

SUPPLEMENTAL AMENDMENT NO. 6

TO

**CONTRACT FOR PROFESSIONAL ARCHITECTURAL AND
ENGINEERING SERVICES**

CITY OF BILLINGS WORK ORDER #02-10

FOR

CM 1099(32), 6th Avenue North to Bench Boulevard, CN 4553

THIS AGREEMENT made and entered into on _____, 2010, by
and between the following:

CITY OF BILLINGS, a Municipal Corporation,
Billings, Montana 59103
Hereinafter designated the CITY

and

Morrison-Maierle, Inc.
315 N. 25th Street
Suite 102
Billings, MT 59101
Hereinafter designated the CONSULTANT

WITNESSETH:

WHEREAS, the CITY and CONSULTANT have entered into a contract dated February 10, 2003, for CONSULTANT to provide engineering services to CITY for design engineering of certain improvements for the project referenced above; and

WHEREAS, the contract was modified by Supplemental Amendment #1 in May 2003 to account for costs associated with Subsurface Utility Engineering and air quality assessment; and

WHEREAS, the contract was modified by Supplemental Amendment #2 in July 2005 to account for costs related to evaluation of numerous alternatives for the referenced project, including but not limited to various ramp configurations, grade separations, roundabouts, and a number of traffic control alternatives; and

WHEREAS, the contract was modified by Supplemental Amendment #3 in July 2005 to account for costs related to a detailed operational review of roundabout options for the project, evaluation of Main Street / 6th Avenue North intersection options,

including but not limited to an at-grade intersection, modified diamond, and single point urban interchange, and consideration of re-alignments of 4th Avenue North, west of Main Street; and

WHEREAS, the contract was modified by Supplemental Amendment #4 in May 2006 to develop a new Alignment Review package incorporating changes to certain project features / modifications in an effort to bring the project's scope and impact back in-line with original expectations; and

WHEREAS, the contract was modified by Supplemental Amendment #5 in June 8, 2009 to develop additional engineering services for a detailed design for the 6th Ave. N to Bench Blvd - Billings, Phase 1 project.; and

WHEREAS, the CITY has requested additional appraisal services for the right-of-way acquisition for the 6th Ave. N to Bench Blvd - Billings, Phase 1 project.

WHEREAS, the costs and expenses of these additional engineering services are identified on Attachment A, dated July 8, 2010; and

WHEREAS, the CONSULTANT represents that he is qualified to perform such services, is in compliance with the Montana Statutes relating to the registration of professional engineers, and is willing to furnish such services to the CITY; and

WHEREAS, the CITY has the authority to contract for consulting engineering services.

NOW, THEREFORE, in consideration of the terms, conditions, covenants and performance contained herein, or attached and incorporated herein, the Parties hereto agree as follows:

1. This amendment increases the total contract by \$2,917.00. Modify Part I, Section 4B. Compensation, Subpart A.

From:

Total payment to the Consultant for the work covered under this Agreement will not exceed **One Million Two Hundred Thirty-Four Thousand One Hundred Eight Dollars and no/100 (\$1,234,108.00).**

To:

Total payment to the Consultant for the work covered under this Agreement will not exceed **One Million Two Hundred Thirty-Seven Thousand Twenty-Five Dollars and no/100 (\$1,237,025.00).**

All other terms and conditions of the contract to which this Supplemental Amendment applies shall remain in full effect.

MORRISON-MAIERLE, INC.

NAME: Carl J. Anderson, P.E.

BY: _____

TITLE: Vice President

DATE: _____

CITY OF BILLINGS, MONTANA

BY: _____

ITS: _____

DATE: _____

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney