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Date: APRIL 24, 2012

Recording Requested By:

Douglas County - NV  
Karen Ellison - Recorder

Page: 1 Of 6 Fee: 0.00  
BK-0412 PG- 5950 RPTT: 0.00



Name: EILEEN CHURCH, PUBLIC WORKS  
(RR)

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Real Property Transfer Tax: \$ N/A

CONTRACT AMENDMENT #2012.065

(Title of Document)

**AMENDMENT NO. 1**

*2012.065*  
2012 APR 23 PM 3:09  
*[Signature]*

**CONTRACT BETWEEN DOUGLAS COUNTY**

**AND**

**EASTERN SIERRA ENGINEERING, P.C.**

**FOR**

**ZWUD 2011 Water System Project**

Whereas, on September 16, 2010, Douglas County, a political subdivision of the State of Nevada ("County"), and Eastern Sierra Engineering, P.C., a Nevada corporation ("Consultant") (hereinafter collectively referred to as the "Parties") entered into a contract for certain services for the design of the Zephyr Water Utility District 2011 Water System Project (the "Contract"); and

Whereas, additional professional engineering services are required to revise and update water system models, update the project design based on modeling results, assist with permitting with the Nevada Division of Environmental Protection and Tahoe Douglas Fire District; and

Whereas, the Consultant will provide construction administration services including the review and approval of submittals, prepare and evaluate work change directives and change orders, and review pay requests.

**WITNESSED:**


Now, therefore, in consideration of the agreements herein made, the Parties mutually agree to amend the Contract to include the following:

1. Incorporate the attached Exhibit "A" into the scope of services.
2. Extend the Contract time to November 15, 2012.
3. Increase the Contract price in the amount of \$73,000 for a total revised Contract amount not to exceed \$181,460.

Task	Original Contract	Amendment No. 1	Revised Contract Amount
<i>Task A Administration</i>	\$1,890		\$1,890
<i>Task B Preliminary Design</i>	\$28,980		\$28,980
<i>Task C Permitting</i>	\$8,490	\$5,000	\$13,490
<i>Task D Final Design</i>	\$26,100	\$35,000	\$61,100
<i>Task E Bidding Phase</i>	\$9,430		\$9,430
<i>Task F Construction Phase</i>	\$33,570	\$33,000	\$66,570
<b>Totals</b>	<b>\$108,460</b>	<b>\$73,000</b>	<b>\$181,460</b>

4. All other sections of the original Contract to remain in effect.

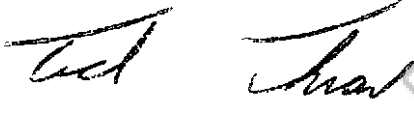
IN WITNESS WHEREOF, the parties hereto have caused this Contract to be signed and intend to be legally bound thereby.

  
Independent Contractor/Consultant

4-6-12  
Date


Douglas County  
Lee Bonner, Chairman  
Board of County Commissioners

April 19, 2012  
Date

Attest: 

County Clerk  
BY: Laura M. Anderson Clerk to the Board  
Approved as to form:

April 19, 2012  
Date

  
District Attorney

4/19/2012  
Date

**Exhibit A  
Amendment No. 1  
ZWUD 2011 Water System Project**

Amendment No. 1 incorporates the following additional services.

1. Revisions to the water system models that were originally developed by the County and were the basis of the original project design;
2. Revisions to the project design based on the updated water system models and addressing additional review comments, and incorporating federal clauses and documents into the contract documents as required by the County's State Revolving Fund loan;
3. Assisting the County with permitting with the Nevada Division of Environmental Protection (NDEP) and Tahoe Douglas Fire District (TDFD);
4. Distributing bid-level plans and contract documents and specifications to affected utilities and the Zephyr Knolls General Improvement District;
5. Providing materials testing services for a longer construction period than originally anticipated; and,
6. Providing construction administration services.

The services included in this amendment are described in further detail below.

