

TO: Noblesville Board of Public Works and Safety

FROM: Charlie Elliott, Parks Assistant Director, Parks Department

SUBJECT: Board to Consider Amendment No. 1 to the Service Agreement with Baumgartner & Company for the paving of the Hague Road Nature Haven Parking Lot

DATE: January 28, 2025

The City of Noblesville Parks Department is requesting an amendment to the project scope to capture additional materials that will be required after field measurements were taken.

The Parks Department recommends the Board of Public Works approve Amendment No. 1 to the services agreement with Baumgartner & Company.



AMENDMENT NO. 1 TO SERVICES AGREEMENT

1. Background Data:
 - a. Effective Date of Services Agreement: December 3, 2025
 - b. City: City of Noblesville, Indiana, a municipal corporation
 - c. Contractor: Baumgartner Asphalt & Company
 - d. Project: Service Agreement with Baumgartner Asphalt & Company for the Paving of the Hague Road Nature Haven Parking Lot

2. Nature of Amendment

- ☒ Modifications to Term
- ☒ Modifications to Compensation

3. Description of Modifications Attachment 1, "Modifications"

City and Contractor hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect.

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Attachment No. 1

Modifications

1. City shall pay Contractor the following additional or modified compensation.
Section IV. Compensation is modified to read as follows and outline in **Exhibit A**:

SECTION IV. COMPENSATION

- 4.1 Contractor proposes to furnish all labor, materials and supplies in accordance with the conditions of this Agreement necessary to complete the work as defined in Exhibit A and Attachment No. 1 of this amendment. Compensation shall not exceed Forty Five Thousand Seven Hundred Forty Seven Dollars and Zero Cents (\$45,747.00).

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the dates subscribed below.

_____ (**"Contractor"**)

By: _____

Date: _____

Printed: _____

Title: _____

City of Noblesville


By: _____

Date: _____

Printed: _____

Title: _____

All of which is approved by the Board of Public Works and Safety of the City of Noblesville this
28th day of January 2025.



JACK MARTIN, PRESIDENT



JOHN DITSLEAR, MEMBER



LAURIE DYER, MEMBER

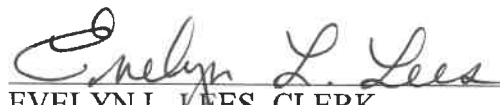


ROBERT J. ELMER, MEMBER



RICK L. TAYLOR, MEMBER

ATTEST:



EVELYN L. LEES, CLERK
CITY OF NOBLESVILLE, INDIANA

Attachment No. 1



BAUMGARTNER — & COMPANY — ASPHALT SERVICES

To:	City of Noblesville - Parks and Recreation	Attn:	Savannah Solgere Wines
Address:	701 Cicero Rd Noblesville, IN 46060	Phone:	317-764-7161
		Email:	ssolgere@noblesville.in.gov
Project Name:	Hague Rd Parking Lot	Estimate Date:	1/16/2025
Project Location:	18130 Hague Rd.		

This quote provides for all labor, equipment, and material necessary to accomplish work as set out below.

Item Description	Estimated Quantity	Unit
• #53 Compacted Stone Base	17.00	TON
• 4" INDOT HMA 25mm Intermediate Type B	24.00	TON
• 1.5" INDOT HMA 9.5mm Surface Type B	9.00	TON

Bid Total \$4,957.00

- **Quote is valid for 15 days. Furthermore, quote is based upon performance of the Work within the 2025 construction season; thereafter, pricing is subject to Baumgartner's confirmation or adjustment.**
- **Quote does not include any topsoil placement at perimeter of lot.**
- Quote based on all Work performed on weekdays during normal business hours. Weekend, holiday and/or after-hours Work will be performed at an additional cost with prior approval only.
- Quote is based on complete access to the Work. Delays resulting from failure to provide access shall be compensated at our standard hourly rates.
- Pavement designs with less than one percent (1%) fall in grade will not have a drainage guarantee.
- Quote includes the locating of public utilities via "Indiana 811" which requires a minimum of three (3) business days for completion. Quote does not include locating private utilities and/or irrigation lines – location of private utilities shall be the responsibility of the Customer.
- **Quote is based solely on knowledge and assumptions derived only from a review of the subject project plans/specifications and not on any visual review of the site, subsurface investigation(s), geotechnical exploration(s) or testing. As such, Baumgartner will not be liable for any unknown, differing or unforeseen conditions discovered.**
- Trees and vegetation to be trimmed by others in advance of Work to allow for safe working conditions and to allow trucks and construction equipment adequate access to the site. Baumgartner will not be responsible for broken limbs and/or health of trees/vegetation after work is completed.
- Baumgartner will not be responsible for the following items or conditions: permits, bonds, engineering, layout, allowances, testing, saw cutting, private utilities, landscape repairs, contaminated soils, subgrade prep/remediation, subgrade treatment, proof rolls,
- Quote is to be incorporated into Baumgartner's contract without limitation and with Quote as the controlling document related to conflicting terms. Work will be scheduled upon receipt of afore mentioned contract.

