

# PROFESSIONAL SERVICES AGREEMENT AMENDMENT #4

## DESCRIPTION OF DESIGN CHANGES

The scope of this change is for additional services for the following:

Basic Engineering design fees are being revised based on the current project budget as approved by Facility Planning & Control (FP&C) for the allocated capital outlay funding. The project budget as approved by FP&C is included as an attachment to this amendment, along with the contract review letter from FP&C.

Project complexities that led to the increased construction cost include but are not limited to the following:

1. Extension of an 8' x 8' box culvert 40 LF on the south side of the bridge to help improve project constructability and support construction of the concrete approach slabs.
2. Structural deep foundation required to support the 8' x 8' box culvert extension.
3. Addition of a non-rising stem, automated, sluice gate at the end of the 8'x 8' box culvert extension and the structural design to support the gate as well as the electrical service to the gate. The gate is being added to replace the existing damaged flap gate and improve the city's operational control of this flood control device.
4. Modification of the sheet pile bulkhead and tie-back system to support the box culvert extension.
5. Additional geotechnical engineering coordination to evaluate acceptable pile driving processes to contend with an existing sand layer in the sub -surface soil stratum that may complicate pile driving activities.
6. Addition of lighted bollards on the north side of the bridge.
7. The Louisiana Department of Transportation and Development is requiring a traffic study after initially indicating to the engineer via email that no traffic study was required. The traffic study added to the scope has required several unforeseen rounds of revisions to the plans along with additional coordination and discussions with DOTD.

In addition to the revision to the basic engineering services amount, DDG has also included material testing services in this proposal that will be required for the construction phase of the project. The material testing budget in this amendment is included in the project estimate and is in line with the current amount of available funding.

## FEE AMENDMENT SUMMARY

<i>Increased Basic Engineering Services Fees</i>	<i>\$ 97,893.76</i>
<u><i>Material Testing</i></u>	<u><i>\$ 80,000.00</i></u>
<b>Increased Fee for this Amendment</b>	<b>\$177,893.76</b>

## ESTIMATED FEE FOR THIS AMENDMENT: \$177,893.76

☐ Hourly    ☐ Hourly Not to Exceed    ☒ Fixed Fee

### CONTRACT SUMMARY

Original Contract	1/22/2021	\$ 402,644.80
Amendment #1	8/4/2022	\$ 30,000.00
Amendment #2	5/5/2023	\$ 331,397.46
Amendment #3	8/19/2024	\$ 31,300.00
Amendment #4	3/10/2025	\$177,893.76
<b>TOTAL:</b>		<b>\$ 973,236.02</b>

### ACCEPTANCE OF AMENDMENT

On January 22, 2021, the parties hereto executed an original Standard Form of Agreement for Professional Engineering Services which remains in full force and effect and is hereby incorporated by reference thereto. This Professional Services Agreement Amendment shall be bound by the terms and conditions of the original Standard Form of Agreement for Professional Engineering Services, which is not inconsistent herewith.

\_\_\_\_\_  
*Client Representative*

\_\_\_\_\_  
*Date*



5/6/2025

\_\_\_\_\_  
Matthew P. Rodrigue, PE  
Duplantis Design Group, PC

\_\_\_\_\_  
*Date*

**Facility Planning and Control**  
**State of Louisiana**  
Division of Administration

**JEFF LANDRY**  
GOVERNOR



**TAYLOR F. BARRAS**  
COMMISSIONER OF ADMINISTRATION

April 29, 2025

Mayor Kevin Clement  
City of Thibodaux  
P.O. Box 5416  
Thibodaux, LA 70302  
Email: saraha@ci.thibodaux.la.us

**Project:** Replacement of Canal Boulevard Bridges and Construction of Menard Pedestrian Bike Trail in Thibodaux (Lafourche)

**FP&C Project No.:** 50-MT5-20-01

**Re:** Amended Professional Services Contract Review

Dear Mayor Clement,

This letter voids and replaces the review of November 23, 2022. This Office is in receipt of the Draft Amended Professional Services Contract from Duplantis Design Group, PC, submitted on 3/21/25. After a courtesy review of the proposed contract, this Office offers the following comments. However, please note that the State is not signatory to the design contract, therefore, the following comments are recommendations; which are given to indicate the level of State participation in the referenced cost.

1. The subject draft amended contract appears to be a form of agreement between the owner (City of Thibodaux) and the Engineer (Duplantis Design Group, PC); FP&C has no objection to its use.

