

AMENDATORY AGREEMENT

This **AMENDATORY AGREEMENT** is made and entered by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”) and **ACL, INC.**, a Colorado corporation, whose address is 17877 W. 53rd Dr., Golden, CO 80403 (the “Consultant”), jointly (“the Parties”).

RECITALS:

A. The Parties entered into an Agreement dated January 7, 2021 (the “Agreement”) for the performance of certain work set forth in that Agreement and Exhibit A.

B. The Parties wish to amend the Agreement to extend the Term, and to make such other amendments herein set forth.

NOW THEREFORE, in consideration of the premises and the Parties’ mutual covenants and obligations, the Parties agree as follows:

1. All references to “**Exhibit B**” in the Agreement shall be amended to read: “Exhibit B and Exhibit B-1”. Exhibit B-1 is attached hereto and incorporated herein by this reference.

2. Section 4 of the Agreement entitled **TERM AND TERMINATION** Sub-section 4.01 entitled **Term** is amended to read as follows:

“**4.01. Term.** The term of this Agreement shall commence on January 15, 2021 and shall expire on January 14, 2026, unless sooner terminated or extended by written amendment. The Consultant shall complete any task orders in progress as of the expiration date of this agreement and the term will extend until the work is completed or earlier terminated by the Director. The term of this agreement may be extended for one additional year at the City’s sole discretion by written amendment.”

3. Section 6 of the Agreement entitled **GENERAL PROVISIONS** Sub-section 6.06 entitled **No Discrimination in Employment** is hereby deleted in its entirety and replaced with:

“**6.06. No Discrimination in Employment:** In connection with the performance of work under the Agreement, the Contractor may not refuse to hire, discharge, promote, demote, or discriminate in matters of compensation against any person otherwise qualified, solely because of race, color, religion, national origin, ethnicity, citizenship, immigration status, gender, age, sexual orientation, gender

identity, gender expression, marital status, source of income, military status, protective hairstyle, or disability. The Contractor shall insert the foregoing provision in all subcontracts.”

4. Section 6 of the Agreement entitled **GENERAL PROVISIONS** Sub-section 6.19 of the Agreement entitled **No Employment of Illegal Aliens to Perform Work Under the Agreement** is hereby deleted in its entirety.

5. As herein amended, the Agreement is revived, affirmed, and ratified in each and every particular.

6. This Amendatory Agreement will not be effective or binding on the City until it has been fully executed by all required signatories of the City and County of Denver, and if required by Charter, approved by the City Council.

[THE BALANCE OF THIS PAGE IS INTENTIONALLY LEFT BLANK.]
[SIGNATURE PAGES FOLLOW]

Contract Control Number: DOTI-202369157-01 [202056491-01]
Contractor Name: ACL, Inc.

IN WITNESS WHEREOF, the parties have set their hands and affixed their seals at Denver, Colorado as of:

SEAL

CITY AND COUNTY OF DENVER:

ATTEST:

By:

APPROVED AS TO FORM:

REGISTERED AND COUNTERSIGNED:

Attorney for the City and County of Denver

By:

By:

By:

Contract Control Number:
Contractor Name:

DOTI-202369157-01 [202056491-01]
ACL, Inc.

By:  _____
706EDAB650424B4...

Name: Adria Lucerna
(please print)

Title: President
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)

Exhibit B-1

PRIME TEAM MEMBERSPrime: ACL, Inc.

List **ALL** potential personnel titles/classifications that may be utilized under the contract and their respective hourly rate. Do not list names of personnel, only titles (i.e. Project Manager). Provide additional sheets as necessary.

