

**AMENDMENT NUMBER 01 TO THE AGREEMENT BETWEEN THE CLIENT AND  
KIMLEY-HORN AND ASSOCIATES, INC.**

Amendment number 01 dated July 20, 2026 to the agreement between the City of Mt. Juliet, ("Client") and Kimley-Horn and Associates, Inc., ("Consultant") dated January 18, 2022 ("the Agreement") concerning Mt. Juliet Road ADA Upgrades, Phase 2 (the "Project").

The Consultant has entered into the Agreement with Client for the furnishing of professional services, and the parties now desire to amend the Agreement.

Therefore, it is mutually agreed that the Agreement is amended to include Additional Services to be performed by Consultant and provisions for additional compensation by the Client to the Consultant, all as set forth in Exhibit A hereto. The parties ratify the terms and conditions of the Agreement not inconsistent with this Amendment, all of which are incorporated by reference.

For the Services set forth in Exhibit A, Client shall pay Consultant the following additional compensation:

|                                                             |           |
|-------------------------------------------------------------|-----------|
| Task 8 – Construction Engineering Inspection (CEI) Services | \$220,000 |
|-------------------------------------------------------------|-----------|

The lump sum fees will be invoiced monthly based upon the overall percentage of services performed. Payment will be due within 25 days of your receipt of the invoice.

CLIENT:

CITY OF MT. JULIET

CONSULTANT:

KIMLEY-HORN AND ASSOCIATES, INC.



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

By: Mark Boyd, PE

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

Title: Senior Project Manager

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

Date: July 20, 2026

## **Exhibit A**

---

Consultant shall perform the following Additional Services:

### **Task 8 – Construction Engineering Inspection (CEI) Services**

Kimley-Horn, together with our subconsultant – Pape-Dawson Engineers, LLC. [formerly Ragan Smith and Associates, Inc. (RSA)] - subsequently referred to as “The Kimley-Horn Team” – will provide Construction Engineering and Inspection (CEI) services for the Client in accordance with Appendix C, Roadway and Bridge Field Construction Procedures, in the TDOT “Local Government Guideline for the Management of Federal and State Funded Transportation Projects”. The Kimley-Horn Team will provide the appropriate field and office staff required to assist the Client in compliance with the guidelines for Locally Managed Projects as outlined in the sub-tasks below. It is assumed that there will be one (1) construction contract for the entire project and that one (1) inspector will be provided on-site for six (6) months in the field for this construction project.

#### **Task 8.1 – Project Meetings**

##### ***Task 8.1.1 – Pre-Construction and Pre-Erosion Conference***

The Kimley-Horn Team will prepare for and conduct one (1) Pre-Construction and Pre-Erosion Conference at a time and location determined by the Client and TDOT. The Kimley-Horn Team will respond in writing to issues that arise at the meeting. The Kimley-Horn Team will prepare and distribute meeting minutes.

##### ***Task 8.1.2 – Construction Progress Meetings***

The Kimley-Horn Team will lead monthly construction progress meetings with TDOT personnel, contractor, sub-contractors, utility personnel and other agencies affected by the project. This sub-task will consist of scheduling the meeting, preparing the meeting agenda, attending and producing meeting minutes for up to six (6) monthly progress meetings.

#### **Task 8.2 Project Administration**

The Kimley-Horn Team will provide project administration and coordinate with the assigned TDOT Supervisor. The Kimley-Horn Team will prepare for and attend, when requested, periodic or in- depth inspections that may be conducted on the project related to project work, progress or records. The Kimley-Horn Team will prepare for, cooperate with, and assist auditors that may be assigned to review project records, payments, reports, etc. The Kimley-Horn Team will provide inspectors and assistance to adequately oversee all work being done on the contract. The Kimley-Horn Team will monitor Consultant hours worked on the project and justify need for overtime. Prior to starting work, The Kimley-Horn Team will submit to the TDOT Supervisor a listing of personnel assigned to the project for review and approval. In addition, a list of persons with emergency phone numbers should always be supplied to the TDOT Supervisor and be available at any time in the case of an emergency on the project. The Kimley-Horn Team, acting as project administrator, should also obtain from the contractor a list of contractor’s personnel that will be responsible for any occurrence that may arise on the project for the life of the project.

### **Task 8.3 – Supplemental Agreements / Construction Change Orders**

The Kimley-Horn Team will notify the Client of the necessity for any Supplemental Agreements / Construction Changes. The Kimley-Horn Team will negotiate prices for additional pay items with the contractor while adhering to the “TDOT Average Unit Price” listing when possible and coordinate acceptance of prices with the City. The Kimley-Horn Team will prepare the Supplemental Agreement / Construction Change and submit to the Client for final review and submittal for processing. Any work that cannot be negotiated with the prime contractor will be pursued by Force Accounts as defined in the TDOT Standard Specifications and recorded on forms supplied by TDOT. The Kimley-Horn Team will review any Value Engineering Change Proposals and Prepare recommendations for the Client.

### **Task 8.4 Shop Submittals**

The Kimley-Horn Team will review and approve or take other appropriate action with respect to Shop Drawings and Submittals, but only for conformance with the Contract Documents. Such review and approvals or other action will not extend to means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction or to related safety precautions and programs. The Kimley-Horn Team will conduct up to (10) reviews.

### **Task 8.5 Quality Assurance, Testing for Acceptance, and Training**

The Kimley-Horn Team will provide certified and trained personnel for field, plant testing and inspection as defined in the Contract, Plans, specifications and document testing on standard forms normally used by TDOT. Field testing will consist of TDOT / ACI tests for concrete including concrete plant, nuclear density testing of subgrade and earthwork, base stone, and asphalt as defined in the Standard Specifications and the TDOT sampling and testing schedule. The Kimley-Horn Team will provide miscellaneous checking of application rates, dimensions, and bearings to assure conformance to Plans and Specifications. In the event of notification of defective concrete as defined in the Specifications, the Kimley-Horn Team will submit the initial information on TDOT standard forms and receive the final disposition of the material after review. Certifications of material submitted by the contractor will be reviewed by The Kimley-Horn Team for conformity to the Specifications. The Kimley-Horn Team will include a Final Materials and Tests Certification in the Final Records submitted to the City.

### **Task 8.6 Progress Payments**

The Consultant will document and assemble accurate quantities for Monthly Progress Payments to the prime Contractor from actual project field records, as directed by the special provisions in the contract, from change orders or force accounts. The quantities for payment will be referenced to field records prior to submission for payment. Test reports will be on file prior to payment. The TDOT District Supervisor must approve any waiver of testing documents prior to payment. Pay quantities will be submitted to the TDOT District Supervisor for review and payment. Payments for stockpiled material may be made as defined in the Standard Specifications and approved by the District Supervisor. Estimate “cut-off” will be as follows:

Region 2 & 3: the last day of each month, except for the month of June with the submission of the quantities to the TDOT District Supervisor for review and payment by the sixth of each month.

Copies of approved subcontracts as well as copies of actual DBE subcontractor’s contracts should be on file prior to the first Progress Payment.

Site Manager will be utilized for all project records/documentation and estimate payments.

### **Task 8.7 Revisions to the Contract Plans**

Any revisions to the contract plans or cross sections will be submitted by The Kimley-Horn Team to the TDOT Supervisor for processing.

### **Task 8.8 Distribution of Correspondence**

The Kimley-Horn Team will submit to the TDOT District Supervisor a copy of all correspondence between the Kimley-Horn Team, contractor, subcontractor, or others concerning matters related to the project. Maintain an office file copy for submission with the project Final Records.

### **Task 8.9 Inspection of Work**

Provide inspection services for conformance to Plans and Specifications for all roadway, structures, and specialty items that are being incorporated into the project. Observe, measure, and record quantities for payment. Record field measurements in project records for review by the Department or auditors. The records will be recorded by The Kimley-Horn Team in SiteManager for review by the Department or auditors. The Kimley-Horn Team will check traffic control daily, and additionally as required or requested. The Kimley-Horn Team will notify the contractor of deficiencies or problems immediately. The Kimley-Horn Team will document weekly project traffic control on forms supplied by the Department and distribute as required. The Kimley-Horn Team will inspect daily erosion control items for conformance to the plans as well as effectiveness in the field. Notify the contractor of deficiencies.

The Kimley-Horn Team will assure that the QA/QC consultant is performing the duties described in the Contract and review documents required quarterly by the QA/QC consultant prior to submitting to the TDOT District Supervisor for forwarding. The Kimley-Horn Team will verify the days the QA/QC consultant is on the project. The Kimley-Horn Team will coordinate the recommendations of the QA/QC consultant with the prime contractor for conformance to TDEC policies. The Kimley-Horn Team will prepare to justify any and all pay quantities in the case of questions by the contractor or Department. The Kimley-Horn Team will prepare an accurate daily diary, signed by the inspector in SiteManager, consisting of:

- A record of the contractors on the project
- Their personnel (number and classification)
- Equipment (number and type or size)
- Location and work performed by each contractor or subcontractor
- Orders given by the contractor
- Events of note on the project
- Accidents on the project and any details surrounding the accident such as police report numbers, fatalities, causes, time, etc. Obtain a copy of the police report for the project records whenever possible.
- Weather, amount of precipitation, temperature at morning, noon, and evening, cloudy, clear, etc.
- Days charged
- Equipment arriving or leaving the project, idle equipment
- Any other details that may be important later in the project life.

#### ***Task 8.9.1 Erosion Control Inspection***

The Kimley-Horn Team will inspect erosion control items up to twice a week for conformance to the plans as well as effectiveness in the field and will notify the contractor of deficiencies. These inspections shall follow the current National Pollution Discharge Elimination System (NPDES) Construction General Permit (CGP) and the TDOT Statewide Storm Water Management Plan (SSWMP) requirements. These inspection services shall include reviewing the installation, maintenance, effectiveness, and phasing of EPSC measures; evaluating stabilization activities and permit compliance. The Kimley-Horn Team shall maintain and update field SWPPP documentation, provide recommendations for corrective actions and plan revisions, monitor sedimentation concerns, maintain inspection records and photographic documentation, and prepare required inspection reports, quarterly reports, and supporting permit documentation.

#### **Task 8.10 Contractor's Payrolls, Employee Interviews and Contract Compliance**

The Kimley-Horn Team will receive and check the contractor's payrolls for conformance to state wage rates as defined in the contract. Late payrolls (two weeks late) are justification to withhold progress payment. The Kimley-Horn Team will notify the prime contractor of late payrolls and request immediate submission. The Kimley-Horn Team will notify the City prior to withholding payments. The Kimley-Horn Team will conduct employee interviews on the forms normally used by TDOT and compare to the submitted payrolls for accuracy. The Kimley-Horn Team will notify the prime contractor of inaccuracies and resolve discrepancies. The Kimley-Horn Team will adhere to Special Provisions concerning reports to be submitted to the Contract Compliance office.

#### **Task 8.11 Reports**

There are numerous reports, documents, etc. that must be generated in the process of contract administration. The Kimley-Horn Team will maintain either electronic or paper copies of project documentation in compliance with the TDOT Standard Operating Procedures.

#### **Task 8.12 Final Records**

The Kimley-Horn Team will submit a compilation of project records in the Department's standard format to the Final Records Department after project completion. The Kimley-Horn Team will make corrections if notified and resubmit the records and a final estimate for the project at the appropriate time. The Kimley-Horn Team will submit all final forms (FHWA-47, CC3, etc.) with the final records. The Kimley-Horn Team will coordinate consultant hours after the project completion with the TDOT District Supervisor for approval.

#### **Task 8.13 Project Claims**

The Kimley-Horn Team will prepare documentation and assist in the defense of the Department, when requested, in preparation for Claims or possible Claims resulting in the execution of the contract.