

SUPPLEMENTAL
AGREEMENT NO. 1 TO
AGREEMENT FOR LANDSCAPE
ARCHITECTURAL SERVICES

This Supplemental Agreement No. 1 to the Agreement for Landscape Architectural Services ("Supplemental Agreement No. 1") is by and between **Williamson County, Texas**, a political subdivision of the State of Texas, (the "County") and **RVE, Inc. D/B/A RVi**, a Texas corporation, hereinafter (the "Landscape Architect" or "LA").

RECITALS

WHEREAS, County and LA previously executed an Agreement for Landscape Architectural Services (the "Agreement") wherein LA agreed to perform certain professional landscape architectural services in connection with Phase V of the Brushy Creek Regional Trail ("Project");

WHEREAS, County desired to first obtain Feasibility and Trail Alignment, Public Input and Programming, which were collectively referred to as "Phase I Services" in the Agreement, prior to determining whether to proceed with obtaining, from LA, Schematic Design Services, Design Development Services, Construction Document Services, Bidding/Negotiation Services and Construction Services, Regulatory Review, Surveys and Studies, and Cultural Resource Plan Services, which were collectively referred to as "Phase II Services" in the Agreement;

WHEREAS, County and LA set forth the Phase I Services and the Phase I Services Fees in the previously executed Agreement;

WHEREAS, LA has performed the Phase I Services and the County has paid LA the Phase I Services Fees;

WHEREAS, the County now desires to proceed with obtaining only the Design Phase Services (Schematic Design Services and Design Development Services), Regulatory Review, Surveys and Studies, and Cultural Resource Plan Services of the Phase II Services and, upon completion and approval of such services, County and LA will set forth the scope and compensation, in an additional supplemental agreement, for the remaining Phase II Services, which include Construction Document Services, Bidding/Negotiation Services and Construction Services;

WHEREAS, it has become necessary to supplement the Agreement in accordance with Section 1.2 of the Agreement; and

WHEREAS, therefore, County and LA now desire to set forth the scope of the Design Phase Services (Schematic Design Services and Design Development Services), Regulatory Review, Surveys and Studies, and Cultural Resource Plan Services of the Phase II Services in this Supplemental No. 1, as well set forth the compensation to be paid for such services.

AGREEMENT

NOW, THEREFORE, premises considered, County and LA agree that the Agreement is supplemented, amended and modified as follows:

I. Scope of Additional Services

The parties agree that Article 1, Article 3 and Exhibit "A" of the Agreement, are hereby supplemented and amended by adding the following Design Phase Services (Schematic Design Services and Design Development Services), Regulatory Review, Surveys and Studies, and Cultural Resource Plan Services of the Phase II Services:

1. Project Parameters

- a. Based on the findings of the Phase I Services, the LA will perform the Design Phase Services (Schematic Design Services and Design Development Services), Regulatory Review, Surveys and Studies, and Cultural Resource Plan Services of the Phase II Services as described below. The design phase services will include trail alignment required to define the limits of land acquisition needed for the Project. See Attachment "A" for project limits.
- b. Based on the approved Design Phase Documents, the LA will prepare a proposal for remaining Phase II Services, which include Construction Document Services, Bidding/Negotiation Services and Construction Services for the Project at a later date.

2. Design Phase

- a. Design Kick-Off Meeting—the LA team will attend a pre-design conference with County staff to confirm project goals, objectives, budgets and schedule. The meeting will include a site visit to review the project.
- b. Based on the Project parameters, the County approved preliminary trail route and discussions and directions of the County, the LA will prepare preliminary design for the Project including:
 - Site assessment: Coordinate the trail alignment assessment with the design team and County including
 - Walking the site and marking/flagging proposed trail route and possible connections (up to four). Create a digital photographic inventory as a resource of existing conditions.
 - Identify opportunities and constraints
 - Initiate habitat assessments
 - Initiate tree, topographic and existing conditions survey services
 - Initiate cultural resource study and plan

