

**AMENDMENT NO. 28
TO
AGREEMENT FOR ENGINEERING SERVICES
CITY OF BILLINGS AVIATION AND TRANSIT DEPARTMENT**

DATED April 9, 2012

This Amendment No. 28 made and entered into this _____ day of February, 2017 by and between the following:

City of Billings, Montana, a Municipal Corporation, PO Box 1178
Billings, Montana 59103, hereinafter designated the OWNER

and

Morrison-Maierle, Inc., 315 N. 25th Street, Suite 102, Billings, Montana 59102,
a private Montana Corporation, hereinafter designated as the ENGINEER

W I T N E S S E T H:

WHEREAS, the OWNER and the ENGINEER have entered into a contract dated April 9, 2012 for ENGINEER to provide engineering services to OWNER for AIP Runway 10R-28L Shift Construction.

WHEREAS, the OWNER has a need for additional engineering services;

WHEREAS, the ENGINEER 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 OWNER;

NOW, THEREFORE, in consideration of the terms, conditions, covenants and performance contained herein, or attached and incorporated herein, the parties hereto agree to amend the April 9, 2012 Agreement, corresponding amendments to this Agreement, and all related exhibits as follows:

ARTICLE 1 - SCOPE OF SERVICES. The following items of work listed below are added and amended by the Amendment 28 for Phase II – Construction Phase, Amendment 28 includes all of the items defined in the original Agreement, plus the following item of work: The ENGINEER shall provide Construction Layout services in accordance with the Master Agreement. Construction Layout includes, but is not limited to, field marking of the following: lines, offsets, pipe inverts, material quantities, preliminary grades, and finished grades, and their associated staking notes. The ENGINEER shall provide the Contractor with a copy of the staking notes in a timely manner.

Engineering fees for providing the scope of work are based on the methods described in Article II of the original agreement.

Scope of Work is amended to include the following Item description:

ITEMS DESCRIPTION

Items for Amendment 28 (Twenty-Eight):

The general scope of work is to provide Preliminary and Final Design Engineering, Plans and Specifications, and Contract Grant Management for the proposed Runway 10R-28L Shift, Taxiway H construction, and associated lighting, striping, signage and drainage improvements. This contract will also include the bidding, construction observation and contract grant management.

It is estimated that the design and construction of the project will be done under one engineering contract, one construction contract, and one FAA grant.

The general scope of the design will include, but is not necessarily limited to the following:

- Asphalt runway and taxiway(s) for the Runway 10R-28L shift;
- Design of runway/taxiway striping, LED lighting, and LED signage;
- Design of wind cone and runway guard lights;
- Full design topo survey to include, but not necessarily limited to: utilities, pavements, lighting/signage, existing ground, establishment of control for construction, topo of the area for drainage, etc.;
- Prepare FAA grant application with Sponsor certifications and associated requests for reimbursement for the project;
- Complete FAA quarterly updates and year end and project close out SF 271 financial reports;
- Complete FAA design report;
- Complete FAA close-out report with final financial, Sponsor certifications, and other applicable close-out documentation for FAA and Sponsor audit purposes;
- Include in the specification's Special Provisions a Construction Operations and Phasing Plan to address specific impacts of construction activities on airport operations. The version of AC 150/5370-2F, Operational Safety on Airports During Construction which is in effect as of the date of the Task Order will be used as a guide in preparing the Construction Operations Plan. Coordinate with the FAA Airport District Office as well as airport management and airport users as required to complete the plan. Generally, the FAA ADO will coordinate with and obtain approval from FAA Flight Standards for any special airport operational issues during construction.

Phase I

Phase I work items listed above:

Define project Scope of Work and obtain FAA and Owner approval. Prepare Grant Application, Project Schedule, and attend pre-design meeting with FAA to assure that applicable FAA standards are being applied. Provide plans and specifications for construction. This project will also include design report, construction operation phasing plan, possible SMS, design survey, and 7460. In addition to the pavement construction, this project includes an as-built AGIS survey according to AC 150/5300-18C for As Built Field Data Collection.

Phase II

Phase II work will include providing Construction Administration, Construction Layout, Resident Project Representative (Inspector), and Project Closeout for items identified as Phase I design work.

ARTICLE II - ENGINEERING FEES

The items discussed above are finalized items of work that the Owner and AIP will fund.

Phase I – Design Specifications

The Safety Risk Management (SRM) will be split out of the design fee and only used if the FAA requires a SRM proposal and meeting. The lump sum for the SRM task is **\$8,359**. Preparation of design plans and specifications for Phase I, for Amendment **28** will be accomplished for a lump sum fee of **\$134,772**. The total lump sum design fee is **\$143,131** as per the Method A - Fee Determination as outlined in the original Agreement dated **April 9, 2012**. See Tables 1A for engineering budgets.

