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 **ORDONEZ VOGELSANG, LLC**, a Colorado limited liability company, whose address is 1200 Bannock St., Denver, CO 80204 (the "Consultant"), jointly ("the Parties").

RECITALS:

A. The Parties entered into an Agreement dated January 8, 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 <u>**TERM AND TERMINATION**</u> Sub-section 4.01 entitled **Term** is amended to read as follows:

"4.01. <u>Term.</u> 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 <u>GENERAL PROVISIONS</u> 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 <u>GENERAL PROVISIONS</u> 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-202369368-01 [202056618-01]
Contractor Name:	ORDONEZ AND VOGELSANG, LLC

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

SEAL

CITY AND COUNTY OF DENVER:

REGISTERED AND COUNTERSIGNED:

ATTEST:

By:

APPROVED AS TO FORM:

Attorney for the City and County of Denver

By:

By:

By:

Contract Control Number: Contractor Name:

DOTI-202369368-01 [202056618-01] ORDONEZ AND VOGELSANG, LLC

DocuSigned by: Beth Vogelsang ____ By:

Name: <u>Beth Vogelsang</u> (please print)

Title: _____Principal Planner and Owner

(please print)

ATTEST: [if required]

By: _____

Name: (please print)

PRIME TEAM MEMBERS

Prime: OV Consulting

List <u>ALL</u> 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	Project Management, Transportation Management, Mobility Planning, Design, Strategic Outreach	\$200
Project Manager	Project Management, Transportation & Urban Planning, Transportation Engineering	\$170
Senior Engineer	Transportation & Urban Engineering	\$165
Engineer II	Transportation & Urban Engineering	\$140
Engineer I	Transportation & Urban Engineering	\$125
Senior Planner	Transportation & Urban Planning	\$145
Planner II	Transportation & Urban Planning	\$130
Planner I	Transportation & Urban Planning	\$120
Planning Analyst	Analysis	\$95
GIS Analyst	GIS, Data Review	\$95
Graphic Designer	Graphic design, meeting materials, web-based materials	\$90
CAD Technician	CAD Drafting	\$90
Clerical/Administrative	Word processing & administrative organization	\$70
Data Collection Technician	Collect field data	\$40
Intern	Varying support tasks	\$35

REIMBURSABLE EXPENSES

Prime: OV Consulting

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.

Item	Charge Rate
Copies (8 1/2 x 11")	\$_0.20 / each Black/White, \$1.00
	each Color
Copies (11 x 17")	\$_ <u>2.00</u> / each
Large format plotter prints	\$ <u>6.00</u> / S.F.
Reproducibles	\$ <u>1.00</u> / page

SUB-CONSUE THIO THE MEMBERS

Firm Name: All Traffic Data Services, LLC

Category: <u>Multimodal and Transportation</u> Planning

List <u>ALL</u> potential firm personnel titles/classifications that may be utilized under the Agreement, and their respective hourly rate. Do not list names of personnel, only titles (i.e. Project Manager).

Title/Classification	Responsibilities	Rate/Hr.
Project Manager	Provide data collection scope and services needed with costs, schedule data collection, review collected data, submit final reports and invoice.	\$ 82.50/Hr
Data Processor	Process field data, check for accuracy and produce applicable reports.	\$ 75.00/Hr
Technician	Place equipment in the field to collect accurate data	\$62.50/Hr

Multiplier, which when multiplied by the direct labor rate yields the above hourly billing rate: <u>1.0</u>

All reimbursable expenses are subject to the review and approval of the City. The additional expenses of the Consultant reimbursable by the City shall include:

- (1) Mileage: Reimbursable at the current IRS Business Rate ONLY when Consultant is required to drive to a project located outside the City and County of Denver Boundary.
- (2) Actual cost of reproducing and printing reports, drawings, specifications and other work products, and the associated cost for shipping and handling. These reimbursable expenses pertain only to requests made to the Consultant from the City, and exclude intra-office printing, scanning and reproduction required by the Consultant to complete the work.
- (3) Actual cost for expendable supplies and services not normally used on a routine or normal basis in an architectural or engineering office (i.e. aerial photography) and which are provided especially under this Agreement for the benefit of the City.

SUB TEAM MEMBERS

Sub: Alta Planning + Design, Inc.

