

**AMENDMENT NO. 1 TO THE CONTRACT**  
 BETWEEN THE WISCONSIN DEPARTMENT OF TRANSPORTATION,  
 CITY OF MANITOWOC (MUNICIPALITY)  
 AND AYRES ASSOCIATES INC (CONSULTANT) FOR

Project ID 4991-06-76  
 C Manitowoc, South 30<sup>th</sup> Street  
 Dewey Street to Viebahn Street  
 Local Street, Manitowoc County

The contract made and entered into by and between the DEPARTMENT, MUNICIPALITY and the CONSULTANT, dated June 9, 2023 is hereby amended as set forth on the following pages.

The primary reason for this amendment:

The MUNICIPALITY requested that the CONSULTANT add a Transportation Project Plat (TPP) to the Scope of Services. A TPP was not included in the original contract because it was not yet known what extent of real estate acquisition would be required. Therefore, cost for a TPP is being added to the contract.

For topographic survey, environmental analysis and documentation, design reports, utility and agency coordination, preliminary and final roadway design and PS&E documents, actual costs to the CONSULTANT up to \$171,163.16 (increase of \$11,114.95), plus a fixed fee of \$11,246.40 (increase of \$750.22), not to exceed \$182,409.56 (increase of 11,865.17).

For title searches subcontracted to Bay Title & Abstract, Inc., the CONSULTANT’S actual cost to Bay Title & Abstract, Inc. not to exceed \$3,250.00 for units delivered based on rates in the table below (increase of \$3,250.00)

| Item Description      | Quantity | Unit Type | Unit Cost Rate | Total      |
|-----------------------|----------|-----------|----------------|------------|
| 100 Year Title Search | 5        | Each      | \$600.00       | \$3,000.00 |
| Update Title Search   | 5        | Each      | \$50.00        | \$250.00   |

For subsurface investigation subcontracted to ECS Midwest, LLC, the CONSULTANT’S actual cost to ECS Midwest, LLC not to exceed \$6,812.00 for units delivered based on their proposal dated April 10, 2023 (no change).

| Item Description                              | Quantity | Unit Type | Unit Cost Rate | Totals     |
|---|----------|-----------|----------------|------------|
| Mobilization                                  | 1        | Trip      | \$677.00       | \$677.00   |
| Boring Layout                                 | 5.0      | Per Each  | \$106.50       | \$532.50   |
| Standard Penetration Test Borings (0’ to 20’) | 50       | Foot      | \$18.00        | \$900.00   |
| Boring Abandonment                            | 50       | Foot      | \$5.25         | \$262.50   |
| Pavement Patch                                | 5        | Each      | \$77.00        | \$385.00   |
| Utility Clearance and Coordination            | 2        | Hour      | \$175.00       | \$350.00   |
| Traffic Control Sign Rental                   | 1        | Day       | \$110.00       | \$110.00   |
| Traffic Control Flagging Crew/Signals         | 1        | Day       | \$1,250.00     | \$1,250.00 |

|   |   |          |            |            |
|---|---|----------|------------|------------|
| Laboratory Testing and Boring Log Preparation | 1 | Per Each | \$695.00   | \$695.00   |
| Geotechnical Report Documentation             | 1 | Per Each | \$1,650.00 | \$1,650.00 |

For Archaeological and Historical investigations subcontracted to UWM Cultural Resource Management, the CONSULTANT'S actual cost to UWM Cultural Resource Management not to exceed \$5,396.00 based on their proposal dated April 12, 2023. (no change)

Compensation for all SERVICES provided by the CONSULTANT under the terms of the CONTRACT shall be for an amount not to exceed \$197,867.56 (increase of \$15,115.17)

The DEPARTMENT REPRESENTATIVE is: Michael Cohen, P.E.; NE Region Local Program Project Manager; 944 Vanderperren Way, Green Bay, WI 54304; [michael.cohen@dot.wi.gov](mailto:michael.cohen@dot.wi.gov); (920) 492-4136.

The MUNICIPALITY REPRESENTATIVE is: Greg Minikel; Engineering Division Manager; 900 Quay Street, Manitowoc, WI 54220; [gminikel@manitowoc.org](mailto:gminikel@manitowoc.org); (920) 686-6910.