- c. Conduct preliminary meeting(s) and/or research with regulatory entities to determine permit requirements including Pre-development meeting with City of Round Rock Planning Development Services Office and Floodplain Administrator.
- d. Attend preliminary meeting with TxDOT to review requirements of CAMPO 2015-2018 Transportation Improvement Program grant for the project.
- e. Prepare opportunity and constraints diagram incorporating information from studies and surveys. Review with County.
- f. Prepare preliminary design studies that may include initial plans and sketches illustrating:
 - Trails including trail alignment alternatives
 - Retaining walls
 - Trail access points
 - Low water crossings
 - Elevated concrete boardwalk
 - Seating areas
 - Exercise station
 - Drinking fountains
 - Informational kiosks
 - Wayfinding signage
 - Interpretive facilities and signage
 - Landscape restoration
- g. Review preliminary plan design studies including preliminary trails alignment alternatives with accessibility specialist and County maintenance and operations staff.
- h. Prepare design for the trail. The design of the trail will adhere to the American Association of State Highway and Transportation Officials (ASSHTO) guide for the Development of Bicycle Facilities 4th Edition (2012) manual and will generally include the following:
 - Preliminary hike and bike trail plan and profile schematic on a roll plot at 1" = 100' and featuring the trail horizontal and vertical alignments, typical sections, design speed information, property ownership, preliminary easement locations, and a depiction of the limits of the local floodplain (if available). The horizontal alignment will initially be set by the preliminary site survey meeting described above. Up to two (2) additional site visits may be performed to confirm survey data and make alignment changes where design does not conform to governing standards.

- Preliminary locations and sizes of proposed culverts along the trail corridor, including the evaluation of existing culverts for proposed extensions.
 - Preliminary cross sections at 50 foot intervals along trail improvements. Sections will include design surface and existing surface data and will be conducted using MicroStation Geopak. Determine necessary easement and ROW requirements using cross section data.
- i. Prepare opinion of probable cost in sufficient detail to allow County to make informed decisions about the budget and scope of the project. Opinions of probable costs are based on experience and judgment of the LA and are merely opinions. The LA does not warrant that actual costs will not vary from those opinions because among other things, the LA has no control over market conditions.
 - j. Coordinate with CAMPO grant coordinator.
 - k. Prepare design program narrative that will include basis for design, pertinent information from studies and surveys and updated schedule.
 - l. Prepare complete Design Package including design studies, design program narrative, trail plan and profile schematic and estimate of probable costs for County review and approval.
 - m. Present Design Package to Commissioner's Court.
 - n. Meetings and presentations for this phase are limited to eight (8).

3. Surveys and Studies

- a. Tree, topographic and existing conditions survey services.
 - Participate in preliminary site survey meeting with design team and County staff to confirm limits of survey work. Prepare a horizontal and vertical control survey on State Plane Grid and North American Vertical Datum of 1983 (HARN 1993), NAVD 1988. Establish a minimum of six (6) benchmarks along the survey limits.
 - Prepare approximately 12,300 linear feet by 50 foot wide minimum topographic survey along proposed route (Exhibit A). Locate all visible utility features and overhead obstructions along the route. Hardwood trees 8" or greater to be located and tagged, using City standards. Flowlines and inverts of utilities will not be obtained. Any existing easements will be located. An AutoCAD Civil3D 2013 file in surface coordinates utilizing NAD 1983 (HARN 1993) as the datum. Cross sections at 50' intervals and grade breaks.
 - Right-of-entries shall be provided by the County.
- b. Boundary Survey
 - Prepare preliminary boundary map based on record data.

- Recover and locate sufficient boundary monumentation to accurately depict existing boundary lines.
 - Depict the graphical location of the property lines within the limits of the survey.
 - Prepare preliminary ROW acquisition maps.
- c. Acquisition Survey
- Up to Twenty Four (24) metes & bounds descriptions with sketch will be provided for the use by the City to acquire easements and/or simple acquisition of properties along route.
- d. Cultural Resource Plan
- Cultural Resources Background Study. Consult relevant data sources and compare data to current design plans for the Project to assess overall potential impacts to significant cultural resources. Anticipated sources include Texas Historical Commission's (THC), Online Archeological and Historical Site Atlas, The Texas Archeological Research Laboratory archives, soil and geology maps for the immediate area, land use data and previous investigations as available.
 - Map and describe previously recorded archeological sites and surveys. Identify historical designations for locales, structures and districts (if any).
 - Compile onto GIS- generate maps for interpretation.
 - Historian will conduct a windshield survey of the project area and general facility to identify potential significant historic resources. This survey will be limited to existing public rights-of-way and data collected will include photography, GIS coordinates and field notes and is estimated to take less than one day to complete.
 - Compile brief technical memo report summarizing the recorded archeological sites and surveys, soils and geology and their resulting impact on site integrity and probability, and identified historic resources (if any) in the vicinity. Particular attention will be paid to identifying areas of the proposed project corridor that have not been previously archeologically surveyed, identifying potential project constraints.
 - Depending on the types of infrastructure proposed for those un-surveyed areas, additional investigation areas will be highlighted and descriptions of the projected scale of archeological survey effort for those areas will be estimated.
 - Provide recommendations for archeological and historical site management and avoidance for trail facility planning purposes. GIS-generated maps and photographs of any historic resources identified will be included for visual reference. This Cultural Resources Report

will be sent in draft form for review by the County and amended/changed as necessary to produce a final copy.

- Prepare project coordination letter to be provided to the Texas Historical Commission for project coordination review in accordance with guidelines of Section 106 (if necessary) and the ACT. This letter will summarize background data collected, and proposed site avoidance strategies in an effort to receive recommendations from the THC for future work necessary for ACT and Section 106 compliance. This letter will be accompanied by GIS-generated maps and photographs of historic resources. A draft will be submitted to the County for review and comment. All revisions/additions will be addressed appropriately and a final hard copy will be submitted to the THC for review. It is anticipated that the THC will, minimally, require an archeological survey of segments of the proposed project area in order to ascertain potential impacts to previously documents and undocumented archeological sites.
 - If survey is indeed recommended by the THC, the LA will procure an Antiquities Permit on behalf of the County to conducts the investigations. Following completion of any necessary investigations, a report will be prepared for review by the County detailing the results of the field work. Once approved by both, the report will be submitted to THC for their review and comment. The report will coordinate all requirements necessary to achieve regulatory clearance including the State Antiquities Landmark and National Register of Historic Places eligibility recommendations for all documented sites, and avoidance strategies for any such locales. The project assumes that the County will achieve right-of-entry to all required locations. Additional changes to the alignment may require updated information that would be performed under a supplemental scope of work an associated fee. The scope does not include any additional archeological investigations recommended by the THC subsequent to the survey and coordination of the technical reports. If so recommended by the THC, these services can be arranged under a separate scope and budget.
- e. Geological Assessment and Salamander Habitat Assessment/Impact Report
- Conduct a Texas Commission on Environmental Quality (TCEQ) Geologic Assessment investigation and compile a report for inclusion in the project Water Pollution Abatement Plan as required under the Edwards Aquifer Rules (TAC Chapter 213). County is responsible for securing right of entry for field surveys. The report will include a separate cover letter addressing the potential for any geologic features

identified to be associated with habitat for endangered karst invertebrate species known in the area.

- Assess the potential for the project to cause harm to the Jollyville Plateau Salamander (JPS) which is known to occur within the Brushy Creek drainage basin. Analysis will consider the nature of the project, require water quality BMPs, the results of any available due-diligence reports, the hydrogeology of the local portion of the northern segment of the Edwards Aquifer, the ecology of the JPS, and available compliance options under the Endangered Species Act. A letter port on findings will be provided.

f. Endangered Songbird Habitat Assessment

- Visit the approximately site to evaluate the potential for occurrence of either of two federally listed endangered bird species, the golden-cheeked warbler (*Setophaga chrysoparia*) and the black-capped vireo (*Vireo atricapilla*). Both are small migratory songbirds with breeding ranges known to include western Williamson County. The field evaluation will be performed by a biologist experienced with the habitats of both birds and who is permitted by the U.S. Fish and Wildlife Service to conduct surveys and habitat assessments for them. The report of findings will inform the conditions of participation in the Williamson County Regional Habitat Conservation Plan for the songbirds if needed.

4. Additional Services

1. Cultural resources and environmental studies and clearances beyond those in the above Scope of Services, such as those required for the TxDOT Grant funding and the THC requirements.
2. Public meetings and hearings beyond those in the above Scope of Services.
3. The scheduled time to complete the Design Phase Services (Schematic Design Services and Design Development Services), Regulatory Review, Surveys and Studies, and Cultural Resource Plan Services of the Phase II Services is eight (8) months. Should said be delayed past 12 months due to no fault of LA, additional fees will be required.

II. Compensation

Section 11.1 of the Agreement is hereby supplemented and amended by adding the following:

For the LA's performance of the Design Phase Services (Schematic Design Services and Design Development Services), Regulatory Review, Surveys and Studies, and Cultural Resource Plan Services of the Phase II Services, the County shall compensate the LA the "not-to-exceed" amount of: **\$303,809.00**, which is allocated as follows:

Design Phase Services:	\$156,789.00
Surveys and Studies:	\$147,020.00

III. Schedule

Section 3.1.3 and Exhibit "C" of the Agreement shall be supplemented by adding Attachment "B" – Schedule, which is attached hereto and is incorporated herein by reference. LA will perform the Design Phase Services (Schematic Design Services and Design Development Services), Regulatory Review, Surveys and Studies, and Cultural Resource Plan Services of the Phase II Services in accordance with the schedule set out therein.

IV. Terms of Agreement Control and Extent of Supplemental Agreement No. 1

All services described herein will be performed in accordance with the terms and conditions of the Agreement. All obligations, responsibilities, terms and conditions relating to Phase I Services under the Agreement shall apply to the services described herein. All terms of the Agreement and any prior supplemental agreements and amendments thereto which have not been specifically amended herein shall remain the same and shall continue in full force and effect.

IN WITNESS WHEREOF, the County and the LA have executed this Supplemental Agreement No. 1, in duplicate, to be effective as of the date of the last party's execution below.

LANDSCAPE ARCHITECT:

RVE, Inc. D/B/A RVi

By: Barbara Austin

Printed Name: Barbara Austin

Title: Vice President

Date: May 19, 2016

COUNTY:

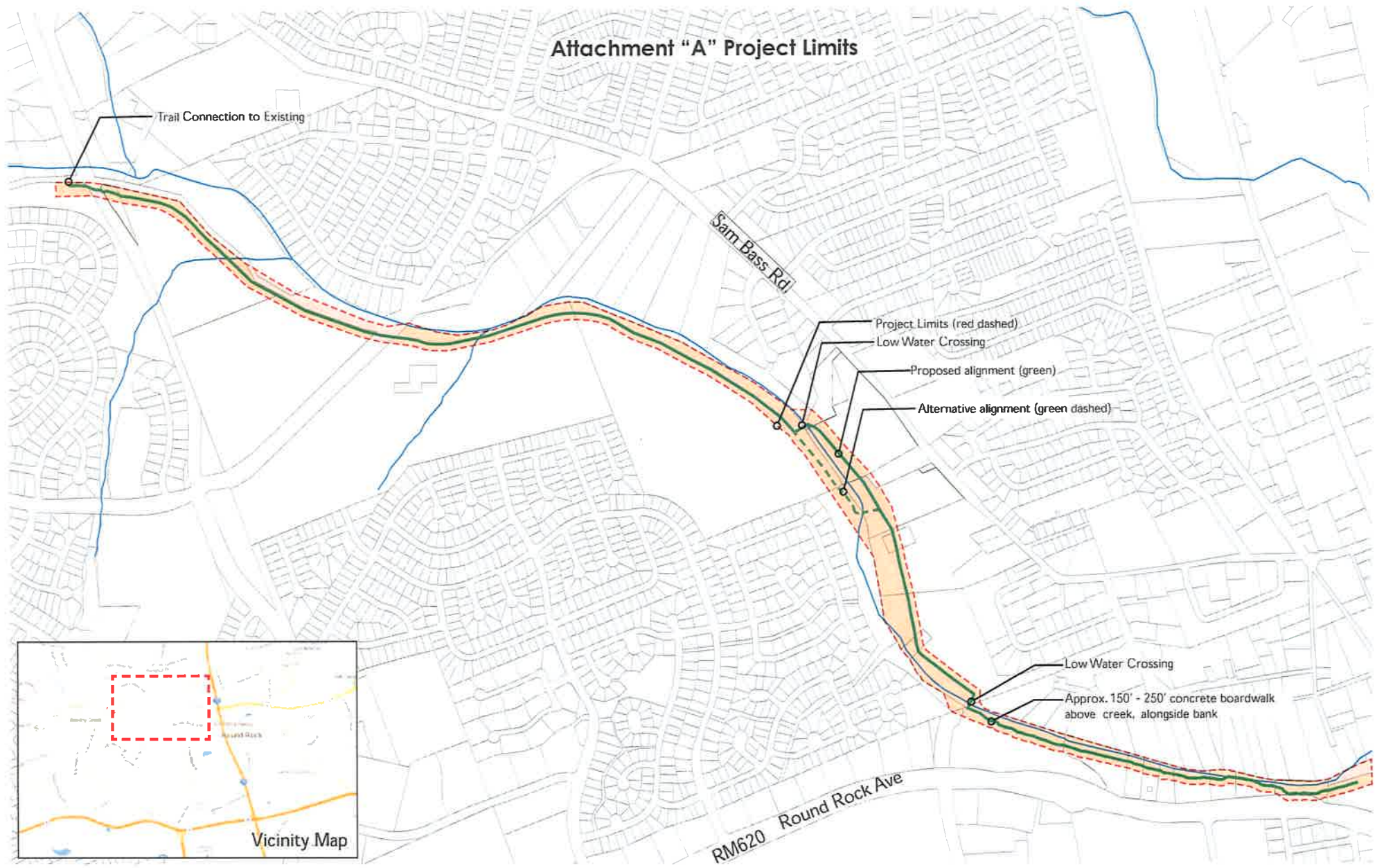
Williamson County, Texas

By: _____

Printed Name: _____

Title: _____

Date: _____, 20____



ATTACHMENT B - SCHEDULE

BRUSHY CREEK REGIONAL TRAIL DEV. PHASE V

PROJECT SCHEDULE -April 12, 2016

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