

AMENDMENT NO. 2
TO
CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES
W.O. 09-15
GRAND AVENUE – ZIMMERMAN TRAIL TO SHILOH ROAD

THIS AGREEMENT, made and entered into on November 9, 2009, by and between the following:

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

and

HDR Engineering, Inc.
2913 Millennium Circle
Billings, Montana 59102
Hereinafter designated the Contractor

WITNESSETH:

WHEREAS, the City and Contractor have entered into a contract dated November 9, 2009, for Contractor to provide engineering services to the City for Work Order 09-15 Grand Avenue – Zimmerman Trail to Shiloh Road, and;

WHEREAS, the City has need for additional engineering services, and;

WHEREAS, the City has authority to contract for consulting engineering 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:

Part I, Section 4. is amended as follows:

Increase the amount of compensation by Three Hundred Eleven Thousand Five Hundred Sixty Two and no/100 DOLLARS (\$311,562) to Five Hundred Sixty Six Thousand One Hundred Sixty Eight and no/100 DOLLARS (\$566,168.00).

Appendix A, Section 3. Add the following to the Scope of Work:

- Modify Task 304 to include the following:
 - Develop 60% Pedestrian HAWK Signals design plans

Assumptions:

- Design for HAWK signals for the multi-lane approaches to the roundabouts at 36th and 38th St.
 - Signals will not be included on the single lane approaches to the roundabouts.
- Modify Task 403 to include:
 - Finals plans will include design for Pedestrian HAWK Signals.
 - Include roadway lighting design from Zimmerman to 30th St W.
 - Add Task 406 – Prepare Preliminary Detailed Specifications
 - Detailed specifications will be prepared for front-end specifications and technical specifications.
 - Add Task 407 – Prepare Final Detailed Specifications
 - Incorporate review comments and prepare final specifications for advertising.
 - Add Task 501 – Bidding Administrative Assistance
 - Prepare bid documents and distribute to prospective bidders. Answer bidder questions and prepare addendum as needed. Schedule and conduct pre-bid meeting.
 - Add Task 502 – Post-Bid Administrative Assistance
 - Attend bid opening. Receive, evaluate and tabulate bids. Assess completeness of bid. Make recommendations to the City on award of contract. Issue Notice of Award.
 - Add Task 601 – Construction Initiation Services
 - After award of the construction contract, the Consultant will prepare Contracts and Conformed Documents and conduct a preconstruction conference and prepare minutes summarizing the conference. The consultant will provide the contractor with 3 sets of “for construction” plans and specifications.
 - Add Task 602 – Office Assistance and Administration
 - During the construction phase of the project, the Consultant will provide office assistance to the City on the administration of the project. This effort will include review and preparation of change orders, interpretation of drawings and specifications including answering requests for information (RFI), monitoring of compliance with procedure requirements on the project, coordinating with the contractor, evaluation of pay estimates, review for compliance of certified pay-rolls, and conducting weekly (or as needed) construction meetings.

- Add Task 603 – Field Services
 - The Consultant will provide full-time on-site construction administration/inspection services and construction staking.
 - The consultant will provide weekly inspection reports and provide immediate notifications if issues arise during construction.
 - The consultant will provide material testing to complete City of Billings Quality Assurance testing. All material and density testing will be in conformance with City of Billings testing specifications and Standard Mods for street and storm utility construction and in conformance with the approved plans and specifications. Inspections will be documented and included in final close-out documents for project.
 - Full-time on-site construction administration assumes a 120 calendar day construction schedule. Services include project documentation including daily diaries and photographs in conformance with City of Billings and industry standards; coordinate and manage materials testing firm; Check that materials are documented and meet project specifications; Identify non-compliant work in a timely manner for correction; Document and track project quantities; Verify quality and content of work complies with contract documents; Review project documents to be accurate and current; Document and report field conditions to the City; Coordinate daily with City; Establish progress report schedule.
- Add Task 604 – Construction Wrap-Up and Acceptance
 - Upon completion of the construction of the improvements, the Consultant will schedule and hold a final project walk-through and assist the City in the final wrap-up of the project, preparation of a punch list, preparation of Certificate of Substantial Completion, information review and recommendation of final acceptance.
- Add Task Series 700 – As-Built Plans
 - Add Task 701 – Develop As-Built plans based on mark-ups from field services.

All other terms and conditions of the contract 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

HDR Engineering, Inc.
CONTRACTOR

By _____
THOMAS W. HANEL,
Mayor

By _____

Title _____

ATTEST

BILLIE GUENTHER, City Clerk

APPROVED AS TO FORM:

By _____

BRENT BROOKS, City Attorney