The CONSULTANT REPRESENTATIVE is: Troy Robillard, PE; Transportation Manager – Green Bay ; 700 Pilgrim Way, Suite 180; Green Bay, WI 54304; [RobillardT@AyresAssociates.com](mailto:RobillardT@AyresAssociates.com); (920) 498-1200.

In witness whereof, the parties hereto have caused this amendment to be executed and approved on the date signed by their authorized officers or representatives.

For the CONSULTANT

For the DEPARTMENT

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: Transportation Manager – Green Bay \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

For the MUNICIPALITY

By: \_\_\_\_\_

Title: Engineering Division Manager \_\_\_\_\_

Date: \_\_\_\_\_

Project ID 4991-06-76 – Amendment #1  
C Manitowoc, South 30<sup>th</sup> Street  
Dewey Street to Viebahn Street  
Local Street, Manitowoc County

## **VI. SPECIAL PROVISIONS**

### **SCOPE OF SERVICES**

Section J (Plats) is deleted and replaced with the following:

#### **J. PLATS**

- (1) Prepare a Transportation Project Plat (TPP) in accordance with the MANUAL for an estimated 5 parcels.
- (2) Right of way descriptions shall be provided for all individual parcels of land to be acquired as Right of Way for the PROJECT. An individual legal description shall be provided for each parcel, or an envelope description that does not cover more than one page of the plat. Descriptions shall be by metes and bounds in accordance with the provisions as set forth in the MANUAL, or in the case of platted property by suitable reference to the platted data. For all unplatted property the descriptions shall be referenced to and tied into the pertinent section or quarter section corners. The CONSULTANT shall submit the legal descriptions on a hard copy and via electronic e-mail file to the DEPARTMENT.
- (3) The CONSULTANT shall prepare the descriptions in line-item format.
- (4) Field locate and temporarily mark the new right of way boundaries one time in a manner which will facilitate the appraisal of all affected parcels.
- (5) Provide on the Right-of-Way Plat, point numbers for all new right-of-way points to be monumented and all existing right-of-way points.
- (6) Up to five (5) 100-year title searches and updates shall be made of the titles to properties or premises through which the Right-of-Way for the PROJECT is to be acquired.

### **PROSECUTION AND PROGRESS**

- (1) The MUNICIPALITY shall report on the progress of the PROJECT as stipulated in the contract agreement. Standard benchmarks, consistent with DEPARTMENT'S internal staff benchmarks, will be reported monthly to the DEPARTMENT. The actual start, projected or actual finish date, and percent of work complete will be included for all relevant benchmarks on any project report required for delivery to DEPARTMENT staff. The report can be delivered in electronic format consistent with current DEPARTMENT standards (Microsoft Project), or on paper.

- (2) The CONSULTANT proposes to sublet these services to:  
Bay Title & Abstract, Inc. - for Title Search Reports and Updates.
- (3) The following items of work will be completed and submitted to the MUNICIPALITY by the indicated dates, if CONSULTANT has received the Notice to Proceed by September 1, 2024.

| <b>Report Title</b>           | <b>Date</b> |
|-------------------------------|-------------|
| Design Study Report Submittal | 8/2024      |
| 60% Plans                     | 8/2024      |
| Transportation Project Plat   | 10/2024     |
| 90% Plans                     | 4/2025      |
| Finals PS&E Submittal         | 8/1/2025    |
| LET date                      | 12/9/2025   |

### Consultant Weighted Average Direct Labor Rates

Project ID #4991-06-76 - Amendment #1  
 South 30th Street  
 Dewey Street to Viebahn Street  
 C Manitowoc  
 Local Street  
 Manitowoc County



Classification: Project Manager

| Employee Number | Current Rate(b) | Percent Contribution(c) | (b*c)   |
|-----------------|-----------------|-------------------------|---------|
| 02309           | \$72.55         | 100.00%                 | \$72.55 |
|                 |                 |                         |         |
|                 |                 |                         |         |
|                 |                 |                         |         |
|                 |                 |                         |         |
|                 |                 |                         |         |
|                 |                 |                         |         |
|                 |                 |                         |         |
|                 |                 |                         |         |
|                 |                 |                         |         |
| TOTAL           |                 | 100.00%                 | \$72.55 |

