.Y. Lin International "Consultant" entered into contract for Consultant to provide Design Engineer and Construction Administration for Roadway Improvements related to the Ritz Carlton Development

August 2017

Vertical building permit issued to Five-Star. Project re-kickoff meeting held. Outstanding scope items identified included:

- Indian Bend Road improvements within City of Scottsdale limits: City of Scottsdale approved 'swoop' concept required additional analysis for Town/City consensus.
- Lincoln Drive south side configuration: Town Bike/Ped Master Plan ongoing. Several alternatives being considered for south side of Lincoln Drive.
- Lincoln Drive and Quail Run Road intersection: Town and Five-Star to confirm roundabout or traffic signal configuration.
- Mockingbird Lane and Indian Bend Road roundabout: Five-Star to confirm acceptance of roundabout configuration and accompanying impacts to landscape tract at southeast corner.
- Mockingbird Lane improvements north of Indian Bend: Town coordinating cost share for ultimate storm drain with Flood Control District of Maricopa County (FCDMC). If FCDMC cost share not materialized, Town may reduce project limits and adjust storm drain configuration accordingly.

Design team awaiting resolution of outstanding scope items before beginning detailed design. Coordination of project elements continues as resolution of outstanding scope items is in progress.

May 2018

Substantial resolution of outstanding scope items complete. Detailed design commences with a focus on perimeter roadways to the Ritz-Carlton development.

July 2018

30% plans for perimeter roadways submitted.

September 2018

30% plans for Mockingbird Lane, Indian Bend Road to Mockingbird Lane and Northern Avenue from Mockingbird Lane to Golf Drive submitted.

November 2018

60% plans for perimeter roadways submitted.

February 2019

90% plans for perimeter roadways submitted.

October 2019

Potholes of existing APS 69 kV duct bank provided by APS for verification of 100% storm drain design. 100% plans for perimeter roadways subsequently submitted.

Introduction – Additional Professional Engineering and Construction Administration Services

Original contract assumed 10-month design and 15-month construction administration durations, respectively. Initial project schedule designated March 2017 design completion and May 2018 construction close out.

In April 2019, Contract Addendum #2 was executed. At the time of Contract Addendum #2 execution, final design was scheduled for completion in May 2019. At this time (October 2019) design is anticipated to be complete in December 2019. Using this information as a basis, a 6-month design extension has been estimated.

It should be noted that the original contract rates from May 2016 have been utilized by the Consultant throughout the lifetime of the project in developing professional fees for addenda. Consultant has not requested escalation of rates to account for staff salary adjustments over the last 3+ years.

The following Scope of Services details the work involved for TYLIN (Consultant).

Task 1 – Project Management, Meetings and Coordination

Consultant shall provide project management and coordination services required to complete the scope of work and coordinate the project with the Town, Developer and other stakeholders. The following is a list of anticipated activities:

- Project coordination with Town, CMAR Contractor, Developer and Developer Engineer staff;
- Supervise execution of work;
- Coordinate quality control reviews of project activities, deliverables and reports;
- Coordinate and monitor sub-consultant activities;
- Prepare for, attend and document all project meetings (see below for further explanation);
- Prepare monthly invoices and progress reports.

Consultant shall meet as-needed for the duration of the project design (number and frequency of

meetings varies throughout 6-month project design extension) with Town, CMAR and Developer staff to present and discuss progress to date and to resolve any outstanding comments/issues that arise during the course of design. The Consultant shall document action items identified at meetings and maintain an action item list.

Consultant attended phone meeting with Developer staff and Flood Control District of Maricopa County (FCDMC) to review on-site and off-site drainage design criteria, review drainage design alternatives evaluated, and explain basis for storm drain design provided. Meeting was attended on October 7th, 2019.

Project management and coordination hours are assumed for the design extension duration (6 months). Project management and coordination hours have been split relatively evenly amongst the various locations specified in the SUP and DA as can be seen in Exhibit B of this proposal.

Task 2 – Site Visit/Data Acquisition

No additional site visit/data acquisition services included with this proposal.

Task 3 – Field Topographic Survey, Base Mapping

No additional field topographic survey, base mapping services included with this proposal.

Task 4 – Improvement Plans, Specifications and Estimates

Town has been working with various developments, and additional Consultant staff, to finalize the median and south back of curb configurations along Lincoln Drive to best balance access provisions for the developments and access control. Consultant shall revise plans to align with approved median and south back of curb configuration on Lincoln Drive once provided by the Town. Median geometry, curb profiles, signing, and striping design will be updated accordingly.

Sidewalk design east of Quail Run was included in original scope of services for project. Sidewalk eliminated from project design early on during project development as a result of discussions with various developments on the south side of Lincoln Drive. More recent discussions have resulted in the need to include sidewalk east of Quail Run on the south side of Lincoln Drive. As a result, Consultant has revised plans to include sidewalk improvements east of Quail Run on the south side of Lincoln Drive.

Field visit noted installation of sanitary sewer stub on Indian Bend Road near Palmeraie Drive. Sanitary sewer design plans not shared with Consultant prior to installation. Upon acquisition of plans by Consultant, a conflict with storm drain design was identified. Consultant has revised storm drain design and plans on Indian Bend Road to accommodate developer installed sanitary sewer.

Task 5 – Traffic Analysis, Traffic Signal Design, ITS Design

No additional traffic analysis, traffic signal design, or ITS design services included with this proposal.

Task 6 – Landscape/Irrigation Design and Aesthetics

No additional landscape/irrigation design services included with this proposal.

Task 7 – Drainage Analysis and Report

Consultant shall provide supplemental exhibits and memorandums documenting drainage analysis and design methodology.

Drainage Analysis and Report hours have been split relatively evenly amongst the various locations specified in the SUP and DA as can be seen in Exhibit B of this proposal.

Task 8 – Geotechnical Investigation and Report

No additional geotechnical services included with this proposal.

Task 9 – Right-of-Way/Easement Acquisition

This task includes preparation of up to an additional seven (7) legal descriptions and twelve (12) revisions of legal descriptions for right-of-way/ easements needed on parcels at the following locations:

- Seven (7) on south side of Lincoln Drive for Quit Claim Deed:
 - APN 174-63-003: Coady Applewood Pet Resort
 - APN 174-63-003A: Gentree Smoke Tree Resort
 - APN 174-63-003B: Greenway Lincoln Medical Complex
 - APN 174-63-004A: Sunchase/Tupper
 - APN 174-63-006: Gordon
 - APN 174-63-009A: Coady Trust
 - APN 174-63-008A: Verma
- Twelve (12) on south side of Lincoln Drive to address revisions requested as part of acquisition negotiations:
 - APN 174-63-003: Coady Applewood Pet Resort
 - APN 174-63-003A: Gentree Smoke Tree Resort (Roadway Easement – 3 revisions)
 - APN 174-63-003A: Gentree Smoke Tree Resort (Sidewalk Easement – 3 revisions)
 - APN 174-63-003A: Gentree Smoke Tree Resort (Temporary Construction Easement – 3 revisions)
 - APN 174-63-003B: Greenway Lincoln Medical Complex (Sidewalk Easement)
 - APN 174-63-004A: Sunchase/Tupper

Each new legal description/easement fee is approximately \$450 and each revision is approximately \$130.

Professional fees for all new and revised legal descriptions outlined above are the full financial responsibility of the Town as shown in the attached fee spreadsheet.

It is assumed that all other acquisition services will be conducted by the Town.

Task 10 –Public Outreach and Communication

No additional public outreach and communication services included with this proposal.

Task 11 – Utility Coordination and Design

Consultant shall continue to provide detailed coordination with utility companies to facilitate relocation design progress and conflict resolution during project design extension duration. Consultant shall modify design, as feasible, to mitigate utility conflicts with proposed project elements.

Storm drain design shall be modified to mitigate conflicts to the maximum extent possible with City of Phoenix water mains based on pothole data obtained.

Storm drain design shall be modified to mitigate conflicts to the maximum extent possible with Arizona Public Service (APS) facilities based on pothole data obtained.

Additionally, Consultant provided detailed coordination with APS for installation of power service feed for Ritz-Carlton development. Consultant reviewed 5 submittals, provided comments, and CAD files to facilitate completion of plans by APS.

Consultant provided utility plan reviews for compatibility with proposed improvements concurrent with Town permitting efforts.

Consultant shall coordinate with CMAR, utility providers, developer, and Town to facilitate resolution of field issues encountered during utility relocations.

Utility coordination and design hours have been split relatively evenly amongst the various locations specified in the SUP and DA as can be seen in Exhibit B of this proposal.

Task 12 – CMAR Coordination/GMP Review

No additional CMAR coordination/GMP review services included with this proposal.

Task 13 – Post Design Services

No additional post design services included with this proposal.

Task 14 – QA Management/Review and Approval of Test Results

No additional QA management/review and approval of test results services included with this proposal.

Task 15 –As-Builts/Record Drawings & Final Project Close Out

No additional as-builts/record drawings & final project close out services included with this proposal.

Task 16 – Reimbursable Expenses

No additional reimbursable expenses included with this proposal.

**TOWN OF PARADISE VALLEY PROJECT NO. 2016-14
RITZ ROADWAY IMPROVEMENTS
PROFESSIONAL FEES FOR DESIGN, POST DESIGN AND CONSTRUCTION ADMINISTRATION**

