

**SUPPLEMENTAL AGREEMENT NO. 1**

**THIS SUPPLEMENTAL AGREEMENT**, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2020, by and between TIPPECANOE COUNTY BOARD OF COMMISSIONERS, INDIANA ("LOCAL PUBLIC AGENCY" or "LPA"), and BUTLER, FAIRMAN and SEUFERT, INC. ("the CONSULTANT").

Des No.: 1601028

Project Description: Safety Improvements along Old 231 and CR 500 South in Tippecanoe County, Indiana

**WITNESSETH**

**WHEREAS**, on November 5, 2018, the LPA entered into an Agreement with the CONSULTANT for Right-of-Way Services required for Safety Improvements along Old 231 and CR 500 S, and

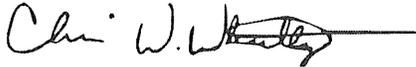
**WHEREAS**, the LPA desires for the CONSULTANT to provide additional Right-of-Way Services in the project area, requiring Appraising, Review Appraising, Buying, Right-of-way Engineering, Management, and Staking, and

**NOW, THEREFORE**, the parties agree that Appendix "D" of the November 5, 2018, Agreement be modified by this Supplemental Agreement No. 1; therefore the compensation for these services shall increase the total not to exceed compensation by \$47,450.00 from \$41,000.00 to an amount not to exceed \$88,450.00 as laid out and attached hereto.

**IN TESTIMONY WHEREOF**, the parties hereto have executed this Supplemental Agreement.

**CONSULTANT:**

**BUTLER, FAIRMAN and SEUFERT, INC.**



Chris W. Wheatley  
Vice President

**LOCAL PUBLIC AGENCY:**

**TIPPECANOE COUNTY BOARD OF COMMISSIONERS**

\_\_\_\_\_  
Tracy A. Brown, President

\_\_\_\_\_  
Thomas P. Murtaugh, Vice President

\_\_\_\_\_  
David S. Byers, Member

Attest:

\_\_\_\_\_  
Bob Plantenga, Auditor

## Appendix "D" Additional Compensation

The CONSULTANT will be paid for the work performed under the applicable Sections A, B, C and D of Appendix "A" of the November 5, 2018, Agreement, except as provided for in Section 4 of the November 5, 2018, Agreement, in accordance with the following schedule, and as set out in Exhibit "A":

Appraisal Fee	\$5,985.00
Review Appraising Fee	\$3,600.00
Buying Fee	\$17,865.00
Relocation Services	NA
RIGHT OF Way Staking	\$2,400.00
Direct Expenses & Fees	\$2,000.00
Right-of-Way Management	\$10,800.00
Legal Services	NA
Fee Scope Changes for Appraisal or Buying	\$2,400.00
<u>Additional ROW Services (Hourly not to Exceed)</u>	<u>\$2,400.00</u>
TOTAL	\$47,450.00

The above amounts are in addition to the fees the November 5, 2018, Agreement, said Agreement covers Parcels 1 through 9 of the scope, Supplemental Agreement No. 1 covers Parcels 10 through 18.

Additional services will be charged on an hourly basis as set out in Appendix "D-1", updated and attached hereto. Additional services could include additional hours by engineer or project manager involving additional parcels, utility relocations, administrative settlements, as directed by the court or Attorney in a condemnation suit, or any additional work as directed by the LPA

All fees set out for appraising, review appraising and buying will be adjusted according to the INDOT fee table if a change in scope for services is determined. Adjustments will be reflected on the invoice and any overall increase will not exceed \$2,400.00 as set out in Exhibit "A". Any increase in budget categories exceeding the funds allocated in the agreement shall require a supplemental agreement. All sub-consultant invoicing and direct costs for the project will be passed on as invoiced and no markup will be reflected.



