

Waller Creek District

**ADDENDUM ONE (AUSTIN ENERGY DUCT BANK) –
CREEK DELTA CONSTRUCTION DOCUMENTS,
PERMITTING & BIDDING PHASE PLAN**

Proposing Party: Waterloo Greenway



4 November 2019

COA CIP Project No. 12861.002



4 November 2019

Ms. Melba Whatley
Vice President
Waller Creek Local Government Corporation (LGC)

RE: Waller Creek District:
Addendum One (Austin Energy Duct Bank) – Creek Delta Construction Documents, Permitting & Bidding Phase Plan

Dear Melba:

Enclosed herewith you will find Addendum One to the Creek Delta Construction Documents, Permitting & Bidding Phase Plan including design work for an Austin Energy (AE) duct bank. Addendum One covers professional services only; construction will be handled as a separate Phase Plan. Please refer to the enclosed Exhibit E for a Project Budget.

Addendum One to the Creek Delta Construction Documents, Permitting & Bidding Phase Plan includes the design, permitting and bidding for an AE duct bank utility alignment starting near the Emma S. Barrientos Mexican American Cultural Center parking lot and extending across Waller Creek to Trinity Street. Please see Exhibit A for the Project Area Diagram.

The Joint Development Agreement, Section 3, identifies the documentation required for each proposed phase plan or addenda. The attached check-list identifies all of the submission requirements including those applicable to this addendum and where they can be found in this document.

If you have questions or concerns, please let me know and we will address them quickly.

Sincerely,

Peter Mullan
Chief Executive Officer
Waterloo Greenway
Proposing Party

Date





The Phase Plan described in this document has been reviewed and approved specific to the scope described herein.

Ms. Melba Whatley Date
Vice President
Waller Creek Local Government Corporation
LGC Representative

Ms. Kristin Pipkin Date
Waller Creek District Program Manager
Watershed Protection Department, City of Austin
Responding Party/City Representative

Ms. Lisa Storer Date
Project Manager
Parks and Recreation Department, City of Austin
Responding Party/City Representative



PHASE PLAN PROPOSAL CHECKLIST

Waller Creek District

ADDENDUM ONE (AUSTIN ENERGY DUCT BANK) – CREEK DELTA CONSTRUCTION DOCUMENTS, PERMITTING & BIDDING PHASE PLAN

PAGE #	JDA SECTION*	TOPIC	DESCRIPTION	EXHIBITS
na	3.03 B.	Responding Party Review		
na		Cover Letter		
na		Front Cover		
na		Table of Contents		
na		Check List		
1	3.04 A.1	General	Exec Summary - general outline of the project	
3, 11			Schedule with milestones & projected completion	Exhibit B
13			Implementation plan	Exhibit D
4, 12	3.04 A.2 (i)	Identify Team	List all professionals and their discipline	Exhibit C
4	3.04 A.2 (ii)	Construction Delivery Method	Proposed Construction Delivery Method	Construction Manager at Risk
N/A	3.04 A.2 (iii)	Designate the Reviewer of Construction Schedule	Project Director or Managing Party	No construction is included in this scope of work
N/A	3.04 A.2 (iv)	Design Material	Prelim site plans, architectural plans, elevations, other design materials	Graphic materials will be generated as part of this scope of work
10	3.04 A.3	Project Map	Map of District showing Limits of Phase Plan Area	Exhibit A
5, 16	3.04 A.4	Project Budget	All Phase Plan costs including allowances and contingencies	Exhibit E
		Including:	List of funding sources	
6			List where funds are to be held	
6			List constraints on use of funds	
N/A			Post construction budget - capital repairs, operating and maintenance budgets	No construction is included in this scope of work
6	3.04 A.5	Cost Overrun Plan	Identify how any cost overruns will be funded	
6	3.04 A.6	Compliance with Foundational Articles	If the proposed project does not comply with the terms of the JDA, the proposed modification to the JDA is provided here	
6	3.04 A.7	Third Party Agreements	Outline any third-party agreements that will need to be obtained	
6, 18	3.04 A.8	Procurement Process Requirements	If funded in part by the City, comply with City Code and other applicable law	Exhibit G
			Local Government Code Sections 252 and 271	
			Texas Transportation Code Chapter 432	
6, 18	3.04 A.9	MWBE Participation	If funded in part by the City, outline plan	Exhibit G
6	3.04 A.10	Public Improvement Projects/Approvals and Permits	Identify responsibilities for obtaining approvals from Government Authorities for design and construction	
7	3.04 A.11	Operations & Maintenance	Plan for obtaining approvals/permits and for paying for operations and maintenance	

PHASE PLAN PROPOSAL CHECKLIST

PAGE #	JDA SECTION*	TOPIC	DESCRIPTION	EXHIBITS
7	3.04 A.12	ID and Mapping Easements	Identify and map all easements and other real property interests	
6	3.04 A.13	Requirements on Use of Funds	Identify any requirements that apply to the use of tax-exempt obligations, grants or other funds	
7, 21	3.04 A.14	Insurance and Bonding	Provision of insurance and bonding in Article 9	Exhibit H
7	3.04 A.15	Use by City	Identify terms for use by the City	
7	3.04 A.16	Activities and Rates	Identify activities by groups	
7	3.04 A.17	Maintenance in ROW's	Identify of maintenance of District ROW's	
7	3.04 A.18	Utilities	Identify how utilities will be provided, cost of services, metering etc	
7	3.04 A.19	Operations and Maintenance	Identify operations and maintenance standards	
8	3.04 A.20	Revenue Source and Fees	Create a pro forma re fees, licensing to cover Operation Expenses	
8	3.04 A.21	Commercial Design Standards	Identify if Comm Design Stds apply or waived	
8	3.04 A.22	License Agreements	Identify if License Agreements apply	
8	3.04 A.23	Naming Rights	Identify any license agreements necessary for naming rights	
8	3.04 A.24	Change in Ownership	Identify if there is a proposed change in ownership of a Public District Site	
8, 17	3.04 A.25	Capital Needs Timing	Identify the capital needs timing for City Planning purposes	Exhibit F
8	3.04 A.26	Payment to PARD or other City Departments	Identify how payments will be made to PARD or other City Depts for their operations	
8	3.04 A.27	Public Accessibility	Identify public accessibility and provisions thereof	
9	3.04 A.28	Timing of transfers	Identify timing of transfers of improvements and land	
9	3.04 A.29	Maintain natural space	Identify the ways projects will be designed to maintain natural space	
9	3.04 A.30	Maintain flexibility of City owned properties	Identify how the flexibility of City Owned properties will be maintained	
9	3.04 A.31	Issues related to alcohol use	Identify any desired exemptions of City Code or park rules	
na	3.04 A.32	Other Relevant Info		

*THIS CHECKLIST IS BASED ON THE APRIL 16, 2014 WALLER CREEK DISTRICT JOINT DESIGN, DEVELOPMENT, MANAGEMENT AND OPERATION AGREEMENT (JDA)

Waller Creek District

ADDENDUM ONE (AUSTIN ENERGY DUCT BANK) – CREEK DELTA CONSTRUCTION DOCUMENTS, PERMITTING & BIDDING PHASE PLAN

TABLE OF CONTENTS

PHASE PLAN ELEMENT	PAGE NUMBER
COVER LETTER	Attached at beginning of Phase Plan document
CHECK LIST	
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EXHIBIT B: PROJECT SCHEDULE	PAGE 11
EXHIBIT C: ORGANIZATION CHART	PAGE 12
EXHIBIT D: IMPLEMENTATION PLAN	PAGE 13
EXHIBIT E: PROJECT BUDGET	PAGE 16
EXHIBIT F: CAPITAL NEEDS PROJECTION	PAGE 17
EXHIBIT G: JDA PROCUREMENT REQUIREMENTS	PAGE 18
EXHIBIT H: INSURANCE CERTIFICATES	PAGE 21
SUPPORTING SUPPLEMENTAL DOCUMENTATION	Separate document

ADDENDUM ONE (AUSTIN ENERGY DUCT BANK) – CREEK DELTA CONSTRUCTION DOCUMENTS, PERMITTING & BIDDING PHASE PLAN

Project Identification:

Title: Addendum One to the Creek Delta Construction Documents, Permitting & Bidding Phase Plan (or “Addendum One”)

Location: At the Waller Creek mouth near the Emma S. Barrientos Mexican American Cultural Center parking lot and extending across Waller Creek to Trinity Street (see Exhibit A, Project Area Diagram)

Date: 4 November 2019

Effective August 14, 2019, the non-profit corporation formerly known as Waller Creek Conservancy (“WCC”) became known as Waterloo Greenway Conservancy and all references in this Addendum to Waller Creek Conservancy from and after that date shall mean Waterloo Greenway Conservancy (“WG”).

Unless otherwise specified herein, section reference shall refer to that certain Joint Design Development, Management and Operation Agreement by and among the City of Austin (“City”), Waterloo Greenway Conservancy (“WG”) and Waller Creek Local Governmental Corporation (“LGC”), dated April 16, 2014 (the “JDA”).

EXECUTIVE SUMMARY (3.04 A.1)

Waterloo Greenway includes a one-and-a-half mile urban, riparian ecosystem that meanders southward from Waterloo Park at 15th Street along the eastern edge of downtown Austin ending at Lady Bird Lake. Once complete, Waterloo Greenway will total 35 acres of connected urban green space and will feature four distinct beautifully designed park spaces, pedestrian and bicycle paths, a revitalized creek, and other urban amenities – a place where the environment, culture, health, adventure, and diversity converge. The revitalized Waller Creek will renew the natural environment, foster the creative arts, and nourish authentic and uplifting experiences that reflect Austin’s diversity and dynamic spirit.

The Creek Delta section of Waterloo Greenway is an approximately 10-acre green space and creek reconstruction along Waller Creek in Austin from Lady Bird Lake to 4th Street. This part of the project includes one mile of pathways, trails and bridges creating a cohesive and accessible circulation network enabling a new downtown district. There will be top of bank pathways and creek level elevated walkways allowing a unique way of traversing through the City. Eleven new trail connections to adjacent rights-of-way will be created though this design strategically placed to connect to important downtown amenities such as the Ann and Roy Butler Hike-and-Bike Trail, the Rainey Street District, the Austin Convention Center, Palm Park and Palm School, the Lance Armstrong Bikeway, the Sabine Promenade, and the CapMetro Downtown Station (to list just a few).

In addition, the Creek Delta design work reconstructs a robust creek ecology to create an immersive public nature experience. Currently the banks of the creek are in disrepair and create a chronic erosion problem in the middle of the City. This work utilizes cutting edge reconstruction and restoration techniques to design the aquatic and riparian habitat along the creek.

Addendum One to the Creek Delta Construction Documents, Permitting & Bidding Phase Plan undertakes the design, permitting and bidding for an Austin Energy (AE) duct bank at the Waller Creek mouth (see Exhibit A, Project Area Diagram).

The Addendum One Project Area includes the southern portion of the Creek Delta project including the parkland adjacent to the Emma S. Barrientos Mexican American Cultural Center on the east side of the creek to the west bank along the Waller Creek Tunnel Facility up to just south of the Trinity Street cul-de-sac.

The goal of Addendum One to the Creek Delta Construction Documents, Permitting & Bidding Phase Plan is to advance the design of an AE duct bank providing critical infrastructure to downtown Austin. Due to rapid development, AE has evaluated that the existing and future electrical facility requirements to power downtown will be exceeded. The intent of the duct bank installation is to provide parallel and redundant electrical infrastructure from a new electrical substation that is being installed at 55 East Ave, on a lot at East Ave. and River St. This new substation will provide additional and redundant power supply to the Austin power grid and allow for the aging Brackenridge substation and transmission lines, bringing power into downtown, to be upgraded in a timely and efficient manner to meet future demands. Addendum One only includes professional services as it relates to design; the construction work will be brought forth in a separate Phase Plan proposal.

Addendum One includes the following tasks that will be led by Michael Van Valkenburgh Associates (MVVA) as the team lead and landscape architect.

Addendum One encompasses the following main tasks:

- **Brazos Street Duct Bank / Austin Energy Utility Route**
 - Duct Bank Route Feasibility Study,
 - SUE survey and geotechnical investigation,
 - Construction Documentation – Design, Drawings, Specifications and Permitting as it relates to the duct bank,
 - Pre-Construction Services (cost estimate), and
 - Bidding and Negotiation

This project will require extensive coordination with the City of Austin Parks and Recreation Department (PARC), the Watershed Protection Department (WPD), the project sponsor at Public Works (PW), and Austin Energy.

All services performed under this Addendum shall be in accordance with the existing contractual agreements held by Waterloo Greenway Conservancy (WG), applicable codes (local, County, State and Federal), including the City Code, and accepted industry standards.

All Consultant documents shall be prepared using the English System of Weights and Measurements. It is assumed that CAD and PDF drawings are acceptable formats for submissions. Other file formats (e.g. MicroStation; AutoCAD Civil 3D) will be considered as needed on a case-by-case basis.