**12461 Reynolds Dr. Fishers, IN. 46038
Phone:(317) 296-7225
Baumgartnerasphalt.com**

Accepted:

The above prices, specifications and conditions are satisfactory and are hereby accepted.

Signature: _____

Printed Name & Title:

Date of Acceptance: _____

Confirmed:

**Baumgartner & Company Asphalt
Services**

Authorized Signature:

Project Manager: Jim Purvis

Description "CITY PD MED PAY# x" Invoice # ""xx MED Paydate"					
ID	First	Last	Plan	ER \$\$	Department
10011	Karrie	Hutson	Med	\$856.94	30 Admin
10336	Jonathan	Mirgeaux	Med	\$1,047.73	30 Admin
10355	Steve	Strycker	Med	\$856.94	30 Admin
10433	Kristyn	Parker	Med	\$1,047.73	30 Admin
300-030-124.100					\$3,809.34
10490	John	Martin	Med	\$856.94	30 Admin Other
10491	Robert	Elmer	Med	\$856.94	30 Admin Other
300-030-124.900					\$1,713.88
10114	Felicia	Hunt	Med	\$1,047.73	31 Billing
10206	Wendy	Denham	Med	\$856.94	31 Billing
10321	Kathryn	Logan	Med	\$372.53	31 Billing
10358	Dawn	Herbert-Nadeau	Med	\$856.94	31 Billing
300-031-124.100					\$3,134.14
10373	Travis	Clark	Med	\$279.40	32 Storm 75%
10326	John	Commons	Med	\$523.87	32 Storm
10141	Gary	Davis	Med	\$428.47	33 Sewer
10381	Joshua	Flegel	Med	\$523.87	32 Storm
10372	Branden	Floyd	Med	\$186.27	32 Storm
10468	Jack	Forrer	Med	\$785.80	32 Storm 75%
10461	Aaron	Fox	Med	\$785.80	32 Storm
10124	Benjamin	French	Med	\$785.80	33 Sewer 75%
10000	Cecil	Lawless	Med	\$642.71	33 Sewer
10407	David	Mulis	Med	\$279.40	32 Storm
10399	Alexander	Nolte	Med	\$642.71	32 Storm
10392	Klinton	Ridener	Med	\$785.79	32 Storm 75%
10034	Kirk	Staley	Med	\$785.80	33 Sewer
10180	Kyle	Walker	Med	\$785.80	32 Storm
300-032-124.100					\$8,221.45
10373	Travis	Clark	Med	\$93.13	32 Storm 25%
10326	John	Commons	Med	\$523.87	32 Storm
10141	Gary	Davis	Med	\$428.47	33 Sewer
10381	Joshua	Flegel	Med	\$523.87	32 Storm
10372	Branden	Floyd	Med	\$186.27	32 Storm
10468	Jack	Forrer	Med	\$261.93	32 Storm 25%
10461	Aaron	Fox	Med	\$261.93	32 Storm
10124	Benjamin	French	Med	\$261.93	33 Sewer 25%
10000	Cecil	Lawless	Med	\$214.24	33 Sewer
10407	David	Mulis	Med	\$93.13	32 Storm
10399	Alexander	Nolte	Med	\$214.23	32 Storm
10392	Klinton	Ridener	Med	\$261.94	32 Storm 25%
10034	Kirk	Staley	Med	\$261.93	33 Sewer
10180	Kyle	Walker	Med	\$261.93	32 Storm
300-033-124.100					\$3,848.80
10322	Adam	Bowen	Med	\$1,047.73	34 Plant
10220	Toby	Eldridge	Med	\$372.53	34 Plant
10479	Michael	Harlan	Med	\$856.94	34 Plant
10339	Christopher	Jones	Med	\$1,047.73	34 Plant

City Paid Medical**Payroll Date 1-17-2025**

Description "CITY PD MED PAY# 2 of 24"

Invoice # "xx MED paydaye"

Vendor # 2045

Department	Appropriation	Total
30 Utility Admin	300-030-124.100	\$3,809.34
30 Utility - Other	300-030-124.900	\$1,713.88
31 Utility Billing	300-031-124.100	\$3,134.14
32 Utility Storm	300-032-124.100	\$8,221.45
33 Utility Sewer	300-033-124.100	\$3,848.80
34 Utility Plant	300-034-124.100	\$12,354.82
Total Wastewater Utility		\$33,082.43