

**AMENDMENT NO. 5
TO
AGREEMENT FOR ENGINEERING SERVICES for
TERMINAL EXPANSION PROJECT
CITY OF BILLINGS AVIATION AND TRANSIT DEPARTMENT**

DATED August 14, 2017

This AMENDMENT, made and entered into this _____ day of April, 2020 by and between the following:

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

and

Morrison-Maierle, Inc., 315 N. 25th Street, Suite 102, Billings, Montana 59101,
a private Montana Corporation, hereinafter designated as the ENGINEER

WITNESSETH:

WHEREAS, the OWNER and the ENGINEER have entered into an Agreement for Professional Engineering services for the Terminal Expansion Project contract dated August 14, 2017, and;

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

WHEREAS, the ENGINEER represents that he/she 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 August 14, 2017 Agreement, corresponding amendments to this Agreement, and all related exhibits as follows:

ARTICLE I – SCOPE OF SERVICES

The following items of work listed below are added and amended by the Amendment 5 (Five) for Security RFP, Design and Construction Administration for Terminal Expansion Project.

1. Define Airport Requirements. Develop design and provide drawings to include locations of all cameras, secured doors and gates.
2. Write RFP and obtain Airport approval for release: Write the technical section of the RFP. Work with the Airport to develop the RFP scoring criteria. Coordinate the technical sections with all other RFP sections.
3. Technical Support for proposal phase: Serve as intermediary between Airport and Offerors for all technical questions during proposal preparation phase. Conduct pre-proposal meeting and walk-through.
4. Technical support for evaluation of Proposals: Provide technical evaluation of proposals received. Work with Offerors to answer any questions from the Airport's evaluation committee.
5. Construction administration: Conduct pre-construction meeting. Review product submittals. Perform weekly walk-through during installation of systems. Perform and document Substantial Completion and final inspections and document all discrepancies found in punch lists.
6. Commissioning: Define testing requirements and write commissioning plan for Airport approval. Execute commissioning and document results. Incorporate all discrepancies into final punch list for Contractor remediation.

ARTICLE II - ENGINEERING FEES

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

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

Phase I –Design Phase.

The services identified for Phase I of Amendment 5 will be accomplished for a lump sum fee of **\$70,000** as per Method A - Fee Determination as outlined in the original Agreement dated **August 14, 2017**. See Table 1A for Engineering Budget.

Phase II - Construction Phase.

The services identified for Phase II of Amendment 5 will be accomplished at a cost-plus fixed fee with a ceiling price not to exceed **\$25,000** as per Method B - Fee Determination as outlined in the original Agreement dated **August 14, 2017**. See Table 2A for Engineering Budget.

<u>COST SUMMARY OF</u>					
<u>Amendment No. 5</u>					
Description		Labor & Expenses	Fixed Fee	Total Phase I	Total Phase II
Terminal Expansion Security					
<u>Security - Design</u>					
Phase I - RFP and Design	TABLE 1A	\$70,000	\$0	\$70,000	
Phase II - Bidding and CA	TABLE 2A	\$21,739	\$3,261		\$25,000
Subtotal		\$91,739	\$3,261		
Total This Amendment					\$95,000

TABLE 1A

**Amendment No. 5
ENGINEERING BUDGET
Phase I - Design and RFP**

**Engineering Services
Phase I - Design and RFP**

	Total Man-hours	Labor Rate	Total
MU Labor Professional Services	446	\$146.32	\$65,259

Direct Expenses

Company Vehicle	\$4,322
Commuting, Travel	\$0
Technology Charge	\$0
Vehicle	\$0
Per diem	\$0
Per diem	\$0
Equipment Charges	\$0
Professional Charges	\$0
Printing, Copies	\$233
Telephone, FAX	\$0
Photos, Etc	\$0
Freight, Postage	\$0
Project Supplies	\$186
SUBTOTAL	\$4,741

Total MU Labor	\$65,259
Total Direct Expenses	<u>\$4,741</u>
Total MU Labor & Expenses	\$70,000
Fixed Fee	<u>\$0</u>
Total Cost Lump Sum for Design Phase	\$70,000

* Figure is rounded

TABLE 2A

**Amendment No. 5
ENGINEERING BUDGET
Phase II - Bidding and Construction Admin.**

Engineering Services Phase II - Bidding and Construction Admin.			
	Total Man- hours	Labor Rate	Total
MU Labor Professional Services	166	\$119.03	\$19,759
Direct Expenses			
Company Vehicle		\$1,850	
Commuting, Travel		\$0	
Technology Charge		\$0	
Vehicle		\$0	
Per diem		\$0	
Per diem		\$0	
Equipment Charges		\$130	
Professional Charges		\$0	
Printing, Copies		\$0	
Telephone, FAX		\$0	
Photos, Etc		\$0	
Freight, Postage		\$0	
Project Supplies		\$0	
SUBTOTAL		\$1,980	
Total MU Labor			\$19,759
Total Direct Expenses			<u>\$1,980</u>
Total MU Labor & Expenses			\$21,739
Fixed Fee			<u>\$3,261</u>
Total Cost Plus Fixed Fee for Construction Phase			\$25,000

* Figure is rounded

Summary of Agreements for the Terminal Expansion Project				
Description		Labor & Expenses	Fixed Fee	Total
Amendment No. 1	Terminal Expansion - Preliminary Design SME/Civil			
PHASE I - DESIGN	TABLE 1a	\$619,326	\$0	\$619,326
PHASE II - CONSTRUCTION	TABLE 2a	\$0	\$0	\$0
TOTAL Amendment No. 1		\$619,326	\$0	\$619,326
Amendment No. 2	Terminal Expansion - Preliminary Design Architectural			
PHASE I - DESIGN	TABLE 1a	\$611,127	\$0	\$611,127
PHASE II - CONSTRUCTION	TABLE 2a	\$0	\$0	\$0
TOTAL Amendment No. 2		\$611,127	\$0	\$611,127
Amendment No. 3	Terminal Expansion Design - Engineering and Architectural Design			
PHASE I - DESIGN	TABLE 1a	\$4,295,590	\$0	\$4,295,590
PHASE II - CONSTRUCTION	TABLE 2a	\$0	\$0	\$0
TOTAL Amendment No. 3		\$4,295,590	\$0	\$4,295,590
Amendment No. 4	Terminal Expansion Phase 1 Construction - CA			
PHASE I - DESIGN	TABLE 1a	\$0	\$0	\$0
PHASE II - CONSTRUCTION	TABLE 2a	\$200,334	\$23,211	\$223,545
TOTAL Amendment No. 4		\$200,334	\$23,211	\$223,545
Amendment No. 5	Terminal Expansion - Security Design, RFP, and CA			
PHASE I - DESIGN	TABLE 1a	\$70,000	\$0	\$70,000
PHASE II - CONSTRUCTION	TABLE 2a	\$21,739	\$3,261	\$25,000
TOTAL Amendment No. 5		\$91,739	\$3,261	\$95,000