MAIN POINTS OF CONTACT

Proposing & Managing Party:

Waterloo Greenway Conservancy

CEO: Peter Mullan, pmullan@waterloogreenway.org (512-541-3520)

Director of Planning & Design: John Rigdon, jrigdon@waterloogreenway.org (512-541-3520)

Capital Projects Manager: Michelle Bright, mbright@waterloogreenway.org (512-541-3520)

Responding Party:

City of Austin, Watershed Protection Department

Kristin K. Pipkin, kristink.pipkin@austintexas.gov (512-974-3315)

Diana Wang, diana.wang@austintexas.gov (512-974-7168)

City of Austin, Parks and Recreation Department

Lisa Storer, lisa.storer@austintexas.gov (512-974-9479)

Landscape Architecture Team Lead:

Michael Van Valkenburgh Associates (MVVA)

MVVA President and CEO: Michael Van Valkenburgh, Michael@mvvainc.com (718-243-2044)

MVVA Principal: Gullivar Shepard, gshepard@mvvainc.com (718-243-2044)

MVVA Project Manager and Point of Contact: Tim Gazzo, tgazzo@mvvainc.com (718-243-2044)

SCHEDULE [3.04 A.1]

The Notice to Proceed (N.T.P.) for Addendum One to the Creek Delta Construction Documents, Permitting & Bidding Phase Plan is anticipated to occur on November 4, 2019 following approval of the Addendum by the Waller Creek Local Government Corporation. The services associated with Addendum One shall be provided from November 2019 – May 2020. The design team fees have been calculated based on the schedule, which is shown in greater detail in Exhibit B, Project Schedule.

PERFORMANCE PERIOD

The anticipated performance period is the next seven (7) months. A more detailed project schedule is shown in Exhibit B, Project Schedule.

GENERAL SCOPE OF SERVICE REQUIREMENTS

An organizational diagram of work flow is in Exhibit C, Organizational Chart that describes the relationship between the design team, WG, and the City. In addition, more detailed explanations of the scope of services and deliverables is in Exhibit D, Implementation Plan for the construction documentation, permitting and bidding work.

DESIGN TEAM & CONTRACTOR LIST (3.04 A.2 (i))

The following team lead by MVVA will be responsible for delivering the work outlined in Addendum One to the Creek Delta Construction Documents, Permitting & Bidding Phase Plan.

Brazos Street Duct Bank / Austin Energy Utility Route

- Landscape Architect and Design Team Lead:
Michael Van Valkenburgh Associates, Inc. (MVVA)
 - Structural Engineer: Architectural Engineers Collaborative (AEC)
 - Civil Engineer: Big Red Dog Engineering (BRD/WGI) division of Wantman Group, Inc.
 - Local Landscape Architecture: dwg. (DWG)
 - Mechanical, Electrical and Plumbing Engineer: EEA Consulting Engineers (EEA)
- Geotechnical Engineer: Terracon
- SUE Survey: McGray & McGray Land Surveyors, Inc.
- Construction Manager at Risk, Preconstruction Services: SpawGlass

CONTRACTING METHOD & CONSTRUCTION DELIVERY METHOD (3.04 A.2 (ii))

MVVA and their subconsultants are working under the Master Services Agreement that was put in place in May 2015. All of the MVVA design team consultants and subconsultants identified by name in this project were under agreement prior to the execution of the JDA or have been selected utilizing methods that meet the City of Austin Ordinances for procurement of services. Any subsequent consultants will be selected utilizing the same.

The existing and ongoing Creek Delta Construction Documents, Permitting & Bidding Phase Plan utilizes the pre-construction expertise of SpawGlass selected as the Construction Manager at Risk

(CMAR) for the Creek Delta project. The CMAR delivery method is utilized for the Creek Delta project to keep the project in line with the budget. At key milestones during Construction Documents, SpawGlass will provide cost estimates on the project and will help with bidding the work at 100% CDs.

PROJECT BUDGET (3.04 A.4)

Exhibit E, Project Budget provides a detailed breakdown of the fees, a summary of the fees are as follows:

1. Brazos Street Duct Bank / Austin Energy Utility Route:

Professional Service Fees (MVVA Team):	\$90,155
Reimbursable Expenses (MVVA Team):	\$150
Survey Services (McGray & McGray):	\$20,474
Preconstruction Services (SpawGlass):	\$27,023
Geotechnical Borings (Terracon):	\$9,800

2. Cost Overrun:

Cost Overrun Reserve (5%)	\$7,380
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Grand Total for this Phase Plan Proposal: **\$154,982**

The Brazos Street Duct Bank / Austin Energy Utility Route design work associated Addendum One to the Creek Delta Construction Documents, Permitting & Bidding Phase Plan will be funded in full by Austin Energy. In addition, the construction associated with this work also will be funded by AE and will be included in the future Creek Delta construction phase plan.

AE will contribute an amount not to exceed \$154,982 toward Addendum One to the Creek Delta Construction Documents, Permitting & Bidding Phase Plan.

In accordance with Section 10.01 (Project Disbursement Fund Account) of the JDA, upon approval of regularly submitted invoices by WG, the City will disburse payment accordingly to the appropriate Project Disbursement Fund Account. As required by Section 3.04 A.25 of the JDA, Exhibit F, Capital Needs Projection addresses the prime scope of work and the projected funding needs, excluding Allowances, Change Order Contingency, and Cost Overrun Reserve.

FUNDING SOURCES & REQUIREMENTS/CONSTRAINTS ON FUNDS (3.04 A.4 & 3.04 A.13)

Project invoices will be funded by the City and paid by WG. One hundred percent (100%) of the total project invoiced will be paid with AE funds. WPD will act as the City department responsible for managing Addendum One to the Creek Delta Construction Documents, Permitting & Bidding Phase Plan and will be approving invoices on behalf of AE.

COST OVERRUN PLAN (3.04 A.5)

In accordance with the JDA, the identification of the source of funds for the Cost Overrun Reserve are required. The Proposing Party must seek approval from the Responding Party to utilize Cost Overrun funding. The request to use Cost Overrun funds does not require LGC approval unless additional funding is needed. For the Addendum One to the Creek Delta Construction Documents, Permitting & Bidding Phase Plan, there is a Cost Overrun Reserve of \$7,380. Under the circumstances where the reserve is needed, AE will contribute \$7,380 to Addendum One Cost Overrun Reserve.

COMPLIANCE WITH FOUNDATIONAL ARTICLES (3.04 A.6)

All work proposed in this Addendum comply with the approved Design Plan and the Foundational Articles of the JDA.

THIRD PARTY AGREEMENTS (3.04 A.7)

The “Memorandum of Understanding for the Waller Creek District - Creek Delta Project and Brazos St. Duct Bank Project, Funding Agreement between Watershed Protection and Parks and Recreation Departments and Austin Energy” documents AE’s commitment to fund the subject addendum. The agreement also outlines WPD/PARD’s responsibilities as City project managers overseeing the project and AE’s responsibility as a sponsoring department.

PROCUREMENT PROCESS REQUIREMENTS & MWBE PARTICIPATION (3.04 A.8 & 3.04 A.9)

Pursuant to the JDA, any Project funded in part by the city must meet City ordinance and state law requirements for procurement, Local Government Code Sections 252, 271 and Texas Transportation Code Chapter 432.