List <u>ALL</u> 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, Executive Principal	Multimodal Principal (Bike, Ped, Transit) providing strategic review and project support	\$320/hour
Sr. Associate, Principal, Executive Principal	Multimodal Senior Associate Engineer; Multimodal (Bike, Ped, Transit) Lead, QA/QC	\$270/hour
Associate II, Sr. Associate, Director, Principal	Multimodal Engineering Associate; Multimodal (Bike, Ped, Transit) and Traffic Engineering, construction document production, traffic analysis	\$210/hour
Associate II, Sr. Associate, Director, Principal	Planning Associate; Vision Zero and Transportation Planning Lead, QA/QC	\$210/hour
Associate I, Associate II, Sr. Associate	Multimodal Engineer; Assistance on Multimodal (Bike, Ped, Transit) tasks, construction document production, traffic analysis	\$195/hour
Associate I, Associate II, Sr. Associate	Multimodal Engineer; Assistance on Multimodal (Bike, Ped, Transit) tasks, construction document production, traffic analysis	\$195/hour
Level III, Associate I, Associate II	Web Development and Maintenance for Public Input	\$165/hour
Level III, Associate I, Associate II	Multimodal Engineer; Assistance on Multimodal (Bike, Ped, Transit) tasks, construction document production, traffic analysis	\$165/hour
Level III, Associate I, Associate II	Designer; Landscape Architecture: Visualization	\$165/hour
Level I, Level II, Level III	Planner; Vision Zero and Transportation Planning	\$120/hour
Administration	Administration, billing and project controls support	\$110/hour

REIMBURSABLE EXPENSES

Sub: <u>Alta Planning + Design</u>, 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.

Item	Charge Rate
Color copies	\$0.65/page
Black and white copies	\$0.20/page
24" x 36" format plot	\$17.50/sheet
36" x 48 large format plot	\$32.50/sheet

SUB TEAM MEMBERS

Sub: ArLand LLC DBA ArLand Land Use Economics

List <u>ALL</u> 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	Subconsultant Project Management, Senior	\$180
	Market Analyst, Economist	
Sr. Associate	GIS, large database analysis, research, data	\$165
	collection	
Associate	Research, data collection and analysis	\$135

REIMBURSABLE EXPENSES

Sub: ArLand LLC DBA ArLand Land Use Economics

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.

Item	Charge Rate
Copies (8 1/2 x 11")	\$05/ each
Copies (8 1/2 x 14")	\$05/ each
Red-line copies	\$at cost/ S.F.
Reproducibles	<pre>\$at cost/ page</pre>

SUB TEAM MEMBERS

Sub: Civitas, Inc.

List <u>ALL</u> 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.
Senior Principal	Design vision, strategic direction, community and stakeholder presentations, client relationships	\$300
Principal	Design vision, strategic direction, community and stakeholder presentations, client relationships	\$250
Project Director	Team Management, design direction, presentation preparation, quality control	\$225
Senior Project Leader	Project management, design, quality control	\$200
Project Leader	Project management, design, quality control	\$150
Designer III	Landscape/urban designer, CAD drafting, graphics, sheet/file management	\$130
Designer II	Landscape/urban designer, CAD drafting, graphics, sheet/file management	\$120
Designer I	Landscape/urban designer, CAD drafting, graphics, sheet/file management	\$110

REIMBURSABLE EXPENSES

Sub: <u>Civitas, Inc.</u>

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.

Item	Charge Rate
Copies (8 1/2 x 11")	\$ <u>0.10</u> /each black&white
Copies (8 1/2 x 11")	\$ <u>0.85</u> / each color
Large format color	\$ <u>6.00</u> / S.F.
Large format black & white	\$ <u>0.39</u> /S.F.

SUB TEAM MEMBERS

Sub: Economic & Planning Systems, Inc.

List <u>ALL</u> 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.
Managing Principal	Project direction, strategy, client management, QA/QC, presentations, integration of client needs, and economic analysis	\$270
Senior Principal	Project direction, strategy, client management, QA/QC, presentations, integration of client needs, and economic analysis	\$260
Principal	Project direction, strategy, client management, QA/QC, presentations, integration of client needs, and economic analysis	\$250
Vice President	Integration of qualitative and quantitative data, report writing, and field work	\$195
Senior Associate	Data Collection, research tasks including qualitative and quantitative data sets, report writing, field work	\$165
Associate	Data collection and analysis; table, chart, and pro forma construction	\$145
Research Analyst I and II	Data collection and analysis; table, chart, and pro forma construction	\$115
Production and Administrative Staff	Report proofing/production	\$95

REIMBURSABLE EXPENSES

Sub: Economic & Planning Systems, 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.