**1. *Water System Modeling (Task D):***

County staff originally prepared the water system model on which the project plans and permitting was based. After a change in the County's project manager after bid-level plans, contract documents and specifications were complete, the model was reviewed in more detail. This review determined that the model did not reflect the actual operation of the system, and needed to be revised. The County directed Eastern Sierra Engineering, PC (ESE) to update the modeling for the project, which involved the following:

- Revise the demands in the Existing Conditions Model provided by the County to reflect historical demand patterns and to correlate fire hydrant flow test data obtained from TDFD;
- Develop a Proposed Project Model to incorporate the main replacements, new fire hydrants, and the installation of two pressure reducing stations, including one new station that was not anticipated by the County's original model; and,
- Develop a Future Condition Model to create a new pressure zone on the west side of Highway 50 with the installation of a pressure reducing station in the vicinity of Zephyr Point Presbyterian Conference Grounds when the small-diameter mains in the Zephyr Cove area are replaced.

A letter report detailing the approach taken in the development of these models will be submitted to the County, along with the electronic files of the models.

**2. Revisions to the Project Design Plans and Documentation (Task D):**

The results of the Proposed Project Model dictated changes to the plans based on the higher pressures in the lower portion of the project area. Consequently, several individual pressure reducing valves were added where pressures were expected to exceed 80 psi. In addition to the changes required by the revision to the water system model, the change in project manager resulted in a more thorough review of the project plans; the plans had been at bid-level when the detailed review occurred. This involved changes to the plans as well as the update of several details that the County had originally provided. The additional review revealed that the terms of the County's State Revolving Fund Loan had not been provided to ESE. This resulted in changes to the contract documents to add the requirements of federal clauses tied to the County's agreement with the State, and to delete certain State requirements that would no longer apply due to the federal funding.

**3. Permitting Assistance (Task C):**

NDEP had approved the project based on the plans and water system model results prepared by the County. Per ESE's original scope of services, the County had prepared the NDEP submittal and ESE assisted the County by preparing a resubmittal to the NDEP with revised plans showing the new pressure reducing station, individual pressure reducing valves, model results and a cover letter explaining the changes to the model and the subsequent changes to the project plans.

ESE also assisted the County in submitting the project to the Tahoe Douglas Fire District. ESE's services included attending meetings with TDFD. ESE then submitted revised plans and supporting information to the District once the updated existing condition model revealed that the hydrants in that area do not meet required fire hydrant flows purely from static head from the water tank. TDFD has since approved the project; we anticipate that approval from NDEP is forthcoming.

**4. Distribution of Plans, Contract Documents and Specifications (Task D):**

ESE distributed plans and documents to the affected utilities, as listed in the Supplementary Conditions. ESE will also distribute plans and documents to the Zephyr Knolls General Improvement District. The County will provide the requisite copies; ESE will prepare transmittals with schedule information to accompany the packages. Packages will be mailed or delivered.