General MWBE Participation requirement information outlined in the JDA can be found in Exhibit G, JDA Procurement Requirements.

APPROVALS & PERMITS (3.04 A.10)

The design team has the responsibility of obtaining approvals and permits from governmental authorities for design and construction if the project is a Public Improvement Project. Permit work

is anticipated and addressed as part of Addendum One to the Creek Delta Construction Documents, Permitting & Bidding Phase Plan.

OPERATIONS & MAINTENANCE RESPONSIBILITIES & STANDARDS (3.04 A.11 & 3.04 A.19)

The Creek Delta Construction Documents, Permitting & Bidding Phase Plan includes work on an operations and maintenance manual for this part of the project. The operation and maintenance manual build upon the O&M manual prepared by the design team for Waterloo Park. The standards outlined in the manual will be used after the project is constructed and thus meets the requirements of the JDA.

ADJACENT PROPERTY ACQUISITION (3.04 A.12)

All acquisitions either by fee simple or easement will follow the Office of Real Estate's Standard Operating Procedures for approval, land plans, land title surveys, Environmental Site Assessment Plans I and II, and title policies. In accordance with the 3.04 A.28 of the JDA, any acquisitions either by fee simple or by easement will follow the Office of Real Estate's Standard Operating Procedures for approvals, land plans, land title surveys, Environmental Site Assessment Plans I and II, and title policies.

INSURANCE & BONDING (3.04 A.14)

Insurance information can be found in Exhibit I, Insurance Certificates.

ACTIVITIES & RATES (3.04 A.15 & 3.04 A.16)

No programming activities and rates are intended as part of the Addendum One to the Creek Delta Construction Documents, Permitting & Bidding Phase Plan.

MAINTENANCE OF DISTRICT ROW (3.04 A.17)

Maintenance of the ROW is the role of the City of Austin, as noted in the JDA Article 4, Section 4.03 and 6.03, unless otherwise agreed upon through a license agreement between the parties. If needed, license agreements will be secured as required by the permitting process for the Addendum One to the Creek Delta Construction Documents, Permitting & Bidding Phase Plan.

UTILITIES (3.04 A.18)

No utilities will be distributed to any vendor or park lessee as part of this Addendum.

REVENUE SOURCES & FEES (3.04 A.20)

No revenue or fees are intended as part of Addendum One to the Creek Delta Construction Documents, Permitting & Bidding Phase Plan.

COMMERCIAL DESIGN STANDARDS (3.04 A.21)

Unless otherwise indicated, commercial design standards outlined in the Waller District Design Guidelines will be followed under this Phase Plan Addendum.

LICENSE AGREEMENTS (3.04 A.22)

License agreements will be secured as required by the permitting process for the Addendum One to the Creek Delta Construction Documents, Permitting & Bidding Phase Plan.

NAMING RIGHTS (3.04 A.23)

Waterloo Greenway Conservancy has identified recognition opportunities in the Creek Delta project limits. These opportunities include various architectural features, like the bridges, and park space of distinction. All naming rights will be established in accordance with the JDA and Foundational Articles.

CHANGE IN OWNERSHIP (3.04 A.24)

There are no changes in ownership anticipated with this Addendum.

CAPITAL NEEDS TIMING (3.04 A.25)

See Exhibit G, Capital Needs Projection addressing the anticipated project of the prime scope of work, which excludes Allowances, and Cost Overrun Reserve.

PAYMENTS (3.04 A.26)

Currently no payments from the City are anticipated for operations for this Phase Plan.

PUBLIC ACCESSIBILITY (3.04 A.27)

The design of Creek Delta will meet the requirement of the Texas Accessibility Standards (TAS) and City Code. The Phase Plan approved in June 2019 includes the scope of work by Altura Solutions, the accessibility consultant, to ensure the project follows applicable accessibility rules and standards.

TIMING OF TRANSFERS (3.04 A.28)

There are no anticipated transfers of improvements or land to the City with this Phase Plan.

GREEN SPACE & FLEXIBILITY (3.04 A.29 & 3.04 A.30)

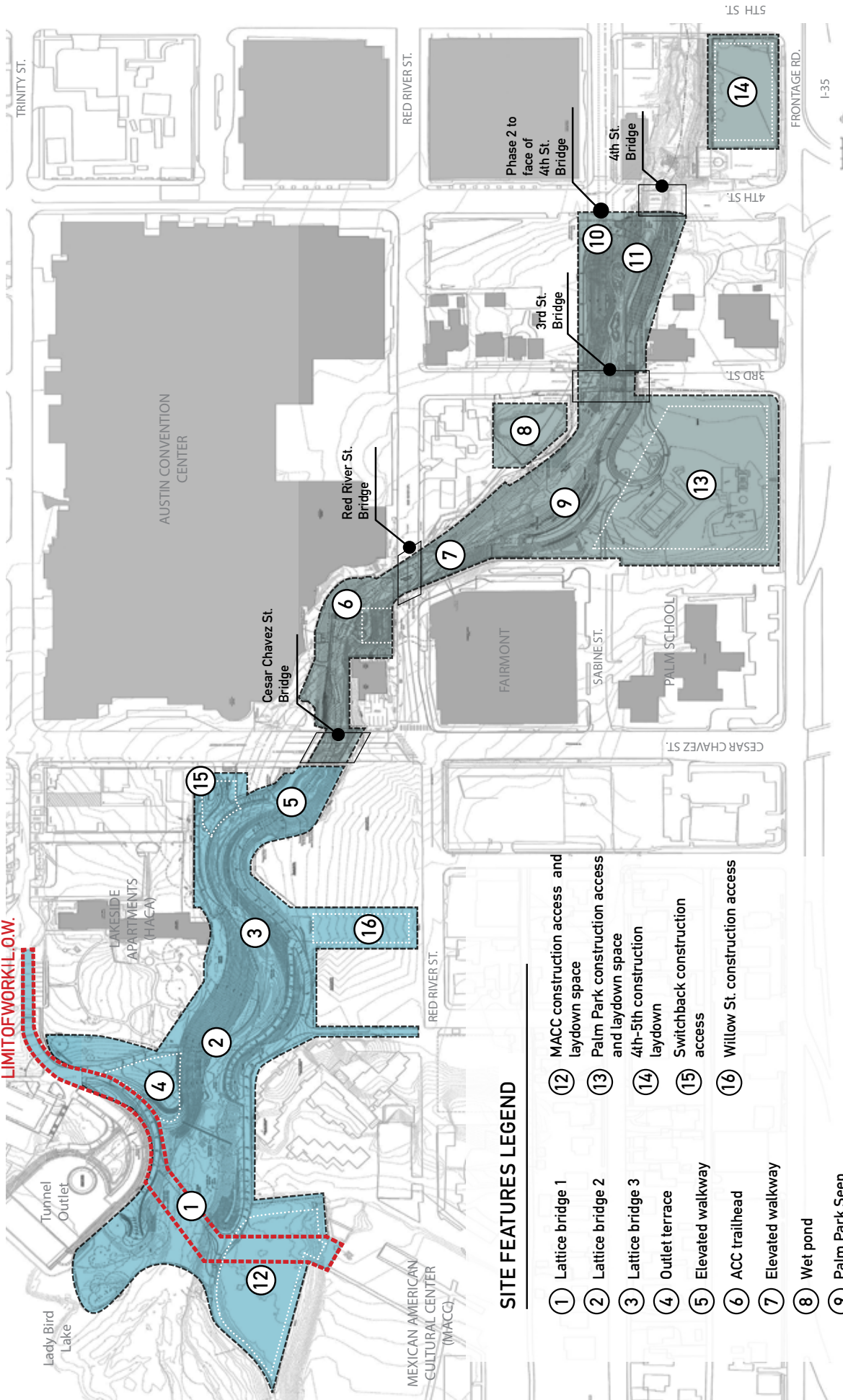
A core element of the approved Project Plan calls for conserving and maintaining natural space. This will be a guiding principal for all work on the Chain of Parks including Creek Delta. A goal of the design team has been to maintain flexibility with respect to City owned land.