Phase II - Construction Phase.

The items discussed above involve the Phase II, Items For Amendment **28** scope of services and will be accomplished at a cost plus fixed fee with a ceiling price not to exceed **\$166,894** as per Method B - Fee Determination outlined below. See Table 2A for engineering budgets.

COST SUMMARY OF
Amendment No. 28

Description		Labor & Expenses	Fixed Fee	Total Phase I	Total Phase II
Amendment No. 28					
<u>AIP 056-2017</u>					
PHASE I - Design - ITEM 1	TABLE 1A	\$126,193	\$16,938	\$143,131	
PHASE II - Construction Admin. - ITEM 1	TABLE 2A	\$147,005	\$19,889		\$166,894
Subtotal Item 1		\$273,198	\$36,827		
Total This Amendment					\$310,025

TABLE 1A

**Amendment No. 28
ENGINEERING BUDGET
PHASE 1 - Design - ITEM 1**

Engineering Services PHASE 1 - Design - ITEM 1	Total Man-hours	Labor Rate	Total
Professional Services for AIP 056-2017	1,105	\$102.19	\$112,919
Total MU Labor			\$112,919
Expenses			
Company Vehicle		\$407	
Commuting, Travel		\$0	
Technology Charge		\$5,508	
Vehicle		\$1,300	
Per diem		\$0	
Per diem		\$0	
Equipment Charges		\$1,680	
Professional Charges		\$4,100	
Printing, Copies		\$150	
Telephone, FAX		\$0	
Photos, Etc		\$0	
Freight, Postage		\$8	
Project Supplies		\$120	
SUBTOTAL		\$13,273	
Total MU Labor			\$112,919
Total Direct Expenses			<u>\$13,273</u>
Total MU Labor & Expenses			\$126,193
Fixed Fee			<u>\$16,938</u>
Total Lump Sum for Design Phase			\$143,131

* Figure is rounded

TABLE 2A

**Amendment No. 28
ENGINEERING BUDGET
PHASE II - Construction Admin. - ITEM 1**

Engineering Services PHASE II - Construction Admin. - ITEM 1	Total Man-hours	Labor Rate	Total
Professional Services AIP 056-2017	1,151	\$115.20	\$132,595
Total MU Labor			\$132,595
Expenses			
Company Vehicle		\$824	
Commuting, Travel		\$0	
Technology Charge		\$6,786	
Vehicle		\$4,520	
Per diem		\$0	
Per diem		\$0	
Equipment Charges		\$1,960	
Professional Charges		\$0	
Printing, Copies		\$200	
Telephone, FAX		\$0	
Photos, Etc		\$0	
Freight, Postage		\$0	
Project Supplies		\$120	
SUBTOTAL		\$14,410	
Total MU Labor			\$132,595
Total Direct Expenses			<u>\$14,410</u>
Total MU Labor & Expenses			\$147,005
Fixed Fee			<u>\$19,889</u>
Total Cost Plus Fixed Fee for Construction Phase			\$166,894

* Figure is rounded

IN WITNESS WHEREOF, the parties hereto have made and executed the Amendment No. 28 this _____ day of February, 2017.

CONSULTANT

Morrison-Maierle, Inc.

BY: Carl Anderson

DATE: 1/20/17

OWNER

City of Billings

BY: _____

DATE: _____

ATTEST:

BY: _____
City Clerk

APPROVED AS TO FORM:

BY: _____
City Attorney

Summary of Agreements for Professional Engineering Services				
Description		Labor & Expenses	Fixed Fee	Total
Amendment No. 1 Plunge Pool & Lot Survey				
PHASE I - DESIGN - ITEM 1	TABLE 1a	\$55,252	\$6,101	\$61,353
PHASE II - CONSTRUCTION - ITEM 1	TABLE 2a	\$44,237	\$5,455	\$49,692
		\$99,489	\$11,556	
Amendment No. 1 Ponds A, B, and C Ponds				
PHASE I - DESIGN - ITEM 2	TABLE 1b	\$23,164	\$3,212	\$26,376
PHASE II - CONSTRUCTION - ITEM 2	TABLE 2b	\$23,984	\$3,259	\$27,243
Subtotal Item 2		\$47,148	\$6,471	
TOTAL Amendment No. 1		\$146,637	\$18,027	\$164,664
Amendment No. 2 Airfield Maintenance Equipment				
PHASE I - DESIGN - ITEM 1	Table 1a	\$28,706	\$3,953	\$32,659
PHASE II - CONSTRUCTION - ITEM 1	Table 2a	\$0	\$0	\$0
Pavement Condition Index Study				
PHASE I - Design - ITEM 1	TABLE 1A	\$47,071	\$6,539	\$53,609
PHASE II - Construction Admin. - ITEM 1	TABLE 2A	\$0	\$0	\$0
TOTAL Amendment No. 2		\$75,777	\$10,492	\$86,268
Amendment No. 3 2012 Miscellaneous Improvements				
PHASE I - DESIGN - ITEM 1	TABLE 1a	\$37,713	\$5,229	\$42,942
PHASE II - CONSTRUCTION - ITEM 1	TABLE 2a	\$43,240	\$5,750	\$48,990
TOTAL Amendment No. 3		\$80,952	\$10,979	\$91,931
Amendment No. 4 PFC Airport Wheel Loader				
PHASE I - Design - ITEM 1	TABLE 1A	\$3,352	\$417	\$3,769
PHASE II - Construction Admin. - ITEM 1	TABLE 2A	\$0	\$0	\$0
TOTAL Amendment No. 4		\$3,352	\$417	\$3,769
Amendment No. 5 2013 AIP-44 CA				
PHASE I - DESIGN - ITEM 1	TABLE 1a	\$69,317	\$9,246	\$78,562
PHASE II - CONSTRUCTION - ITEM 1	TABLE 2a	\$415,893	\$53,995	\$469,888
TOTAL Amendment No. 5		\$485,209	\$63,241	\$548,450
Amendment No. 6 Slot 4 - PCC Construction				
PHASE I - DESIGN - ITEM 1	TABLE 1a	\$163,094	\$22,453	\$185,547
PHASE II - CONSTRUCTION - ITEM 1	TABLE 2a	\$135,941	\$18,061	\$154,003
TOTAL Amendment No. 6		\$299,035	\$40,515	\$339,550
Amendment No. 7 2014 Miscellaneous Improvements				
PHASE I - DESIGN - ITEM 1	TABLE 1a	\$24,228	\$3,040	\$27,268
PHASE II - CONSTRUCTION - ITEM 1	TABLE 2a	\$28,954	\$3,872	\$32,826
TOTAL Amendment No. 7		\$53,182	\$6,911	\$60,094
Amendment No. 8 Pond D Expand - Outfall Routing Study				
PHASE I - DESIGN/STUDY - ITEM 1	TABLE 1a	\$50,635	\$7,065	\$57,700
PHASE II - CONSTRUCTION - ITEM 1	TABLE 2a	\$0	\$0	\$0
TOTAL Amendment No. 8		\$50,635	\$7,065	\$57,700
Amendment No. 9 Employee P-Lot				
PHASE I - DESIGN - ITEM 1	TABLE 1a	\$44,581	\$5,980	\$50,561
PHASE II - CONSTRUCTION - ITEM 1	TABLE 2a	\$69,893	\$9,384	\$79,277
TOTAL Amendment No. 9		\$114,474	\$15,364	\$129,838
Amendment No. 10 AIP 046-2014 Apron Construction				
PHASE I - DESIGN - ITEM 1	TABLE 1a	\$83,709	\$11,868	\$95,577
PHASE II - CONSTRUCTION - ITEM 1	TABLE 2a	\$85,259	\$11,442	\$96,701
TOTAL Amendment No. 10		\$168,968	\$23,310	\$192,278