Title/Classification	Responsibilities	Rate/Hr.
Principal/President	Assignment of resources, quality assurance	\$185
Principal/Vice President	Assignment of resources, quality assurance	\$182
Engineering Specialist	Engineering technical specialist	\$180
Senior Project Manager	Project management, budget, coordination	\$178
Project Manager	Project management, budget, coordination	\$173
Senior Project Engineer	Design, analysis, drawings, studies, specs, estimate, reports	\$168
Project Specialist	Project specific support, data analysis, reports	\$163
Project Engineer	Design, analysis, drawings, studies, reports	\$160
Engineer III	Design, analysis, drawings, studies, reports	\$155
Engineer II	Design, analysis, drawings, studies, reports	\$150
Engineer I	Design, analysis, drawings, studies, reports	\$147
Senior Designer	CADD management, design, exhibits, plan management	\$132
Designer II	CADD, preparation of drawings, maps, exhibits, figures	\$128
Designer I	CADD, preparation of drawings, maps, exhibits, figures	\$122
Technician II	CADD, preparation of drawings, data collection	\$118
Technician I	CADD, preparation of drawings, data collection	\$115
Administrative Assistant	Administrative Support	\$110

The City will not compensate for expenses such as postage, mileage, parking, or telephone costs. Reproductions, if requested by the City, shall be reimbursed at actual cost if approved in advance by the Project Manager. Reproductions requested by the City such as end-of-phase reports, drawings, bid documents, record drawing reproductions, etc. are not included in the hourly rates will be itemized as a not-to-exceed expense, and will be reimbursed at actual cost.

REIMBURSABLE EXPENSES

Prime: ACL, Inc.

The additional expenses reimbursable by the City shall include the actual cost to reproduce drawings and specifications requested by the City. Travel/transportation costs shall not be reimbursed by the City for Primes.

Actual Costs

<u>Item</u>	<u>Charge Rate</u>
Copies (8 1/2 x 11")	\$ <u>0.15</u> / each
Copies (8 1/2 x 14")	\$ <u>0.25</u> / each
Red-line copies	\$ <u>Invoice</u> / S.F.
Reproducibles	\$ <u>Invoice</u> / page

SUB TEAM MEMBERS

Sub: Harris Kocher Engineering Group, Inc DBA Harris Kocher Smith

List **ALL** potential personnel titles/classifications that may be utilized under the contract and their respective hourly rate. Do not list names of personnel, only titles (i.e. Project Manager). Provide additional sheets as necessary.

Title/Classification	Responsibilities	Rate/Hr.
Principal	Manages firm, department staffing, QA/QC procedures	\$230.00
Associate Principal	Manages firm, department staffing, QA/QC procedures	\$205.00
Dept Manager	Manages Project Managers, department resources, budget	\$190.00
Senior Project Manager	Licensed engineer responsible for project schedule and budget, project management	\$185.00
Project Manager	Licensed engineer responsible for project schedule and budget, project management	\$170.00
Senior Project Engineer	Licensed engineer responsible for engineering design of project, task assignments	\$160.00
Project Engineer	Engineer responsible for engineering design of project, task assignments	\$155.00
Design Engineer	Technical designer and draftsman	\$145.00
Engineering Technician	Draftsman	\$130.00
Engineering Intern	Engineer in training	\$ 85.00
Senior Utility Coordinator	Coordination of utility services for site	\$135.00
Utility Coordinator	Coordination of utility services for site	\$130.00
Construction Observer	Perform spot checks as required to confirm conformance	\$135.00
Survey Manager	Licensed surveyor in charge of management of projects and Survey Project Managers	\$185.00
Survey Project Manager	Licensed surveyor in charge of management of projects and budget	\$165.00
Construction Survey Mgr	Management of survey construction staking projects	\$165.00
Project Surveyor	Drafting, calculations, written property descriptions	\$140.00
Two Person Crew	Survey field work	\$220.00
One Person Crew	Survey field work	\$165.00
Clerical	Administrative/clerical work	\$115.00
SUE Manager	Management of SUE projects	\$175.00
SUE Operations Manager	Management of SUE projects	\$170.00
SUE Project Manager	Licensed engineer in charge of projects and budget	\$170.00
SUE Project Engineer	Licensed engineer in charge of project tasks	\$155.00