ALCOHOL USE IN THE PARK (3.04 A.31)

This item is not applicable to the work outlined in Addendum One to the Creek Delta Construction Documents, Permitting & Bidding Phase Plan.

EXHIBIT A: PROJECT AREA DIAGRAM

ADDENDUM ONE
LIMIT OF WORK/L.O.W.



SITE FEATURES LEGEND

- ① Lattice bridge 1
- ② Lattice bridge 2
- ③ Lattice bridge 3
- ④ Outlet terrace
- ⑤ Elevated walkway
- ⑥ ACC trailhead
- ⑦ Elevated walkway
- ⑧ Wet pond
- ⑨ Palm Park Seep
- ⑩ 4th St. trailhead
- ⑪ Cypress grove bridge
- ⑫ MACC construction access and laydown space
- ⑬ Palm Park construction access and laydown space
- ⑭ 4th-5th construction laydown
- ⑮ Switchback construction access
- ⑯ Willow St. construction access

- Phase 1 - Lady Bird Lake to Cesar Chavez St. Bridge
- Phase 1 - construction access and staging
- Phase 2 - Cesar Chavez to 4th St. Bridge
- Phase 2 - construction access and staging

EXHIBIT B: PROJECT SCHEDULE

- ① **Notice to Proceed** - to be issued upon LGC approval
- ② **Permit Update 1 - Final AE Duct Bank Route Alignment**
- ③ **90% CD Submittal**
- ④ **Bidding & Negotiation**
- ⑤ **Construction Start*** - not in scope
*Construction not in the scope of this Addendum, but may be addressed as a separate Phase Plan document. Exact schedule of construction to be determined at later date.

⑤ Construction Start* - not in scope

*Construction not in the scope of this Addendum, but may be addressed as a separate Phase Plan document. Exact schedule of construction to be determined at later date.

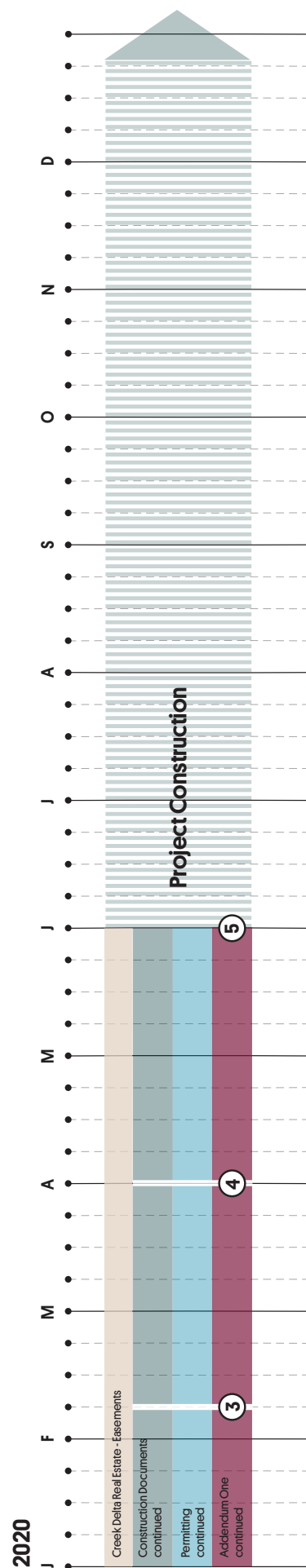
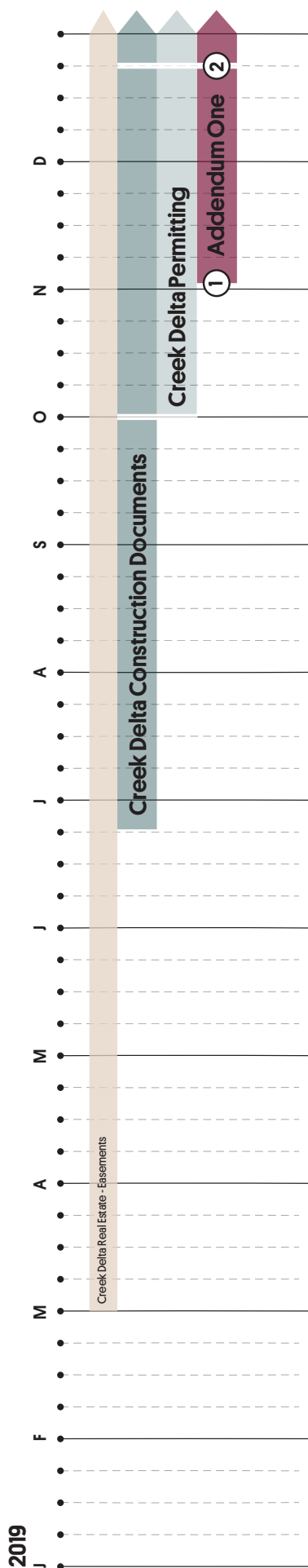