Classification: PLS

| Employee Number | Current Rate(b) | Percent Contribution(c) | (b*c)   |
|-----------------|-----------------|-------------------------|---------|
| 02633           | \$50.49         | 100.00%                 | \$50.49 |
|                 |                 |                         |         |
|                 |                 |                         |         |
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|                 |                 |                         |         |
|                 |                 |                         |         |
|                 |                 |                         |         |
| TOTAL           |                 | 100.00%                 | \$50.49 |

Classification: Survey Crew Chief

| Employee Number | Current Rate(b) | Percent Contribution(c) | (b*c)   |
|-----------------|-----------------|-------------------------|---------|
| 02484           | \$36.25         | 100.00%                 | \$36.25 |
|                 |                 |                         |         |
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|                 |                 |                         |         |
|                 |                 |                         |         |
|                 |                 |                         |         |
|                 |                 |                         |         |
|                 |                 |                         |         |
| TOTAL           |                 | 100.00%                 | \$36.25 |

Classification: Survey Assistant

| Employee Number | Current Rate(b) | Percent Contribution(c) | (b*c)   |
|-----------------|-----------------|-------------------------|---------|
| 03376           | \$27.00         | 100.00%                 | \$27.00 |
|                 |                 |                         |         |
|                 |                 |                         |         |
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|                 |                 |                         |         |
|                 |                 |                         |         |
|                 |                 |                         |         |
|                 |                 |                         |         |
| TOTAL           |                 | 100.00%                 | \$27.00 |

Classification: CADD Tech

| Employee Number | Current Rate(b) | Percent Contribution(c) | (b*c)   |
|-----------------|-----------------|-------------------------|---------|
| 03082           | \$36.25         | 100.00%                 | \$36.25 |
|                 |                 |                         |         |
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|                 |                 |                         |         |
|                 |                 |                         |         |
|                 |                 |                         |         |
| TOTAL           |                 | 100.00%                 | \$36.25 |

Classification: Project Manager 2

| Employee Number | Current Rate(b) | Percent Contribution(c) | (b*c)   |
|-----------------|-----------------|-------------------------|---------|
| 03359           | \$54.50         | 100.00%                 | \$54.50 |
|                 |                 |                         |         |
|                 |                 |                         |         |
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|                 |                 |                         |         |
|                 |                 |                         |         |
| TOTAL           |                 | 100.00%                 | \$54.50 |

Classification: Clerical

| Employee Number | Current Rate(b) | Percent Contribution(c) | (b*c)   |
|-----------------|-----------------|-------------------------|---------|
| 02010           | \$29.25         | 100.00%                 | \$29.25 |
|                 |                 |                         |         |
|                 |                 |                         |         |
|                 |                 |                         |         |
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|                 |                 |                         |         |
|                 |                 |                         |         |
|                 |                 |                         |         |
|                 |                 |                         |         |
|                 |                 |                         |         |
| TOTAL           |                 | 100.00%                 | \$29.25 |

**CONSULTANT DIRECT LABOR RATES**



**Project ID #4991-06-76 - Amendment #1**

South 30th Street  
 Dewey Street to Viebahn Street  
 C Manitowoc  
 Local Street  
 Manitowoc County

Contract Start Date: 8/1/2024  
 Contract Complete Date: 6/1/2026

| Employee Identification | Classification    | Current Rate | % Labor Increase | New Labor Rate | Date of Increase | % Labor Increase | New Labor Rate | Date of Increase | % Labor Increase | New Labor Rate |
|-------------------------|-------------------|--------------|------------------|----------------|------------------|------------------|----------------|------------------|------------------|----------------|
| Emp. No. 02309          | Project Manager   | \$ 72.55     | 3.50%            | \$ 75.09       | 1/1/25           | 3.50%            | \$ 77.72       | 1/1/26           | 3.50%            | \$ 80.44       |
| Emp. No. 02633          | PLS               | 50.49        | 3.50%            | 52.26          | 1/1/25           | 3.50%            | 54.09          | 1/1/26           | 3.50%            | 55.98          |
| Emp. No. 02484          | Survey Crew Chief | 36.25        | 3.50%            | 37.52          | 1/1/25           | 3.50%            | 38.83          | 1/1/26           | 3.50%            | 40.19          |
| Emp. No. 03376          | Survey Assistant  | 27.00        | 3.50%            | 27.95          | 1/1/25           | 3.50%            | 28.93          | 1/1/26           | 3.50%            | 29.94          |
| Emp. No. 03082          | CADD Tech         | 36.25        | 3.50%            | 37.52          | 1/1/25           | 3.50%            | 38.83          | 1/1/26           | 3.50%            | 40.19          |
| Emp. No. 03359          | Project Manager 2 | 54.50        | 3.50%            | 56.41          | 1/1/25           | 3.50%            | 58.38          | 1/1/26           | 3.50%            | 60.42          |
| Emp. No. 02010          | Clerical          | 29.25        | 3.50%            | 30.27          | 1/1/25           | 3.50%            | 31.33          | 1/1/26           | 3.50%            | 32.43          |

