

Appendix E

Project Schedule

Based on a notice to proceed by Billings dated no later than February 15, 2012, the targeted completion date for the Engineer's work through final design for the Phase 5 Expansion shall be:

Task 1 and 2	Submit Design to DEQ for Phase 5	April 15, 2012
Task 3	Final Design of Phase 5	June 15, 2012
Task 4	Phase 5 Construction Award	August 1, 2012
Task 5, 6, 7	Phase 3 and 4 Closure Project	Schedule dependent on when capacity is reached, estimated to be Spring, 2014. Work will not begin prior to that time unless requested by City.
Task 9	Alternative Cover Monitoring	Schedule itemized in Scope of Work

Delays affecting the completion of the work within the time specified of more than ninety (90) days, not attributable to or caused by the Parties hereto, may be considered as cause for the renegotiation or termination of this Contract.

If the Engineer is behind on this Contract due to no fault of Billings, then the Engineer hereby acknowledges the right of Billings to withhold future Contracts to the Engineer in addition to any other remedy until this Contract is brought back on schedule or otherwise resolved.