EXHIBIT C: ORGANIZATION CHART

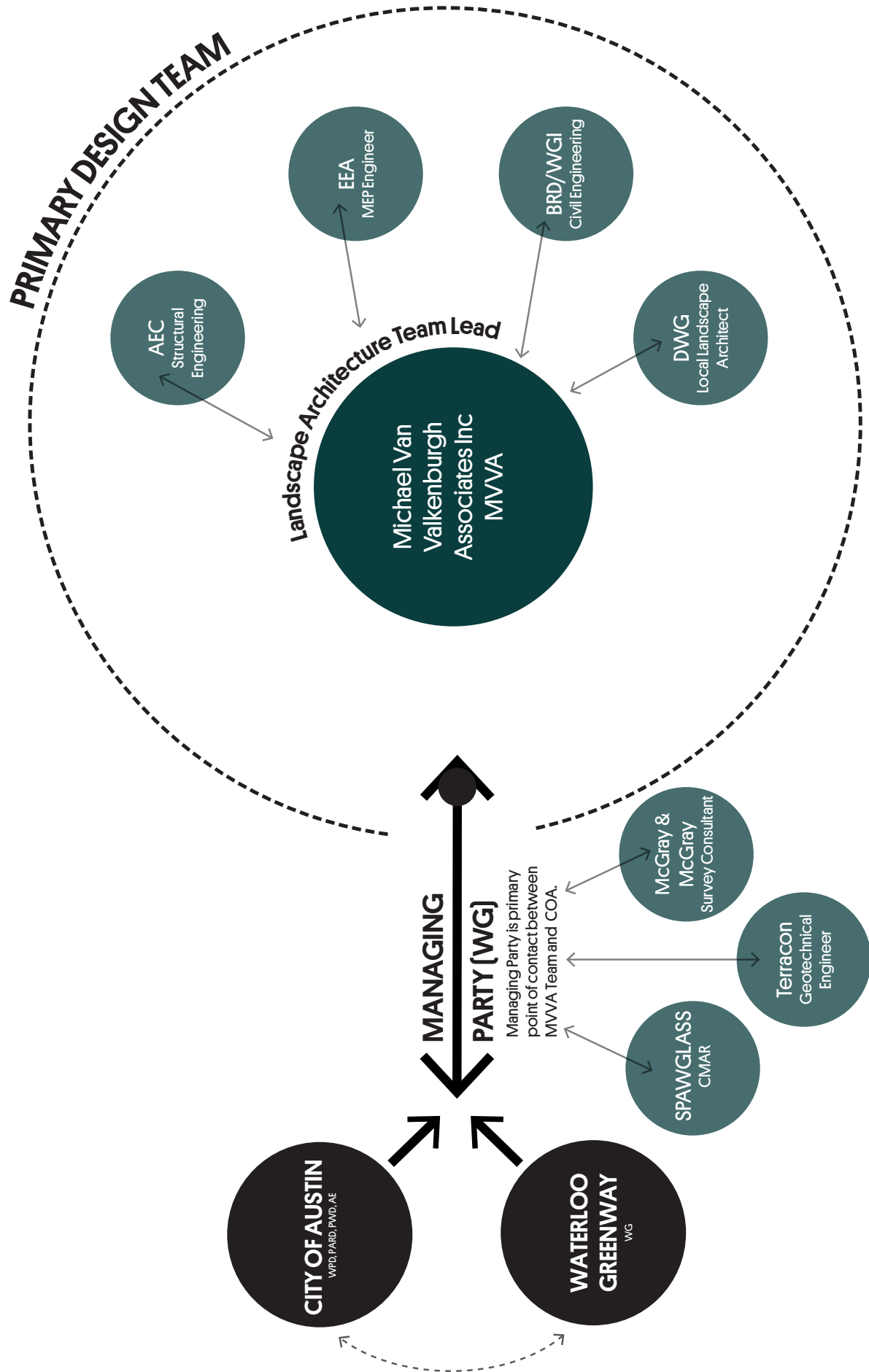


EXHIBIT D: IMPLEMENTATION PLAN

Title: Addendum One (AE Duct Bank) –

Creek Delta Construction Documents, Permitting & Bidding Phase Plan
(or “Addendum One”)

Location: At the mouth of Waller Creek near the Emma S. Barrientos Mexican American Cultural Center parking lot and extending across Waller Creek to Trinity Street
(see Exhibit A, Project Area Diagram)

Addendum One to the Creek Delta Construction Documents, Permitting & Bidding Phase Plan undertakes the work to produce construction documents, the accompanying permitting that goes along with the drawing set, and the bidding coordination for an Austin Energy duct bank (see Exhibit A, Project Area Diagram). The goal of Addendum One is to advance the design of an AE duct bank providing critical infrastructure to downtown Austin. The scope outlined in this Addendum will be wrapped into the ongoing work outlined in the Creek Delta Construction Documents, Permitting & Bidding Phase Plan approved by the LGC in June 2019.

Michael Van Valkenburgh Associates (MVVA) will lead this effort and coordinate with the appropriate subject expert consultant. The team of subconsultants includes: Architectural Engineers Collaborative (AEC) providing structural engineering expertise; Big Red Dog (BRD/WGI) providing civil engineering expertise and submitting the needed permits for the project; Dwg. Landscape Architects (DWG) providing local landscape architecture; and EEA Consulting Engineers (EEA) providing electrical engineering work. Working directly with Waterloo Greenway, McGray & McGray Land Surveyors, Inc. will be performing the Subsurface Utility Engineering (SUE) surveys for the project, SpawGlass will be providing preconstruction services including cost estimates at key milestones, and Terracon will provide geotechnical borings for the AE duct bank project. See Exhibit C for an Organization Chart of the consultant team.

KEY MILESTONES

- Notice to Proceed
- Feasibility Study (30% design of two alignment options)
- Cost Estimate of two alignment options
- Select final AE duct bank route alignment
- 90% Design Submission and Cost Estimate
- 100% Design Review Submission
- Bidding Review with Client/Contractor

TASK 01: SCOPE OF SERVICES – PROJECT MANAGEMENT AND COORDINATION

Task 01 includes all the Project Management and Coordination needs for the project including:

- Project Administration – reviewing and processing subconsultant invoices, project schedule coordination, integration of scope and timeline with the Creek Delta project.
- Coordination Meetings – participate in coordination meetings as required with the owner and project sponsors during the feasibility study.
- Stakeholder Meetings – participate in stakeholder meetings as necessary in order to ensure coordination with larger Creek Delta project scope. This will include other COA departments, tunnel project, and adjacent properties to resolve project conflicts and coordination on project needs.
- Subconsultant Management – coordinate with sub-consultants as the project scope relates to the integration of the duct bank with the Creek Delta project.

TASK 02: SCOPE OF SERVICES – FEASIBILITY STUDY (30% design of two alignment options)

In order to determine the most optimal route for crossing Waller Creek, two alignment options will be studied for the team to cost and evaluate. The final option will be selected by key stakeholders including representatives from Waterloo Greenway, PARD, WPD, PWD and AE. The selected alignment will be advanced to detailed design.

- Option 1: Trenching across channel
 - Civil 3-sheet set (site, grading, and utility) showing full length (approx. 920LF) of proposed horizontal duct bank alignment accurately representing sizes of utility and manholes.
 - Cost estimate of option (SpawGlass)
- Option 2: Hanging from bridge superstructure:
 - Civil 3-sheet set (site, grading, and utility) showing full length (approx. 920LF) of proposed horizontal duct bank alignment accurately representing sizes of utility and manholes.
 - Preliminary bridge drawings showing hanging conduit configuration and other bridge considerations.
 - Cost estimate of option (SpawGlass)
- Due Diligence: review of existing survey utility research, boring data, and all available maps/record drawings, as necessary coordinate with the Waller Creek Tunnel program.
- Approve alignment option with key stakeholders.
- Deliverables:
 - Coordination exhibits that illustrate design intent,
 - Updated existing conditions base that includes subject project limits,
 - Civil (3) sheet set for both options,
 - Engineer's quantity takeoffs, utilizing COA 300 U bid form,
 - Contractors cost estimate of both alignment options utilizing COA 300 U bid form, bridge will be priced as a lump sum, and
 - 30% design and technical memorandum.

TASK 03: SCOPE OF SERVICES – DETAILED DESIGN [90%, 100% DESIGN & PERMITTING]

The duct bank will be permitted under the non-consolidated infrastructure site development permit (“D” plan set) for the Creek Delta project.

- Complete detail design of the utility duct bank installation selected following Task Two of this scope, including:
 - Plan / profile plan sheets
 - Construction details and notes sheet
 - Bridge drawings that include AE duct bank details (if necessary)
 - Easement exhibits
- Complete and review Site Utility Exploration (SUE) survey, complete and review geotechnical investigation from 3 borings, and complete environmental investigation and permitting.
- Deliverable:
 - 90% Plan Set
 - 100% Plan Set
 - Texas Historical Commission (THC) Permit (as completed by the larger Creek Delta project scope)
 - Environmental Resource Inventory (as completed by the larger Creek Delta project scope)
 - Engineer’s quantity takeoffs utilizing COA 300 U bid form (90%)
 - Contractor’s cost estimate utilizing COA 300 U bid form, the bridge will be priced as lump sum if applicable
 - Project manual
 - Site Development Permit Set

TASK 04: SCOPE OF SERVICES – BIDDING AND NEGOTIATION

- Attend pre-bid meeting
- Review and response to contractor GMP
- Bid Addenda
- IFC (Issue for Construction) conformed drawing set and specifications
- Deliverable:
 - Bid meeting minutes
 - Written Response to Questions
 - Bid Addenda
 - Conforming drawings and specifications (2 sets for Austin Energy)

ADDITIONAL SCOPE

- McGray and McGray: Site Utility Exploration (SUE), Quality Level B/A. Pothole 8 Total.
- SpawGlass: Cost estimate for two alignment options (30% design) and cost estimate for preferred option (90% design)
- Terracon: Supplemental Borings: Three (3) Total.

ADDENDUM ONE TO THE CREEK DELTA CONSTRUCTION DOCUMENTS, PERMITTING & BIDDING PHASE PLAN		
	Fees	Reimb
1. Brazos Street Duct Bank / Austin Energy Utility Route:		
Professional Service Fees (MVVA Team)	\$90,155	\$150
Survey Services (McGray & McGray)	\$20,474	--
Preconstruction Services (SpawGlass)	\$27,023	--
Geotechnical Borings (Terracon)	\$9,800	--
2. Cost Overrun		
Cost Overrun Reserve (5%)	\$7,380	--
SUMMARY		
1. Brazos Street Duct Bank / Austin Energy Utility Route	\$147,602	--
3. Cost Overrun	\$7,380	--
TOTAL:	\$154,982	--

ADDENDUM ONE TO THE CREEK DELTA CONSTRUCTION DOCUMENTS, PERMITTING & BIDDING PHASE PLAN		
		Total Fees*
		\$147,602
Month	Activity	Fees
1	Feasibility Study	\$24,327
2	Feasibility Study	\$37,839
3	Detailed Design / Permitting	\$11,646
4	Detailed Design / Permitting	\$11,496
5	Detailed Design / Permitting	\$11,496
6	Detailed Design / Permitting	\$11,496
7	Detailed Design / Permitting	\$25,007
8	Bidding and Negotiation	\$14,298
TOTAL		\$147,602
*Excludes Cost Overrun Reserve		
Projections will fluctuate in response to adjustments in work flow		

EXHIBIT "G"

M/WBE REQUIREMENTS

- (a) The Managing Party shall comply with the applicable standards and principles of the **M/WBE Program Ordinance** in the design and construction of Projects, provided, however, Contractors and their subcontractors under contracts executed and delivered by the Conservancy as of the date of this Agreement for the scope of work contemplated in the Design Plan approved by City Council shall not be required to comply with this Exhibit G. A change in the scope of work or Contractors or subcontractors, including adding Contractors or subcontractors shall require compliance with this Exhibit G. Prior to any changes or additions the Managing Party shall consult with and provide SMBR information regarding the proposed change in scope or change or deletions of Contractors or subcontractors to determine the necessary steps to achieve compliance with the M/WBE Program.

With respect to any design or construction projects for a Project, the Contractors shall meet the gender and ethnic-specific participation goals or subgoals for each year in which design or construction occurs as determined by the Director of SMBR in accordance with the M/WBE Program Ordinance and rules. Before advertising a bid for any portion of the design or construction work, the Managing Party shall submit to SMBR a copy of a proposed solicitation in order for the City to determine the gender and ethnic-specific participation goals or subgoals for the project. The determination by the Director shall be based on the proposed size, type and scope of work to be undertaken by the Managing Party and described in the bid documents, and the availability of each group of M/WBEs to perform elements of the work. The City may utilize either the cumulative M/WBE goal or the subgoals for each group of minority persons in the proposed solicitation, or set M/WBE participation goals for each Project as provided in City Code Section 2-9A-19 (*Establishment of MBE/WBE Participation Levels for Individual Contracts in Construction*), or as may subsequently be modified, amended or replaced. The Director shall have 10 Business Days from receipt of a bid package from the Managing Party in order to evaluate and determine the required level for utilization of M/WBE project or phase-specific goals or subgoals, and shall notify the Managing Party in writing of the Director's determination.

In an effort to meet the gender and ethnic-specific M/WBE utilization goals, the Managing Party shall implement an outreach program designed to solicit participation of M/WBEs. These outreach efforts should also target small businesses generally. The Managing Party may seek the assistance of SMBR in these outreach efforts as described in paragraph (b) below.

For any year in which the Managing Party, the Contractors fail to meet each of the goals or subgoals established by the Director, the Managing Party, the Contractors must demonstrate good faith efforts to meet the goals as described in the M/WBE Program Ordinance. The Managing Party shall submit documentation demonstrating its own and

the Contractors' good faith efforts to meet the goals as is required under the following paragraph (d). If the Managing Party provides documentation to SMBR evidencing its own and its Contractors' good faith efforts, the Managing Party shall be deemed in compliance with this paragraph (a). Failure to perform this obligation shall be considered a material breach of this Agreement. The City acknowledges that this obligation does not require the Managing Party to modify, nullify or abrogate any contracts that the Managing Party has entered into before the Effective Date of this Agreement.