**EXHIBIT "A"**  
**TIPPECANOE COUNTY**  
**OLD US231 / CR 500 SOUTH**

Parcel	Owner Name	APR Type	Appr. Fee	Review Fee	Buyer Fee	ROW Management
<b>Parcels 1 through 9 are included in BFS Job Number 615900.V0000 agreement (2018)</b>						
1	Taylor L Rhine	WV	\$ 630.00	\$ 370.00	\$ 1,785.00	\$ 1,050.00
2	Samuel C Beaman Etux.	WV	\$ 630.00	\$ 370.00	\$ 1,785.00	\$ 1,050.00
3	Bradley A Pfeifer	WV	\$ 630.00	\$ 370.00	\$ 1,470.00	\$ 1,050.00
4	Ronald B Whittle Etux.	WV	\$ 630.00	\$ 370.00	\$ 1,470.00	\$ 1,050.00
5	Justin Levi Sellon Etux.	WV	\$ 630.00	\$ 370.00	\$ 1,470.00	\$ 1,050.00
6	Jason Winger	WV	\$ 630.00	\$ 370.00	\$ 1,470.00	\$ 1,050.00
7	Toby S Cedarquist Etux.	WV	\$ 630.00	\$ 370.00	\$ 1,785.00	\$ 1,050.00
8	Tippecanoe School Corporation	WV	\$ 630.00	\$ 370.00	\$ 1,785.00	\$ 1,050.00
9	Duran Keller Etux.	WV	\$ 630.00	\$ 370.00	\$ 1,785.00	\$ 1,050.00
<b>2018 Agreement Totals</b>			<b>\$ 5,670.00</b>	<b>\$ 3,330.00</b>	<b>\$ 14,805.00</b>	<b>\$ 9,450.00</b>
<b>Parcels 10 through 17 are included in Supplemental Agreement No. 1</b>						
10	Susan M Woodrow Etal.	WV	\$ 665.00	\$ 400.00	\$ 1,985.00	\$ 1,200.00
11	Brian Spitznagle Etal.	WV	\$ 665.00	\$ 400.00	\$ 1,985.00	\$ 1,200.00
12	Roger Rhine Etal.	WV	\$ 665.00	\$ 400.00	\$ 1,985.00	\$ 1,200.00
13	Kathleen M Haugen	WV	\$ 665.00	\$ 400.00	\$ 1,985.00	\$ 1,200.00
14	Brenda J Burton	WV	\$ 665.00	\$ 400.00	\$ 1,985.00	\$ 1,200.00
15	Robin W Snodgrass Etal.	WV	\$ 665.00	\$ 400.00	\$ 1,985.00	\$ 1,200.00
16	Rafael Turner	WV	\$ 665.00	\$ 400.00	\$ 1,985.00	\$ 1,200.00
17	Michael Allen Demko Etal.	WV	\$ 665.00	\$ 400.00	\$ 1,985.00	\$ 1,200.00
18	Grace Lutheran Church	WV	\$ 665.00	\$ 400.00	\$ 1,985.00	\$ 1,200.00
<b>Additional Parcel Totals</b>			<b>\$ 5,985.00</b>	<b>\$ 3,600.00</b>	<b>\$ 17,865.00</b>	<b>\$ 10,800.00</b>
			<b>Original Agreement</b>	<b>Supplemental Agreement</b>	<b>Totals</b>	
Total Appraising			\$ 5,670.00	\$ 5,985.00	\$ 11,655.00	
Total Review Appraising			\$ 3,330.00	\$ 3,600.00	\$ 6,930.00	
Total Buyer Fee (Includes Title Update)			\$ 14,805.00	\$ 17,865.00	\$ 32,670.00	
Total Relocation Fee			NA	NA	NA	
Sub - Total			\$ 23,805.00	\$ 27,450.00	\$ 51,255.00	
ROW Management			\$ 9,450.00	\$ 10,800.00	\$ 20,250.00	
ROW Survey (Lsum)			\$ 2,000.00	\$ 2,400.00	\$ 4,400.00	
Miscellaneous Expenses & Fees (Cost-to-Cure, Mortgage Release Fees, etc.)			\$ 1,595.00	\$ 2,000.00	\$ 3,595.00	
Sub-Total			\$ 36,850.00	\$ 42,650.00	\$ 79,500.00	
Appraisal & Buying Parcel Scope Changes			\$ 2,000.00	\$ 2,400.00	\$ 4,400.00	
Additional Services (Hourly, Condemnation Support, reviews, etc.)			\$ 2,150.00	\$ 2,400.00	\$ 4,550.00	
Legal Services (Document Preparation)			NA	NA	NA	
<b>Total Right-of-Way Services</b>			<b>\$ 41,000.00</b>	<b>\$ 47,450.00</b>	<b>\$ 88,450.00</b>	

