

AMENDMENT NO. 2
TO
CONTRACT FOR PROFESSIONAL ARCHITECTURAL AND ENGINEERING
SERVICES
CITY OF BILLINGS WORK ORDER 12-29,
SOLID WASTE MANAGEMENT PLAN

THIS AGREEMENT, made and entered into on _____, 2014, by and between the following:

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

and

GREAT WEST ENGINEERING
P.O. BOX 4817
HELENA, MT 59604
Hereinafter designated the Contractor

WITNESSETH:

WHEREAS, the City and Contractor have entered into a contract dated June 25, 2012, for Contractor to provide professional services to the City for Work Order 12-29, Solid Waste Management Plan, and;

WHEREAS, the City and Contractor have previously amended the contract through amendment No. 1 dated August 8, 2012, and;

WHEREAS, the City wants to modify the scope of professional services in the original contract and Amendment No. 1, and;

WHEREAS, the City has authority to contract for professional services, and;

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

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

Appendix A, Section 3 is amended as follows:

The following tasks are added to the contract scope:

Task 10 - COMPLETION OF GEOTECHNICAL INVESTIGATIONS & HYDROGEOLOGIC AND SOILS REPORT

This task includes completing the field geotechnical/drilling work and laboratory testing under the Work Plan which is currently being reviewed by the Montana DEQ. The work and subsequent analysis will be presented in a final Hydrogeologic and Soils Report to the Montana DEQ.

Task 11 - LICENSE APPLICATION

This task includes preparation and submittal of the Landfill License Application to Montana DEQ. The License Application will include supporting documentation developed to date for the site. The City will be provided four draft copies of the license application for review. The Engineer will obtain the City's written authorization prior to submitting the license application to DEQ. The City will be responsible for paying the Montana DEQ's review fee for the project.

Task 12 - PUBLIC MEETINGS

The Montana DEQ will hold public meetings to inform the public about the proposed license expansion. The fee is based on a maximum of three public meetings held by the DEQ during the review process. The project team will be on hand to field questions from the DEQ and public during the meetings as well as provide supplemental handouts, if requested by the DEQ.

Task 13 - RESPONSE TO DEQ AND LICENSE RE-SUBMITTAL

The Montana DEQ will typically provide a Notice of Deficiency letter and a request for additional information after review of the initial application materials. This task provides a budget for meetings with DEQ, preparation of responses as well as additional work on the license application. The level of work required in the response to DEQ will likely be largely driven by the amount of public opposition to the project since no significant technical issues impacting approval of the license are expected at this time. Since each landfill licensing effort is unique in its technical challenges and public reaction, the Project Team cannot guarantee the fee within this task as a maximum. However, the status of the project budget will be regularly communicated to City staff.

Additional Services Language

Appendix B, Section 1, Part A. Engineering Fees are amended as follows:

Task 10 maximum fee is \$101,000

Task 11 maximum fee is \$9,000

Task 12 estimated maximum fee is \$12,000

Task 13 estimated maximum fee is \$28,000

Total fee addition with this contract amendment is \$150,000

Total maximum fee for contract is increased from \$460,000 to \$610,000

Appendix E.

All other terms and conditions of the contract, as amended, to which this amendment applies, shall remain in full effect.

IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year first above written.

CITY OF BILLINGS, MONTANA

GREAT WEST ENGINEERING, INC.

By _____
THOMAS M. HANEL,
Mayor

By _____
DANIEL M. MCCAULEY,
President

ATTEST

CARI MARTIN, City Clerk

APPROVED AS TO FORM:

By _____
BRENT BROOKS, City Attorney