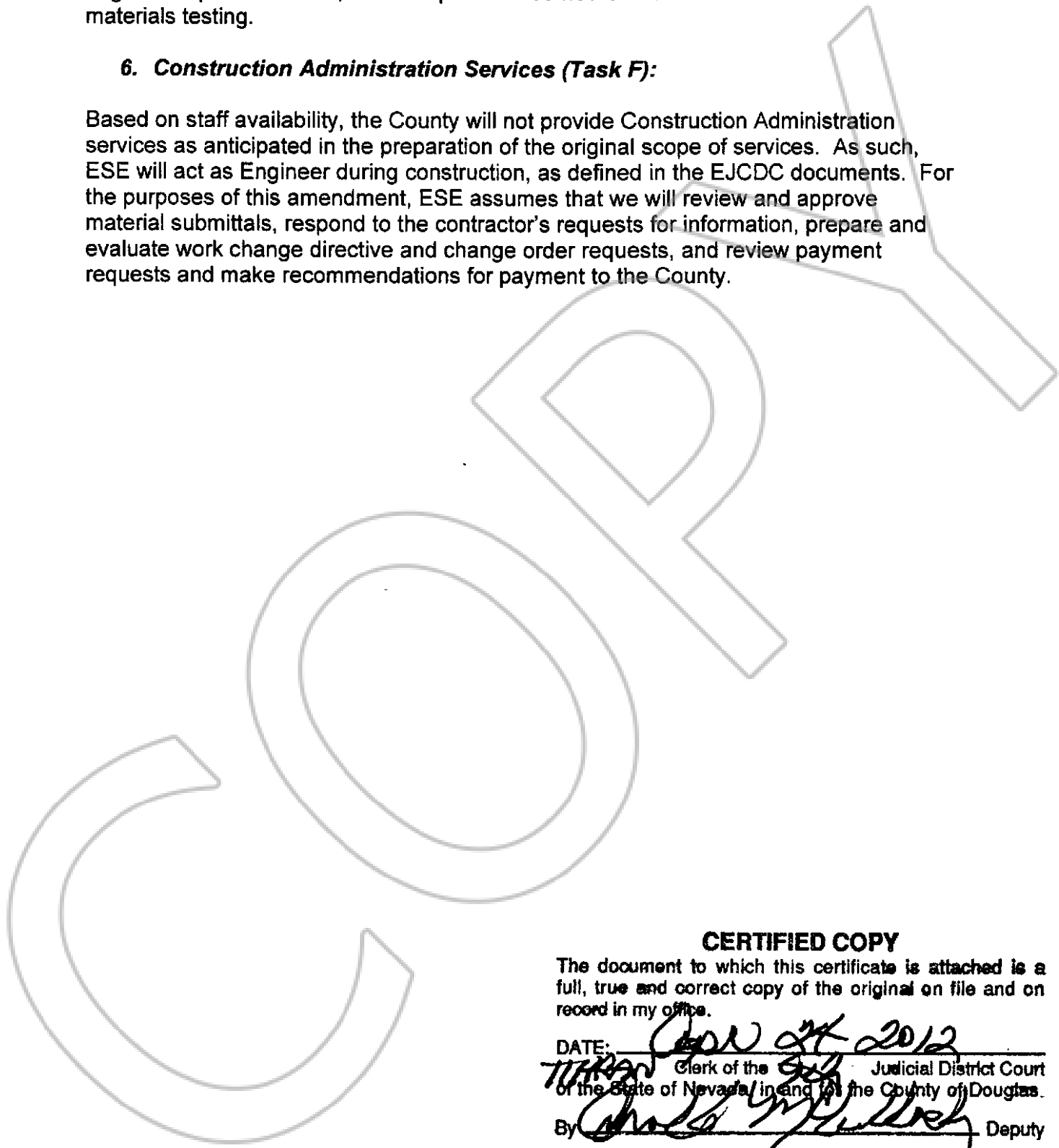
**5. Construction Observation and Materials Testing for Extended Construction Phase (Task F):**

ESE's original scope of services includes construction observation and materials testing services for a six-week construction period. Based on the final construction contract dates, the construction period is now 12 weeks. Based on an 8-hour day as in the

original scope of services, ESE will provide 480 hours of construction observation and materials testing.

**6. Construction Administration Services (Task F):**

Based on staff availability, the County will not provide Construction Administration services as anticipated in the preparation of the original scope of services. As such, ESE will act as Engineer during construction, as defined in the EJCDC documents. For the purposes of this amendment, ESE assumes that we will review and approve material submittals, respond to the contractor's requests for information, prepare and evaluate work change directive and change order requests, and review payment requests and make recommendations for payment to the County.



**CERTIFIED COPY**

The document to which this certificate is attached is a full, true and correct copy of the original on file and on record in my office.

DATE: April 24 2012  
Clerk of the 9th Judicial District Court  
of the State of Nevada, in and for the County of Douglas.  
By: [Signature] Deputy