Amendment No. 11	West Transfer Parking Lot & Terminal Circle Road			
PHASE I - Design - ITEM 1	TABLE 1A	\$49,919	\$6,573	\$56,492
PHASE II - Construction Admin. - ITEM 1	TABLE 2A	\$65,110	\$8,622	\$73,732
TOTAL Amendment No. 11		\$115,029	\$15,195	\$130,224
Amendment No. 12	AIP 048 - Land, Runway 10R EA			
PHASE I - Design - ITEM 1	TABLE 1A	\$0	\$0	\$0
PHASE II - EA - ITEM 1	TABLE 2A	\$131,204	\$17,782	\$148,986
TOTAL Amendment No. 12		\$131,204	\$17,782	\$148,986
Amendment No. 13	Wetland, Survey & Flood Plane Analysis			
PHASE I - Design - ITEM 1	TABLE 1A	\$38,869	\$5,378	\$44,247
PHASE II - EA - ITEM 1	TABLE 2A	\$0	\$0	\$0
TOTAL Amendment No. 13		\$38,869	\$5,378	\$44,247
Amendment No. 14	Lights-Fence Transfer Lot			
PHASE I - Design - ITEM 1	TABLE 1A	\$13,774	\$1,876	\$15,650
PHASE II - EA - ITEM 1	TABLE 2A	\$17,749	\$2,339	\$20,088
TOTAL Amendment No. 14		\$31,523	\$4,215	\$35,738
Amendment No. 15	Ponds A, B, C Fence			
PHASE I - Design - ITEM 1	TABLE 1A	\$12,820	\$1,731	\$14,551
PHASE II - EA - ITEM 1	TABLE 2A	\$10,818	\$1,404	\$12,222
TOTAL Amendment No. 15		\$23,638	\$3,135	\$26,773
Amendment No. 16	2015 Parking Lot Improvements			
PHASE I - Design - ITEM 1	TABLE 1A	\$33,173	\$4,591	\$37,764
PHASE II - EA - ITEM 1	TABLE 2A	\$64,600	\$8,683	\$73,283
TOTAL Amendment No. 16		\$97,773	\$13,274	\$111,047
Amendment No. 17	Pond D Permitting for Storm Drainage Improvements			
PHASE I - Design - ITEM 1	TABLE 1A	\$27,579	\$3,948	\$31,527
PHASE II - EA - ITEM 1	TABLE 2A	\$0	\$0	\$0
TOTAL Amendment No. 17		\$27,579	\$3,948	\$31,527
Amendment No. 18	AIP 049-2015 Ramp Construction			
PHASE I - Design - ITEM 1	TABLE 1A	\$82,152	\$11,626	\$93,778
PHASE II - EA - ITEM 1	TABLE 2A	\$85,694	\$11,605	\$97,299
TOTAL Amendment No. 18		\$167,846	\$23,231	\$191,077
Amendment No. 19	Pavement Condition Index			
PHASE I - Design - ITEM 1	TABLE 1A	\$53,018	\$7,392	\$60,410
PHASE II - EA - ITEM 1	TABLE 2A	\$0	\$0	\$0
TOTAL Amendment No. 19		\$53,018	\$7,392	\$60,410
Amendment No. 20	AIP 050-2015 Storm Drain Tunneling			
PHASE I - Design - ITEM 1	TABLE 1A	\$105,414	\$14,930	\$120,344
PHASE II - EA - ITEM 1	TABLE 2A	\$60,695	\$8,260	\$68,955
TOTAL Amendment No. 20		\$166,109	\$23,190	\$189,299
Amendment No. 21	AIP 050-2015 Taxilane Construction			
PHASE I - Design - ITEM 1	TABLE 1A	\$41,816	\$5,908	\$47,724
PHASE II - EA - ITEM 1	TABLE 2A	\$38,545	\$5,302	\$43,847
TOTAL Amendment No. 21		\$80,361	\$11,210	\$91,571
Amendment No. 22	AIP 050-2015 Storm Drain Tunneling CA			
PHASE I - Design - ITEM 1	TABLE 1A	\$0	\$0	\$0
PHASE II - EA - ITEM 1	TABLE 2A	\$32,116	\$4,369	\$36,485
TOTAL Amendment No. 22		\$32,116	\$4,369	\$36,485
Amendment No. 23	AIP 050-2015 Pond D Storm Sytem			
PHASE I - Design - ITEM 1	TABLE 1A	\$257,789	\$36,416	\$294,205
PHASE II - EA - ITEM 1	TABLE 2A	\$0	\$0	\$0
TOTAL Amendment No. 23		\$257,789	\$36,416	\$294,205
Amendment No. 24	AIP 052-2016 Pond D Storm Sytem			
PHASE I - Design - ITEM 1	TABLE 1A	\$0	\$0	\$0
PHASE II - EA - ITEM 1	TABLE 2A	\$314,170	\$43,098	\$357,268
TOTAL Amendment No. 24		\$314,170	\$43,098	\$357,268

Amendment No. 25	AIP 054-2016 West Taxilane and Ramp Construction			
PHASE I - Design - ITEM 1	TABLE 1A	\$95,723	\$13,278	\$109,001
PHASE II - EA - ITEM 1	TABLE 2A	\$112,941	\$15,528	\$128,469
TOTAL Amendment No. 25		\$208,664	\$28,806	\$237,470
Amendment No. 26	2016 West Sanitary Sewer Expansion			
PHASE I - Design - ITEM 1	TABLE 1A	\$20,288	\$2,877	\$23,165
PHASE II - EA - ITEM 1	TABLE 2A	\$28,083	\$3,858	\$31,941
TOTAL Amendment No. 26		\$48,371	\$6,735	\$55,106
Amendment No. 27	2016 Land Acquisition			
PHASE I - Design - ITEM 1	TABLE 1A	\$17,794	\$0	\$17,794
PHASE II - EA - ITEM 1	TABLE 2A	\$0	\$0	\$0
TOTAL Amendment No. 27		\$17,794	\$0	\$17,794
Amendment No. 28	AIP 056-2017 RWY 10R/28L			
PHASE I - Design - ITEM 1	TABLE 1A	\$126,193	\$16,938	\$143,131
PHASE II - EA - ITEM 1	TABLE 2A	\$147,005	\$19,889	\$166,894
TOTAL Amendment No. 28		\$273,198	\$36,827	\$310,025
Sum Total All Amendments				\$4,043,794