SUE Engineer I	Engineer in charge of project mapping, report compilation	\$145.00
SUE Engineer II	Engineer in charge of project mapping, report compilation	\$150.00
SUE Coordinator	Coordination of SUE projects	\$150.00
SUE Supervisor	Supervision of SUE designation and test hole teams	\$145.00
Utility Mapping Technician I	Field or office-based technician responsible for data collection and/or mapping duties	\$140.00
Utility Mapping Technician II	Field or office-based technician responsible for data collection and/or mapping duties	\$145.00
Utility Designator	Field technician	\$135.00
Traffic Control Supervisor (TCS)	Coordinates traffic control plans and supervises traffic control procedures	\$135.00

The City will not compensate for expenses such as postage, mileage, parking, or telephone costs. Reproductions, if requested by the City, shall be reimbursed at actual cost if approved in advance by the Project Manager. Reproductions requested by the City such as end-of-phase reports, drawings, bid documents, record drawing reproductions, etc. are not included in the hourly rates will be itemized as a not-to-exceed expense, and will be reimbursed at actual cost.

REIMBURSABLE EXPENSES

Sub: Harris Kocher Engineering Group, Inc DBA Harris Kocher Smith

The additional expenses reimbursable by the City shall include the actual cost to reproduce drawings and specifications requested by the City. Travel/transportation costs shall not be reimbursed by the City for Primes.

Actual Costs

<u>Item</u>	<u>Charge Rate</u>
Copies (8 1/2 x 11")	\$0.80/ each
Copies (8 1/2 x 14")	\$0.8/ each
Red-line copies	\$0.51/ S.F.
Reproducibles	\$0.80/ page

SUB TEAM MEMBER RATES

Sub: IronStride Solutions, PC

List **ALL** potential personnel titles/classifications that may be utilized under the contract and their respective hourly rate. Do not list names of personnel, only titles (i.e. Project Manager). Provide additional sheets as necessary.

Title/Classification	Responsibilities	Rate/Hr.
Principal / Sr. Technical / Project Manager	quality control, project management, technical engineering oversight and review, scoping, complex design, stakeholder coordination, or other similar	
Level IV		\$315
Level III		\$285
Level II		\$260
Level I		\$230
Engineer / Planner	Technical professional completing design, planning, studies, analysis, or other similar	
Level IV		\$225
Level III		\$205
Level II		\$170
Level I		\$135
PM / CM / FM / OM	Management of design projects, construction projects, finances, and/or operations	
Level IV		\$215
Level III		\$185
Level II		\$155
Level I		\$120
Designer / Inspector / EIT	Development of design projects or construction oversight	
Level IV		\$175
Level III		\$155
Level II		\$125
Level I		\$110
GIS / Technician / Project Professional	Data collection, design support and CADD, graphics, reports, engineering support, construction observation, or other similar	
Level IV		\$170
Level III		\$150
Level II		\$125
Level I		\$100
Admin / Controls / Accounting	Administrative support, graphics, document editing/review, financial review/budgeting, project management, communications, or other similar	
Level IV		\$160
Level III		\$130
Level II		\$105
Level I		\$80
Intern	As needed support	\$70

The City will not compensate for expenses such as postage, mileage, parking, or telephone costs. Reproductions, if requested by the City, shall be reimbursed at actual cost if approved in advance by the Project Manager. Reproductions requested by the City such as end-of-phase reports, drawings, bid documents, record drawing reproductions, etc. are not included in the hourly rates will be itemized as a not-to-exceed expense, and will be reimbursed at actual cost.

REIMBURSABLE EXPENSES

Sub: IronStride Solutions, PC

The additional expenses reimbursable by the City shall include the actual cost to reproduce drawings and specifications requested by the City. Travel/transportation costs shall not be reimbursed by the City for Primes.

Actual Costs

<u>Item</u>	<u>Charge Rate</u>
Copies (8 1/2 x 11")	n/a
Copies (8 1/2 x 14")	n/a
Red-line copies	n/a
Reproducibles	n/a

SUB TEAM MEMBERS

Sub: Michael Baker International

List **ALL** potential personnel titles/classifications that may be utilized under the contract and their respective hourly rate. Do not list names of personnel, only titles (i.e. Project Manager). Provide additional sheets as necessary.