2. **Scope of Basic Services:** The Scope of work indicated by the designer appears to meet the function and intent of ACT 20 and the associated 2019-2020 Capital Outlay Request (COR). The scope being the replacement of the Canal Boulevard Bridges and construction of pedestrian bike trails. Additional services are required due to the complexities that resulted in an increase of the estimated construction cost.
3. **Basic Services Fee:** The State has no objection to the proposed stipulated sum of \$621,536.02 as the compensation for the designer's basic services, given the estimated construction cost of \$7,862,393.02. The available design budget will allow the State to participate in 75% of that amount not to exceed (NTE) \$466,152.

The documents submitted to this Office indicated an Estimated Construction Cost of \$7,862,393.02 and expects the designer to design the project within this recognized budget.

If construction estimates exceed the established budget, the designer will be responsible for revising the construction documents at no further cost to the State. The State's position is that the designer is responsible for keeping the project within the budget, and should advise the Owner (City of Thibodaux) at each phase. In turn, the Owner is responsible for informing the State of the Cost Estimate at each phase of design.

This Office will process invoices at each stage of the contract, upon receipt of deliverables as indicated below. The phases indicated in the contract and recognized by this Office are as follows.

Phases (Basic Services)		
Preliminary Design	25%	\$116,538
Final Design (CD)	40%	\$186,461
Bidding & Construction	35%	\$163,153
<b>Total Lump Sum (NTE) Fee</b>	<b>100%</b>	<b>\$466,152</b>

State participation will be up to Construction Documents or 65% (\$466,152) = \$302,998 of Basic Services until suffice funding can be provided for construction of the project.

4. **Termination:** The State will not participate in termination expenses or in compensation for services not rendered.
5. **Reimbursable Expenses:** The States level of participation in any reimbursable expenses shall be limited to the cost of the printing of the Bid Sets less retained deposits; and is subject to available State funds. The State will not participate in any in-house charges, nor a 10% mark-up for Reimbursable Expenses.


6. **Additional Services:** This Office will be participating in the following Additional Services. The State will be participating in Boundary/ROW Survey on this project. State participation at 75% (\$5,000) = \$3,750. The State will be participating in Topographic & Hydrographic/Bathymetric Survey on this project. State participation at 75% (\$30,000) = \$22,500. The State will be participating in Subsurface Utility Engineering on this project. State participation at 75% (\$10,000) = \$7,500. The State will be participating in Geotechnical Investigation & Reporting on this project. State participation at 75% (\$43,000) = \$32,250. The State will be participating in Grant Application Assistance on this project. State participation at 75% (\$30,000) = \$22,500. The State will be participating in Obtain Permits on this project. State participation at 75% (\$45,000) = \$33,750. The State will be participating in Utility Coordination on this project. State participation at 75% (\$15,000) = \$11,250. The State will be participating in Intersection Control Evaluation (ICE) Study on this project. State participation at 75% (\$16,800) = \$12,600. The State will be participating in Temporary Traffic Signal Plans on this project. State participation at 75% (\$14,500) = \$10,875. The State will be participating in Material Testing on this project. State participation at 75% (\$80,000) = \$60,000.
7. **Late Payments & Interest Charges:** The State will endeavor to reimburse the Entity as quickly as possible, but will not participate in the cost of any interest due to late payment.
8. **Resident Project Representative (RPR):** The State will be participating in RPR on this project. State participation at 75% (\$62,400) = \$46,800.

In conclusion and other than the issues noted above, this Office finds nothing that may jeopardize eligibility for State participation as outlined above, subject to the provisions of the Cooperative Endeavor Agreement (CEA). As indicated in the CEA, this project will be administered according to the *Non-State Entity Capital Outlay Administrative Guidelines*. Due to the basic services fee exceeding \$25,000, deliverables of the phases indicated above must be submitted to FP&C with a current cost estimate; in order to receive interim disbursements concluding each phase.

The above comments should not be perceived as directing your Office concerning the referenced proposal, but rather to describe the level of State participation. Should your Office choose to execute the contract, please provide this Office with a copy of the contract as well as the designer's affidavit attesting to all of R.S.38:2224 for our records prior to or concurrent with your first Request for Disbursement for these services.

If you or the designer has any questions or concerns regarding this Office's comments, please contact me by way of letter; under cover of your Office's Letterhead.