Item	Charge Rate
Copies (8 1/2 x 11")	\$0/ each
Copies (8 1/2 x 14")	\$0/ each
Red-line copies	\$0/ S.F.
Reproducibles	\$0/ page

SUB TEAM MEMBERS

Sub: Fox Tuttle Transportation Group

List <u>ALL</u> 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 II	Client-service management; technical advisor; provide project direction and budget; overall quality control on all task orders	\$210
Principal I	Client-service management; technical advisor; provide project direction and budget; overall quality control on all task orders	\$200
Sr. Associate	Client-service management; project management; quality control, senior advisor and mentoring	\$190
Sr. Transportation Engineer	Project management; technical design direction; oversight of team; performs planning and design tasks; review of deliverables	\$180
Transp. Engineer II	Design, analysis/modeling, engineering calculations technical services	\$170
Transp. Engineer I	Design, analysis/modeling, engineering calculations technical services	\$150
Sr. Transp. Planner	Project management, technical planning direction, outreach support, concept design, review of deliverables	\$170
Transp. Planner II	Technical planning direction; performs planning tasks and support	\$150
Transp. Planner I	Technical planning direction; performs planning tasks and support	\$120
Engineering Tech.	Field studies; technical analysis and data processing support	\$120
Administrative	Clerical, operations, non-technical, and administrative support	\$90
Field Technician	Field surveys and studies, CAD support	\$80

REIMBURSABLE EXPENSES

Sub: Fox Tuttle Transportation Group

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.

Item	Charge Rate
Copies (8 1/2 x 11")	\$_0.60/ each
Copies (8 1/2 x 14")	\$_0.75/ each
Red-line copies	\$5.00/ S.F.
Reproducibles	\$0.25/ page

SUB TEAM MEMBERS

Sub: Michael Baker International

List <u>ALL</u> 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		\$210
Project Manager III	Task management. Technical lead on projects. QA/QC and technical reviews of deliverables. Coordination with	\$204
Project Manager II	project stakeholders. Preparation and review of project documentation and submittals. Main point of contact for	\$181
Project Manager I	clients, projects and tasks.	\$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		\$120
Civil Associate III	Responsible for engineering design and analysis under the supervision of an Engineer. Entry to junior level.	\$116
Civil Associate II	Assist with preparation of plans, exhibits, reports, and cost estimates.	\$112
Civil Associate I		\$100
Technical Specialist V		\$164
Technical Specialist IV	Responsible for technical analysis, calculations, design,	\$156
Technical Specialist III	evaluations, and inspections in a specific area of expertise. Performs under supervision of the Project Manager or Engineer.	\$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		\$165
GIS Specialist II	1	\$141
GIS Specialist I	GIS database creation, modification, analysis and	\$135
GIS Associate III	graphics preparation. Website creation and maintenance.	\$130
GIS Associate II		\$115
GIS Associate I		\$95
CADD Manager	_	\$151
CADD Technician IV		\$126
CADD Technician III	Preparation of CAD drawings, maps, and exhibits.	\$95
CADD Technician II		\$89
CADD Technician I		\$80
Sr. Planner	Task technical planning leads. Responsible for planning	\$160
Planner III	level tasks, data collection and analysis, coordination	\$140
Planner II	with designers and engineers. Assist with preparation of	\$120
Planner I	reports.	\$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

REIMBURSABLE EXPENSES

Sub: Michael Baker International

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Item	Charge Rate
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: <u>Muller Engineering Company, Inc. (Page 1 of 4)</u>

List <u>ALL</u> 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 Engineer 3	Project principal-in-charge and provides project direction, technical advice, and QA/QC oversight.	\$278.00
Principal Engineer 2	Project principal-in-charge and provides project direction, technical advice, and QA/QC oversight.	\$257.00
Principal Engineer 1	Project principal-in-charge and provides project direction, technical advice, and QA/QC oversight.	\$243.00
Senior Project Manager 9	Plans, designs, and directs civil engineering projects and is specifically responsible for contract administration, project budgets, and schedules.	\$257.00
Senior Project Manager 8 / Senior Project Engineer 8	Plans, designs, and directs civil engineering projects and is specifically responsible for contract administration, project budgets, and schedules.	\$243.00
Project Manager 7H / Senior Project Engineer 7H	Plans, designs, and directs civil engineering projects, reports and construction schedules as well as directing and supervising other engineer's activities.	\$233.00
Project Manager 7L / Senior Project Engineer 7L	Plans, designs, and directs civil engineering projects, reports and construction schedules as well as directing and supervising other engineer's activities.	\$221.00
Project Manager 6H / Senior Project Engineer 6H	Plans, designs, and directs civil engineering projects, reports and construction schedules as well as directing and supervising other engineer's activities.	\$211.00
Project Manager 6L / Senior Project Engineer 6L	Plans, designs, and directs civil engineering projects, reports and construction schedules as well as directing and supervising other engineer's activities.	\$200.00
Project Engineer 5H	Plans, designs, and directs civil engineering projects and reports as well as directing technicians to convert designs to working drawings.	\$189.00
Project Engineer 5L	Plans, designs, and directs civil engineering projects and reports as well as directing technicians to convert designs to working drawings.	\$177.00
Project Engineer 4	Establishes design criteria and performs a variety of skilled professional engineering work in the office or field.	\$164.00