Title/Classification	Responsibilities	Rate/Hr.
Office Executive/Principal	Manages the office operations. Provides leadership and oversight to the Technical Managers. Assures commitment of office resources. Monitors quality, client satisfaction and resolves issues as needed.	\$289
Department Manger III	Department Management. Provides leadership and oversight of department processes and project management. Manages department resource assignments and commitments. Assures that qualified staff at the appropriate classification are assigned to tasks.	\$254
Department Manger II		\$240
Department Manger I		\$230
Project Manager IV	Task management. Technical lead on projects. QA/QC and technical reviews of deliverables. Coordination with project stakeholders. Preparation and review of project documentation and submittals. Main point of contact for clients, projects and tasks.	\$210
Project Manager III		\$204
Project Manager II		\$181
Project Manager I		\$167
Civil Engineer IV	Task technical leads. Mid to senior level. Responsible for engineering design and analysis. Oversight of Civil Associates and Designers. Preparation of plans, exhibits, reports, and cost estimates.	\$172
Civil Engineer III		\$158
Civil Engineer II		\$145
Civil Engineer I		\$125
Civil Associate IV	Responsible for engineering design and analysis under the supervision of an Engineer. Entry to junior level. Assist with preparation of plans, exhibits, reports, and cost estimates.	\$120
Civil Associate III		\$116
Civil Associate II		\$112
Civil Associate I		\$100
Technical Specialist V	Responsible for technical analysis, calculations, design, evaluations, and inspections in a specific area of expertise. Performs under supervision of the Project Manager or Engineer.	\$164
Technical Specialist IV		\$156
Technical Specialist III		\$139
Technical Specialist II		\$118
Technical Specialist I		\$100
Designer IV	Preparation and conceptual designs, plans, and exhibits. Assist with CAD support and with preparing reports,	\$158
Designer III		\$145

Designer II	quantities, and cost estimates under the supervision of an Engineer.	\$120
Designer I		\$99
GIT Supervisor	GIS database creation, modification, analysis and graphics preparation. Website creation and maintenance.	\$165
GIS Specialist II		\$141
GIS Specialist I		\$135
GIS Associate III		\$130
GIS Associate II		\$115
GIS Associate I		\$95
CADD Manager		Preparation of CAD drawings, maps, and exhibits.
CADD Technician IV	\$126	
CADD Technician III	\$95	
CADD Technician II	\$89	
CADD Technician I	\$80	
Sr. Planner	Task technical planning leads. Responsible for planning level tasks, data collection and analysis, coordination with designers and engineers. Assist with preparation of reports.	\$160
Planner III		\$140
Planner II		\$120
Planner I		\$105
Administrative Support	Administrative tasks and assistance.	\$90
Intern	Assisting with planning, engineering design and CAD tasks.	\$65
Project Control Specialist	Project accounting, project set-up, maintenance and close-out.	\$146

The City will not compensate for expenses such as postage, mileage, parking, or telephone costs. Reproductions, if requested by the City, shall be reimbursed at actual cost if approved in advance by the Project Manager. Reproductions requested by the City such as end-of-phase reports, drawings, bid documents, record drawing reproductions, etc. are not included in the hourly rates will be itemized as a not-to-exceed expense, and will be reimbursed at actual cost.

REIMBURSABLE EXPENSES

Sub: Michael Baker International

The additional expenses reimbursable by the City shall include the actual cost to reproduce drawings and specifications requested by the City. Travel/transportation costs shall not be reimbursed by the City for Primes.

Actual Costs

<u>Item</u>	<u>Charge Rate</u>
Copies (8 1/2 x 11")	\$0.10/ each
Copies (8 1/2 x 14")	\$0.10/ each
Red-line copies	At Cost
Reproducibles	At Cost

SUB TEAM MEMBERS

Sub: Navjoy Consulting Services, Inc.

List **ALL** potential personnel titles/classifications that may be utilized under the contract and their respective hourly rate. Do not list names of personnel, only titles (i.e. Project Manager). Provide additional sheets as necessary.

