

**AMENDMENT NO. 3**  
**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.  
970 S. 29<sup>th</sup> Street W  
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 Fifty Eight Thousand Five Hundred Ninety and no/100 DOLLARS (\$58,590.00) to Six Hundred Twenty Four Thousand Seven Hundred Fifty Eight and no/100 DOLLARS (\$624,758.00).

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

- Modify Task 602 – Office Assistance and Administration to include:
  - Increase duration of office assistance and administration during construction from 120 calendar days to 150 calendar days.
- Modify Task 603 – Field Services to include:
  - Increase duration of full-time on-site construction administration from 120 calendar days to 150 calendar days.
  - Provide additional construction staking services to include luminaire poles, signal poles, controller cabinets and full pavement marking layout.
  - Provide additional material testing services for increased construction duration from 120 days to 150 days and existing field conditions.

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