Sincerely,



Michael C. McLean, Arch.  
FP&C Project Manager

CANAL BLVD BRIDGE REPLACEMENT PROJECT ESTIMATE						
	QTY	UNIT	UNIT PRICE	TOTAL	3/21/2025	
<b><u>Construction Grand Total</u></b>				<b><u>\$ 7,862,393.02</u></b>		
Basic Design Services (Per FPC Fee Curve)	7.91%		\$ 621,536.02			
				\$ 155,384.00	25%	Preliminary Design
				\$ 248,614.41	40%	Final Design (CD)
				\$ 217,537.61	35%	Bidding & Construction
Boundary/ROW Survey			\$ 5,000.00			
Topographic & Hydrographic/Bathymetric Survey			\$ 30,000.00			
Subsurface Utility Engineering (Quality Level A)			\$ 10,000.00			
Geotechnical Investigation & Reporting			\$ 43,000.00			
Grant Application Assistance			\$ 30,000.00			
Obtain Permits			\$ 45,000.00			
Utility Coordination			\$ 15,000.00			
Resident Inspection			\$ 62,400.00			
Intersection Control Evaluation (ICE) Study - Amendment #3			\$ 16,800.00			
Temporary Traffic Signal Plans - Amendment #3			\$ 14,500.00			
Material Testing - Amendment #4			\$ 80,000.00			
<b><u>Total Soft Costs</u></b>			<b><u>\$ 973,236.02</u></b>			
<b><u>Entergy Utility Relocations Costs</u></b>			<b><u>\$359,200.14</u></b>			
<b><u>Project Total</u></b>				<b><u>\$ 9,194,829.18</u></b>		

**Facility Planning and Control**  
**State of Louisiana**  
**Division of Administration**

**JEFF LANDRY**  
GOVERNOR



**TAYLOR F. BARRAS**  
COMMISSIONER OF ADMINISTRATION

January 6, 2025

The Honorable Kevin Clement, Mayor  
City of Thibodaux  
P.O. Box 5418  
Thibodaux, La 70302-5418  
Email: saraha@ci.thibodaux.la.us

Re: Replacement of Canal Boulevard Bridges  
and Construction of Menard Pedestrian Bike  
Trail, Planning and Construction  
(Lafourche)  
FP&C Project No. 50-MT5-20-01

Dear Mayor Clement:

Please find attached, a copy of State Funding Summary #4. The current level of funding as shown in the Funding Summary has been revised to reflect a change in the funding.

The Funding Summary represents the current level of funding provided by the State and states the FPC Administrative fee and the local match amount required by La. R.S. 39:112 (E). The Detailed Allocation of Project Funding previously identified as Exhibit A will no longer be utilized.

If you have any questions, please contact me at 225-342-2634 or michael.mclean2@la.gov.

Thank you for your cooperation.

Sincerely,

***Michael McLean***

Michael McLean  
Project Manager

MM:hp  
Enclosures

c: Marc Parenti, [CapitalOutlay@la.gov](mailto:CapitalOutlay@la.gov), via email w/attachments  
Michael McLean, via email w/attachments

**FUNDING SUMMARY**  
**THE STATE OF LOUISIANA and**  
**City of Thibodaux**  
**Replacement of Canal Boulevard Bridges and Construction of Menard Pedestrian Bike Trail, Planning and**  
**Construction**  
**(Lafourche)**  
**FP&C Project No. 50-MT5-20-01**

**REVISION NO.   4   Date: 1/3/2025**

ACT #	YEAR	DESCRIPTION	STATE CASH	STATE NON-CASH LINE OF CREDIT	OTHER	TOTAL FUNDING
5	2024	G.O. Bonds LOC	\$1,432,500	\$4,900,000		\$6,332,500
5	2024	Capital Outlay Savings Fund	\$500,000			\$500,000
465	2023	G.O. Bonds 24A	\$67,500			\$67,500
<b>TOTAL</b>			<b>\$2,000,000</b>	<b>\$4,900,000</b>	<b>\$2,300,000</b>	<b>\$9,200,000</b>
		<b>FPC ADMIN.</b>	<b>\$75,000</b>			

Federal Tax Identification for Entity: 72-6001396

Notes:

1. Planning costs shall not exceed 10% of Construction costs. Miscellaneous costs shall not exceed 5% of Construction costs.
2. Capital Outlay Cash includes General Funds, NRP Bonds, Cash Line of Credit and/or Bonds sold.
3. Total in "Other" column equals required 25% match as reflected in the CEA.
4. The total estimated project cost is \$8,000,000.00 per the 2023-24 Capital Outlay Request.