

**THIRD AMENDMENT
ENGINEERING AGREEMENT FOR
WETLAND DELINEATION AND SECTION 404 PERMITTING
IN LANCASTER COUNTY, NEBRASKA**

THIS THIRD AMENDMENT ("Third Amendment") is entered into by and between JEO, hereinafter referred to as the "ENGINEER", and Lancaster County, hereinafter referred to as the "COUNTY". Collectively the County and the Engineer may be referred to as "the Parties."

WHEREAS, on October 9, 2018, the Parties previously entered into a contract for wetland delineation and permitting for Project 19-07 and 19-08, 2019 Countywide Culvert Maintenance, under County Contract No. C-18-0620 ("the Agreement");

WHEREAS, on January 29, 2019, the Parties entered into a First Amendment to the Agreement to add Section 404 permitting services for four (4) County sites to the scope of the Agreement under County Contract No. C-19-0072;

WHEREAS, on May 21, 2019, the Parties entered into a Second Amendment to the Agreement to add additional wetland permitting services;

WHEREAS, the Parties wish to enter into this Third Amendment to the Agreement to add additional wetland permitting services which include preparing and submitting permit applications and coordinating with USACE as provided in Exhibit A, which is attached hereto and incorporated herein by this reference;

WHEREAS, the expenditure for these additional services shall not exceed \$1,375.00 as provided in Exhibit A; and

WHEREAS, the revised contract total with the additional services is estimated to be \$39,580.00;

NOW, THEREFORE, in consideration of the mutual covenants contained herein and in the Agreement, the Parties hereto agree as follows:

- 1) The Parties hereby amend the Agreement to add additional wetland permitting services which include revisions to wetland permit applications. (See Exhibit A).
- 2) Section VI(A)(1) of the Agreement shall be amended to include the following fees and amend the contract total for the project:

d. Third Amendment: Additional Services \$ 1,375.00

TOTAL..... \$ 39,580.00

- 3) All other terms and conditions of the Agreement not in conflict with this Third Amendment, shall remain in full force and effect.

This Third Amendment shall be binding upon the Parties, their heirs, administrators, executors, legal and personal representatives, successors, and assigns.

IN WITNESS WHEREOF, the Parties hereto have caused this Third Amendment to be executed by their duly authorized representative(s).

EXECUTED by the ENGINEER this 22ND day of MAY, 2019.



Signature
JASON MOROVITZ, SR. ENVIRONMENTAL SCIENTIST

Name & Title
JED CONSULTING GROUP

Firm Name
2700 FLETCHER AVE.

Address
LINCOLN NE 68504
City State Zip

EXECUTED by the COUNTY this _____ day of _____, 20__.

LANCASTER COUNTY BOARD OF COMMISSIONERS

Approved as to form

This _____ day of _____, 20__.

Deputy County Attorney

Amendment
JEO Proposal and Estimated Fees
for
Lancaster County Culvert M-87
Project #: 190102.00
Wetland Delineation/Report and Section 404 Permitting
Prepared 05/09/2019

Project Description

JEO Consulting Group, Inc. (JEO) is providing this proposal and fee estimate to amend the previous scope of services and fee estimate to conduct a wetland delineation, prepare a wetland delineation report, conduct agency consultation, and submit a Section 404 nationwide permit (NWP) 14 pre-construction notification (PCN) to the U.S. Army Corps of Engineers (USACE) for the proposed culvert replacement on W Superior Street approximately 260 feet east of NW 112th Street in Lancaster County, Nebraska. This amendment is for additional services required to prepare and submit the Section 404 permit application resulting from a design revision by Lancaster County which requires further field investigation.

Project Scope and Fee

Task Series 100 – Section 404 Permitting

- **110 – Prepare and Submit Section 404 Permit Application:**
Due to a design revision, JEO will incur additional labor to update and complete the NWP 14 permit application, including an additional site visit to collect data in areas added to the project that were previously not delineated because they were outside of the original environmental study area. The anticipated bill for the additional field visit and revising the PCN amounts to \$1,375.

Deliverables

- NWP 14 permit application.

Proposed Project Schedule

JEO will commence preparation of the NWP 14 permit immediately upon receipt of notice to proceed from Lancaster County. It is estimated that submittal of the NWP 14 permit to USACE would occur within 14 days of receipt of notice to proceed.

Project Fee

The estimate for completing the task identified above is a **lump sum of \$1,375.**

Task Series 100: Section 404 Permitting	\$1,375
Total:	\$1,375

The services stated above are billed based on JEO's standard hourly rates for 2019. Lancaster County will be billed monthly for services to date. Invoices are due upon receipt. JEO will provide additional services via contract amendment at Lancaster County's request. JEO reserves the right to redistribute fee amongst individual tasks as needed, so long as the total contract amount does not change.

Proposal and Fee Expiration

The information contained in this proposal and fee estimate is valid until May 30, 2019. After that date, the scope of services and estimated fee are subject to adjustment.