| Employee Identification | Classification    | % Work at 08/24 to 12/24 Rate | % Work at 01/25 to 12/25 Rate | % Work at 01/26 to 12/26 Rate |
|-------------------------|-------------------|-------------------------------|-------------------------------|-------------------------------|
| Emp. No. 02309          | Project Manager   | 22.74%                        | 54.66%                        | 22.60%                        |
| Emp. No. 02633          | PLS               | 22.74%                        | 54.66%                        | 22.60%                        |
| Emp. No. 02484          | Survey Crew Chief | 22.74%                        | 54.66%                        | 22.60%                        |
| Emp. No. 03376          | Survey Assistant  | 22.74%                        | 54.66%                        | 22.60%                        |
| Emp. No. 03082          | CADD Tech         | 22.74%                        | 54.66%                        | 22.60%                        |
| Emp. No. 03359          | Project Manager 2 | 22.74%                        | 54.66%                        | 22.60%                        |
| Emp. No. 02010          | Clerical          | 22.74%                        | 54.66%                        | 22.60%                        |

| Weighted Average Hourly Rate |
|------------------------------|
| \$ 75.10                     |
| \$ 52.27                     |
| \$ 37.53                     |
| \$ 27.96                     |
| \$ 37.53                     |
| \$ 56.41                     |
| \$ 30.28                     |



DESIGN ENGINEERING  
SUMMARY OF STAFF HOURS AND DIRECT LABOR COSTS

Project ID #4891-06-76 - Amendment #1  
 South 30th Street  
 Avey Street to Velleahn Street  
 C. M. Anderson  
 Local Street  
 Manitowish County

| Class<br>Average Hourly Wage<br>TASK | ACT.<br>CODE | Project Manager |         | P.L.S. |          | Survey Crew Chief |         | Survey Assistant |         | CADD Tech |          | Project Manager 2 |         | Clerical |         | Total |           |
|--------------------------------------|--------------|-----------------|---------|--------|----------|-------------------|---------|------------------|---------|-----------|----------|-------------------|---------|----------|---------|-------|-----------|
|                                      |              | Hours           | Dollars | Hours  | Dollars  | Hours             | Dollars | Hours            | Dollars | Hours     | Dollars  | Hours             | Dollars | Hours    | Dollars | Hours | Dollars   |
| Develop Transportation Project Plan  | 745          | 2               | 150.20  | 28     | 1,358.02 | 14                | 525.42  | 10.0             | 277.65  | 41        | 1,538.73 | 4                 | 225.84  | 2        | 80.58   | 99    | 34,138.17 |
| <b>TOTALS</b>                        |              |                 |         |        |          |                   |         |                  |         |           |          |                   |         |          |         |       |           |

**DIRECT COSTS BY ITEM**



Project ID #4991-06-76 - Amendment #1

South 30th Street

Dewey Street to Viebahn Street

C Manitowoc

Local Street

Manitowoc County

| Item   | Unit Amount | Unit Type | Rate   | Total Expenses   |
|--|-------------|-----------|--------|------------------|
| Vehicle: Company Owned/Leased (mileage)                      | 200         | Mile      | 1.15   | 230.00           |
| Survey Equipment (Total Station Robotic)                     | 0.5         | Day       | 110.00 | 55.00            |
| Survey Equipment (GPS)                                       | 1.0         | Day       | 72.40  | 72.40            |
| Field Supplies/Small Consumables/Expendables<br>(see Note 1) | 40          | \$s       | 1.00   | 40.00            |
| <b>TOTAL DIRECT COSTS</b>                                    |             |           |        | <b>\$ 397.40</b> |