Escalated Billing Rate Calculation (Short Version)  
 BUTLER, FAIRMAN AND SEUFERT, INC.  
 REGULAR AND OVERTIME BILLING RATES

Appendix "D-1"

R/FORMS PROPOSALS 7-22-04

Replace the data in the yellow cells with the appropriate data for the firm and the project, using the actual labor classifications and current paid labor rates, and the proposed average (across the board) annual percentage of increase.

100.00%	Direct Labor	
159.36%	Overhead Rate	
259.36%	Labor & Overhead	
15.00%	Profit	38.90%
298.26%		
0.47%	Cost of Money	
298.73%		
<b>\$212.73 MAXIMUM</b>		

Fill in yellow cells

Classification	Audited Wage Rates	Billing Rate	Escalated Billing Rates				NOTE
			2020	2021	2022	2023	
			Annual Increase Avg. →	→	→	→	
E-V Engineer V (Principal Engineer)	68.64	206.05	211.20	212.73	212.73	212.73	\$71.21 Limit
Overtime		206.05	211.20	212.73	212.73	212.73	\$71.21 Limit
E-IV Engineer IV	62.29	186.08	191.66	197.41	203.33	209.43	
Overtime		186.08	191.66	197.41	203.33	209.43	
E-III Engineer III	53.28	159.17	163.95	168.87	173.94	179.16	
Overtime		159.17	163.95	168.87	173.94	179.16	
E-II Engineer II	40.02	119.55	123.14	126.83	130.63	134.55	
Overtime		119.55	123.14	126.83	130.63	134.55	
E-I Engineer I	28.51	85.17	87.73	90.36	93.07	95.86	
Overtime		99.43	102.41	105.48	108.65	111.91	
EA-III Engineer's Assistant III	55.43	165.59	170.56	175.68	180.95	186.38	
Overtime		193.31	199.10	205.08	211.23	217.57	
EA-II Engineer's Assistant II	43.41	129.68	133.57	137.58	141.71	145.96	
Overtime		151.39	155.93	160.60	165.42	170.39	
EA-I Engineer's Assistant I	27.69	82.72	85.20	87.76	90.39	93.10	
Overtime		96.57	99.46	102.45	105.52	108.69	
FP-IV Field Personnel IV	57.36	171.35	176.49	181.78	187.23	192.85	
Overtime		200.03	206.03	212.21	218.58	225.14	
FP-III Field Personnel III	45.01	134.46	138.49	142.64	146.92	151.33	
Overtime		156.97	161.67	166.52	171.52	176.67	
FP-II Field Personnel II	35.62	106.41	109.60	112.89	116.28	119.77	
Overtime		124.22	127.95	131.79	135.74	139.81	
FP-I Field Personnel I	27.64	82.57	85.05	87.60	90.23	92.94	
Overtime		96.99	99.28	102.26	105.33	108.49	
SP-I Support Personnel I	20.01	59.78	61.57	63.42	65.32	67.28	
Overtime		69.79	71.88	74.04	76.26	78.55	
C-II Clerical II	36.79	109.90	113.20	116.60	120.10	123.70	
Overtime		126.30	132.14	136.11	140.19	144.40	
C-I Clerical I	24.00	71.70	73.85	76.07	78.35	80.70	
Overtime		83.70	86.21	88.80	91.46	94.21	
P-III Planner III	41.68	124.51	128.25	132.10	136.06	140.14	
Overtime		145.35	149.71	154.20	158.83	163.59	
P-II Planner II	27.92	83.41	85.91	88.49	91.14	93.87	
Overtime		97.37	100.29	103.30	106.40	109.59	
P-I Planner I	26.36	78.75	81.11	83.54	86.05	88.63	
Overtime		91.93	94.69	97.53	100.45	103.47	