TASK	DESCRIPTION	PROJECT MANAGER \$180.00		SENIOR PROJECT ENGINEER \$145.00		PROJECT ENGINEER \$125.00		DESIGN ENGINEER \$100.00		DESIGNER \$95.00		SUB CONSULTANT	TOTAL TYLI HOURS	TOTAL TYLI FEE	TOTAL FEE
		Hours	\$	Hours	\$	Hours	\$	Hours	\$	Hours	\$		Hours	\$	\$
PROFESSIONAL FEES BY TASKS															
1	Project Management, Meetings and Coordination	36	\$6,480.00	76	\$11,020.00								112	\$17,500.00	\$17,500.00
2	Site Visit/Data Acquisition														
3	Field Topographic Survey, Base Mapping														
4	Improvement Plans, Specifications and Estimates	4	\$720.00	8	\$1,160.00					20	\$1,900.00	\$5,845.00	32	\$3,780.00	\$9,625.00
5	Traffic Analysis, Traffic Signal Design, ITS Design														
6	Landscape/Irrigation Design and Aesthetics														
7	Drainage Analysis and Report	4	\$720.00	8	\$1,160.00	16	\$2,000.00	24	\$2,400.00				52	\$6,280.00	\$6,280.00
8	Geotechnical Investigation and Report														
9	Right-of-Way/Easement Acquisition	4	\$720.00			8	\$1,000.00					\$3,000.00	12	\$1,720.00	\$4,720.00
10	Public Outreach and Communication														
11	Utility Coordination and Design	16	\$2,880.00			40	\$5,000.00	60	\$6,000.00				116	\$13,880.00	\$13,880.00
12	CMAR Coordination/GMP Review														
13	Post Design Services														
14	QA Management/Review and Approval of Test Results														
15	As-Builts/Record Drawings & Final Project Close Out														
16	Reimbursable Expenses														
GRAND TOTAL PROFESSIONAL FEES		64	\$11,520.00	92	\$13,340.00	64	\$8,000.00	84	\$8,400.00	20	\$1,900.00	\$8,845.00	324	\$43,160.00	\$52,005.00

TYLIN INTERNATIONAL
EXHIBIT "B"

11/20/2019

**TOWN OF PARADISE VALLEY PROJECT NO. 2016-14
RITZ ROADWAY IMPROVEMENTS
PROFESSIONAL FEES FOR DESIGN, POST DESIGN AND CONSTRUCTION ADMINISTRATION**

LOCATION	DESCRIPTION	TOTAL CONTRACT FEE POST ADDENDUM #2	ADDITIONAL FEE	TOTAL FEE	TOWN SHARE TOTAL FEE	5-STAR SHARE TOTAL FEE	TOWN SHARE ADDITIONAL FEE	5-STAR SHARE ADDITIONAL FEE
1	Indian Bend Cross Section	\$ 147,570.53	\$ 9,415.00	\$ 156,985.53	\$ -	\$ 156,985.53	\$ -	\$ 9,415.00
2	Quail Run Signal	\$ 45,977.33	\$ -	\$ 45,977.33	\$ -	\$ 45,977.33	\$ -	\$ -
3	Lincoln & Mockingbird - WB Right Turn Lane	\$ 60,653.33	\$ -	\$ 60,653.33	\$ -	\$ 60,653.33	\$ -	\$ -
4	Lincoln & Mockingbird - SB Right Turn Lane	\$ 59,460.33	\$ -	\$ 59,460.33	\$ -	\$ 59,460.33	\$ -	\$ -
5	Indian Bend Traffic Circle	\$ 54,623.33	\$ -	\$ 54,623.33	\$ -	\$ 54,623.33	\$ -	\$ -
6	Indian Bend Traffic Calming	\$ 78,828.33	\$ -	\$ 78,828.33	\$ -	\$ 78,828.33	\$ -	\$ -
7	Mockingbird - Lincoln to Indian Bend	\$ 171,593.47	\$ 9,415.00	\$ 181,008.47	\$ 90,504.24	\$ 90,504.24	\$ 4,707.50	\$ 4,707.50
8	Mockingbird - Indian Bend to Northern	\$ 270,403.47	\$ -	\$ 270,403.47	\$ 270,403.47	\$ -	\$ -	\$ -
9	Lincoln North Side - Mockingbird easterly to Town limits	\$ 139,981.47	\$ 9,415.00	\$ 149,396.47	\$ 74,698.24	\$ 74,698.24	\$ 4,707.50	\$ 4,707.50
10	Lincoln Drive Entry Signs	\$ 31,667.33	\$ -	\$ 31,667.33	\$ -	\$ 31,667.33	\$ -	\$ -
11	Lincoln South Side - Mockingbird easterly to Town limits	\$ 184,000.47	\$ 19,040.00	\$ 203,040.47	\$ 101,520.24	\$ 101,520.24	\$ 9,520.00	\$ 9,520.00
12	Lincoln & Tatum - WB Right and Left Turn Lanes	\$ 75,397.33	\$ -	\$ 75,397.33	\$ 75,397.33	\$ -	\$ -	\$ -
N/A	Lincoln Drive Sewer	\$ 17,020.00	\$ -	\$ 17,020.00	\$ 17,020.00	\$ -	\$ -	\$ -
N/A	Lincoln South Side - Additional Legal Descriptions & Revisions	\$ -	\$ 4,720.00	\$ 4,720.00	\$ 4,720.00	\$ -	\$ 4,720.00	\$ -
Grand Total Professional Fees		\$ 1,337,176.72	\$ 52,005.00	\$ 1,389,181.72	\$ 634,263.51	\$ 754,918.22	\$ 23,655.00	\$ 28,350.00