Note 1: field book, lath bundle, re-bar, flagging tape, survey caps, mag nails



# SUBCONSULTANT SUMMARY

Project ID #4991-06-76 - Amendment #1

South 30th Street

Dewey Street to Viebahn Street

C Manitowoc

Local Street

Manitowoc County



| Sub Number | Name                       | Task                             | Basis of Payment | Total Contract Amount | DBE (Y/N) |
|------------|----------------------------|----------------------------------|------------------|-----------------------|-----------|
| 1          | Bay Title & Abstract, Inc. | Title Search Reports and Updates | UC               | \$ 3,250.00           | N         |
| Total      |                            |                                  |                  | \$ 3,250.00           |           |

## FEE COMPUTATION BY ENGINEERING TASK



Project ID #4991-06-76 - Amendment #1

South 30th Street  
 Dewey Street to Viebahn Street  
 C Manitowoc  
 Local Street  
 Manitowoc County

| TASK                                | ACTIVITY CODE | Direct Labor Costs | Indirect Costs | Direct Costs | Fixed Fee | TOTAL     |
|-------------------------------------|---------------|--------------------|----------------|--------------|-----------|-----------|
| Develop Transportation Project Plat | 745           | 4,139.17           | 6,578.38       | 397.40       | 750.22    | 11,865.17 |
| <b>TOTALS</b>                       |               | 4,139.17           | 6,578.38       | 397.40       | 750.22    | 11,865.17 |

Indirect Home Office Cost Rate 158.93%  
 Fixed Fee: 7.25%

**CONSULTANT CONTRACT TOTAL FEE COMPUTATION**

Project ID #4991-06-76 - Amendment #1



South 30th Street  
 Dewey Street to Viebahn Street  
 C Manitowoc  
 Local Street  
 Manitowoc County

|   | Project I.D.<br>4991-06-76 | 4991-06-76<br>Amendment #1 | TOTAL<br>CONTRACT |
|---|----------------------------|----------------------------|-------------------|
| Number of Staff Hours                     | 1,361                      | 99                         | 1,460             |
| Total Direct Labor                        | \$ 57,909.97               | \$4,139.17                 | \$62,049.14       |
| Indirect Home Office Cost Rate<br>158.93% | 101,047.11                 | \$6,578.38                 | \$107,625.49      |
| Fixed Fee (% of Labor * 2.5)<br>7.25%     | 10,496.18                  | \$750.22                   | \$11,246.40       |
| Non-Labor Direct Charges                  | 1,091.13                   | \$397.40                   | \$1,488.53        |
| Sub-Total Ayres Associates                | \$ 170,544.39              | \$11,865.17                | \$182,409.56      |
| ECS Midwest, LLC                          | \$6,812.00                 | \$0.00                     | \$6,812.00        |
| UWM CRM                                   | \$5,396.00                 | \$0.00                     | \$5,396.00        |
| Bay Title & Abstract, Inc.                |                            | \$3,250.00                 | \$3,250.00        |
| Sub-Total Subconsultants                  | \$12,208.00                | \$3,250.00                 | \$15,458.00       |
| Total                                     | \$182,752.39               | \$15,115.17                | \$197,867.56      |



June 6, 2024

Ayres Associates  
Attn: Jacob Jensen  
3376 Packerland Drive  
Ashwaubenon, WI 54115

RE: Project ID 4991-06-76  
S. 30<sup>th</sup> Street – Dewey St. to Viebahn St.  
City of Manitowoc  
Manitowoc County  
Tax Parcel Numbers: 05283640101100  
05283640201300  
05283640203200  
05283640203100  
05283640101000

Dear Jake,

We will provide you with a 100-year DOT style title search reports for the above parcels for \$600.00 (Total of \$3,000.00 for five reports). This cost would include copies of the acquisition deed(s), open mortgages, taxes and all encumbrances of record. Updates are \$50 per parcel.

|                                |                           |
|--------------------------------|---------------------------|
| 100-year Title Search Reports: | 5 x \$600.00 = \$3,000.00 |
| Updates:                       | 5 x \$ 50.00 = \$ 250.00  |
| Project Total:                 | \$3,250.00                |

If you have any questions, please feel free to call or email. My direct line is (920)431-3726 and my email address is [jmueller@baytitle.com](mailto:jmueller@baytitle.com). We look forward to doing business with you.

Sincerely,



Julie M. Mueller