Title/Classification	Responsibilities	Rate/Hr.
Principal-In-Charge	Overall responsibility	\$268.22
Project Manager	Overall responsibility for quality, timelines & assignment of resources	\$170.21
IT Network Manager	IT Network and Planning	\$168.96
Task Manager	Responsible for tasks	\$140.80
Senior Project Coordinator	Lead project coordination	\$84.48
Project Coordinator	Assist with project coordination	\$61.93
Senior Data Analyst	Lead analytic support	\$84.48
Data Analyst	Analytic support	\$61.93
Lead Field Technician	Lead and conduct field work	\$84.48
Field Technician	Conduct field work	\$73.22
Marketing Manager	Lead marketing support	\$84.48
Graphic Designer	Graphic support	\$61.93

The City will not compensate for expenses such as postage, mileage, parking, or telephone costs. Reproductions, if requested by the City, shall be reimbursed at actual cost if approved in advance by the Project Manager. Reproductions requested by the City such as end-of-phase reports, drawings, bid documents, record drawing reproductions, etc. are not included in the hourly rates will be itemized as a not-to-exceed expense, and will be reimbursed at actual cost.

REIMBURSABLE EXPENSES

Sub: Navjoy Consulting Services, Inc.

The additional expenses reimbursable by the City shall include the actual cost to reproduce drawings and specifications requested by the City. Travel/transportation costs shall not be reimbursed by the City for Primes.

Actual Costs

<u>Item</u>	<u>Charge Rate</u>
Copies (8 1/2 x 11")	\$ <u>0.25</u> / each
Copies (8 1/2 x 14")	\$ <u>0.25</u> / each
Red-line copies	\$ <u>1.00</u> / S.F.
Reproducibles	\$ <u>2.00</u> / page

SUB TEAM MEMBERS

Sub: Olsson

List **ALL** potential personnel titles/classifications that may be utilized under the contract and their respective hourly rate. Do not list names of personnel, only titles (i.e. Project Manager). Provide additional sheets as necessary.

Title/Classification	Responsibilities	Rate/Hr.
Assistant Engineer	Engineering design, modeling, plan production, opinions of cost	\$137
Associate Engineer	Engineering design, modeling, plan production, opinions of cost	\$151
Industry Expert	Project management, engineering design, quality control, opinions of cost	\$285
Project Engineer	Project management, engineering design, modeling, plan production, opinions of cost	\$189
Senior Engineer	Project management, engineering design, quality control, modeling, opinions of cost	\$232
Senior Project Engineer	Project management, engineering design, quality control, opinions of cost	\$205
Senior Project Manager	Project management, engineering design, quality control, opinions of cost	\$285
Team Leader	Project management, engineering design, quality control, opinions of cost	\$258
Technical Leader - Engineer	Project management, engineering design, quality control, modeling, opinions of cost	\$263
Administrative Office Manager	Administration	\$140
Administrative Office Coordinator	Administration	\$88
Administrative Team Coordinator	Administration	\$88
Administrative Office Assistant	Administration	\$60
Student Intern 1	AutoCAD drafting, plan production, calculations	\$ 76
Student Intern 2	AutoCAD drafting, plan production, calculations	\$ 92

The City will not compensate for expenses such as postage, mileage, parking, or telephone costs. Reproductions, if requested by the City, shall be reimbursed at actual cost if approved in advance by the Project Manager. Reproductions requested by the City such as end-of-phase reports, drawings, bid documents, record drawing reproductions, etc. are not included in the hourly rates will be itemized as a not-to-exceed expense, and will be reimbursed at actual cost.

REIMBURSABLE EXPENSES

Sub: Olsson _____

The additional expenses reimbursable by the City shall include the actual cost to reproduce drawings and specifications requested by the City. Travel/transportation costs shall not be reimbursed by the City for Primes.

Actual Costs

<u>Item</u>	<u>Charge Rate</u>
Copies (8 1/2 x 11")	\$_Cost___/ each
Copies (8 1/2 x 14")	\$_Cost___/ each
Red-line copies	\$_Cost___/ S.F.
Reproducibles	\$_Cost___/ page