- (b) The Managing Party shall apprise SMBR when the Managing Party desires assistance from SMBR in its efforts to meet the gender and ethnic specific M/WBE utilization goals. This assistance may include providing a list of certified M/WBE firms from which the Managing Party may solicit or cause the Contractors to solicit participation in the design and construction of any improvements, identifying potential scopes of work, establishing the bid packages, scheduling and hosting outreach meetings, and assisting the Managing Party, its Contractors in soliciting M/WBE firms to provide bids. The Managing Party is not required to solicit participation during a period in which the Managing Party is not engaged in designing and/or constructing a Project, but rather, the Managing Party is required to incorporate the standards and principles of the M/WBE Program Ordinance including the foregoing M/WBE utilization goals into its development process as and when such process exists in connection with a Project.
- (c) The Managing Party shall provide monthly reports to SMBR no later than the 10th day of each month to track (i) the utilization on a percentage basis of M/WBE firms in the design and construction of the Projects; and (ii) a summary of the Managing Party's efforts to implement the standards and principles of the M/WBE Program Ordinance. SMBR shall provide the forms to be used by the Managing Party in submitting such reports.
- (d) Within thirty (30) days of receipt of the Managing Party's final monthly report (as is required under paragraph (e) above for the preceding year, January 1st through December 31st (the "**SMBR Compliance Period**"), SMBR shall determine whether the Managing Party is in compliance with the requirements of this **Exhibit "G"**.

Waller Creek Project
Approved Consultant List

Firm	Discipline	MWBE
2 x 4	signage consultant	
Access Partnership	accessibility specialist	
ACI Consulting	environmental consulting	
Altieri Sebor Wieber	mechanical, electrical, plumbing	
Altura Solutions	accessibility specialist	
American Construction Investigations	ADA consultant	
Applied Ecological Services	ecologist, bank stabilization	
Architectural Engineers Collaborative	structural engineer	
Arup USA Inc.	AV, Acoustical, lighting, IT, security	
Atelier 10	sustainability consultant	
Benz Resource Group	project management	WBE
Big Red Dog	civil engineering	
Brierly Assoc	geotech engineering	
CCM Consulting Group	construction auditing	
Chan & Partners	civil engr: subsurface utilities	
Charles Marsh Woodruff	geologic consulting	
Construction Specifications, Inc	specifications consultant	
Davey Resource Group	arborist	
Development Strategies	economic development	
Dr W. Todd Watson	plant pathologist	
dwg	landscape architect	
Eckersley Cladding Consultant	exterior cladding	
EEA Consulting	mechanical, electrical, plumbing	
ETM Associates	public space management	
Fluidity Design Consultants	water feature consulting	
GeoSolutions	geotech: slope stability	
Greenberg Consultants	urban design	
Guy Nordenson & Assoc	structural engineer	
Haynes Whaley Associates	structural engineer	
Henshell & Buccellato	waterproofing consultant	
Heritage Title Company	title and easement research	
HNTB	bridge design	
HNTB	traffic engineering	
Holt Engineering	geotech engineering	
Horton Lees Brogden Lighting	lighting	
HR&A	economic development	
Hydrodramatics	water feature consulting	
Israel Berger and Associates	waterproofing consultant	
James Pole Irrigation Consultants	irrigation	
JGL Food Services Consultants	food service consultant	
Joshua Long	geographer	
Lady Bird Johnson Wildflower Center	ecologist, native plantings and management strategies	
Limnotech	hydrologist	
McGray & McGray	site surveying	
Metcalf Williams Stuart & Wolff	land use, zoning	
Michael Van Valkenburgh Assoc	landscape architect	
Olsson Assoc	soil scientist & ecosystem	
Persohn/Hahn Associates	elevator consultant	
Piscatello Design Centre	signage consultant	
ProjectProjects	graphic design	
Reginald Hough, FAIA	architectural concrete consultant	
Rolf Jensen & Associates	code consultant	
Shah Smith and Associates	commissioning agent	
Simpson Gumpertz & Heger	waterproofing consultant	
Skidmore, Owings & Merrill	structural engineer	
Stuart Lynn	cost estimating	
Sustainable Growth Texas	soil biology	
Terracon	geotech engineering	
Theatre Consultants Collaborative	theatre consultants	
Thomas Phifer & Partners	architect	
Tillett Lighting Design	lighting	
Transsolar Inc	sustainability consultant	
Urban Design Group	civil waterworks	WBE
Vermeulens	cost estimating	

EXHIBIT H: INSURANCE CERTIFICATES



MICHVAN-01

DGHIGLIAZZA

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/6/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Ames & Gough 859 Willard Street Suite 320 Quincy, MA 02169	CONTACT NAME: PHONE (A/C, No, Ext): (617) 328-6555 FAX (A/C, No): (617) 328-6888 E-MAIL ADDRESS: boston@amesgough.com														
INSURED Michael Van Valkenburgh Associates, Inc. 231 Concord Street Cambridge, MA 02138	<table border="1"> <thead> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A : Travelers Property Casualty Company of America</td> <td>25674</td> </tr> <tr> <td>INSURER B : Travelers Indemnity Co. of America A++, XV</td> <td>25666</td> </tr> <tr> <td>INSURER C : Travelers Indemnity Company of Connecticut A++ (Superior)</td> <td>25682</td> </tr> <tr> <td>INSURER D : Travelers Casualty and Surety Company</td> <td>19038</td> </tr> <tr> <td>INSURER E :</td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> </tr> </tbody> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : Travelers Property Casualty Company of America	25674	INSURER B : Travelers Indemnity Co. of America A++, XV	25666	INSURER C : Travelers Indemnity Company of Connecticut A++ (Superior)	25682	INSURER D : Travelers Casualty and Surety Company	19038	INSURER E :		INSURER F :	
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COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input checked="" type="checkbox"/> LOC OTHER:	X	X	680009H708658	5/1/2019	5/1/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY	X	X	BA0L91322918	5/1/2019	5/1/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000	X		CUP005D158369	5/1/2019	5/1/2020	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	UB004K673919	5/1/2019	5/1/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
D	Professional Liab.			107084166	5/1/2019	5/1/2020	Per Claim \$ 5,000,000
D				107084166	5/1/2019	5/1/2020	Aggregate \$ 5,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 All Coverages are in accordance with the policy terms and conditions.

RE: MVVA project #12003 – Waller Creek

Waller Creek Conservancy and the City of Austin shall be listed as additional insured with respects to general, auto, and umbrella liability where required by written contract. A Waiver of Subrogation and 30 Day Notice of Cancellation is provided in accordance with the policy terms and conditions.

CERTIFICATE HOLDER

CANCELLATION

Waller Creek Conservancy 211 E 7th St., Suite 712 Austin, TX 78701	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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