SUB TEAM MEMBERS

Sub: Muller Engineering Company, Inc. (Page 2 of 4)

Title/Classification	Responsibilities	Rate/Hr.
Design Engineer 3	Graduate engineer providing development-level engineering work using standard techniques and procedures, under supervision of a licensed PE.	\$149.00
Design Engineer 2	Graduate engineer providing development-level engineering work using standard techniques and procedures, under supervision of a licensed PE.	\$134.00
Design Engineer 1	New graduate engineer intern providing beginning level of engineering work using standard techniques and practices.	\$120.00
Environmental Planning Manager	Plans and directs multidisciplinary teams for environmental planning projects and applies knowledge of applicable regulatory and policy guidelines.	\$233.00
Environmental Planner 2	Performs advanced aspects of environmental planning assignments applying knowledge of environmental planning principles and practices.	\$149.00
Environmental Planner 1	Performs routine aspects of environmental planning assignments applying knowledge of environmental planning principles and practices.	\$120.00
Construction Manager	Provides technical advice, supervision, and coordination of construction-related services for civil engineering projects.	\$189.00
CAD Manager	Manages CADD projects to assure conformance to client and engineering requirements. Provides technical advice, supervision and coordination to CADD Operators and Designers.	\$180.00
Senior Designer 3	Develops plans and prepares drawings, design, and model requirements from conceptual information through construction documentation.	\$169.00
Senior Designer 2	Develops plans and prepares drawings, design, and model requirements from conceptual information through construction documentation.	\$157.00
Designer 1	Provides technical engineering support for designing, planning, and execution of projects.	\$141.00

SUB TEAM MEMBERS

Sub: Muller Engineering Company, Inc. (Page 3 of 4)

Title/Classification	Responsibilities	Rate/Hr.
GIS Manager	Manages GIS projects and personnel to assure conformance to client and engineering requirements. Provides technical advice, supervision, and coordination to GIS staff.	\$157.00
GIS Analyst	Provides GIS-based problem solving and advanced spatial analyses and mapping for civil engineering projects.	\$141.00
GIS Technician	Provides GIS data support services and mapping for civil engineering projects.	\$120.00
Technician/CADD Operator 4	Provides drafting and plan reproduction services for engineers during the planning, design, and construction of civil engineering projects.	\$131.00
Technician/CADD Operator 3	Provides drafting and plan reproduction services for engineers during the planning, design, and construction of civil engineering projects.	\$120.00
Technician/CADD Operator 2	Provides drafting and plan reproduction services for engineers during the planning, design, and construction of civil engineering projects.	\$108.00
Technician/CADD Operator 1	Provides drafting and plan reproduction services for engineers during the planning, design, and construction of civil engineering projects.	\$97.00
Graphic Designer	Provides a wide variety of visual media and graphic design project support services.	\$120.00
Communications Specialist	Provides a wide variety of external communications support services.	\$135.00
Project Accountant	Directs and is responsible for project-related accounting, maintenance of fiscal records, and preparation of required accounting-related documents.	\$142.00
Project Coordinator	Provides project-specific support services.	\$112.00
Administrative Support	Provides a wide variety of administrative and project staff-related support services.	\$99.00
Intern	College student in a project-related discipline who assists with project assignments under the direction of a technical professional.	\$75.00

REIMBURSABLE EXPENSES

Sub: <u>Muller Engineering Company, Inc. (Page 4 of 4)</u>

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> Copies (8 1/2 x 11") Copies (8 1/2 x 14") Red-line copies Reproducibles <u>Charge Rate</u> \$0.10 / each \$0.30 / each \$0.30 / S.F. \$3.00 / page