

AMENDMENT NO. 2
TO
CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES
W.O. 22-07 MULLOWNEY LANE

THIS AGREEMENT, made and entered into on October 11, 2021, by and between the following:

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

and

HDR Engineering, Inc.
970 S. 29th Street W
Billings, Montana 59102
Hereinafter designated the Contractor

WITNESSETH:

WHEREAS, the City and Contractor have entered into a contract dated October 11, 2021 for Contractor to provide engineering services to the City for Work Order 22-07 Mallowney Lane, 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 Two-Hundred Seventy-Nine Thousand Eight-Hundred Eighty-Five and no/100 DOLLARS (\$279,885.00) to Six-Hundred Twenty-Three Thousand Nine-Hundred Sixty-Eight and no/100 DOLLARS (\$623,968.00).

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

- Add Task 600 – Construction Services to include:
 - **601 – Construction Initiation Services:**
The Consultant shall prepare construction contracts, conduct a preconstruction conference and prepare minutes summarizing the conference. The Consultant will provide the owner with three sets and the contractor one pdf of “Issue for Construction” plans and specifications.
 - **602 – Construction Administrative Assistance:**
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, shop drawing review, interpretation of drawings and specifications including answering requests for information (RFI), responding to contractor submittals, monitoring of compliance with procedure requirements on the project, coordinating with the contractor, evaluation of pay estimates, and conducting weekly (or as needed) construction meetings.

Develop health and safety plan for HDR during construction. Review contractor schedule progress. Review Contractor’s applications for payment and provide recommendations or comments to the City.

- **603 – Field Services**
The Consultant will provide on-site construction observation services to perform observations, documentation, and various tasks from mobilization through substantial completion. 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. 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. Pavement subgrade observations will be made, especially in those areas where soft subgrades are encountered. This work includes 45 trips for compaction testing, 6 trips for concrete testing and 2 trips for asphalt testing.

Construction administration and inspection assumes a 120 calendar day construction schedule plus 30 calendar days for irrigation ditch work outside of contract time. Full-time on-site inspection will be provided for 60 calendar

days, part-time inspection (20-30 hours/week) will be provided for 60 calendar days, and less than part-time inspection (less than 20 hours/week) for 30 days. The 30 days of less than part-time inspection is for inspections related to the suburban and songbird irrigation ditch work anticipated to occur outside of contract time. Services include project documentation including daily diaries, photographs, coordination of materials testing, check materials and work 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, and coordination with the City.

Also provided is construction staking to establish reference/control points and stake major design features including alignment at key stations, curb/gutter, driveways, sidewalk/path, inlets, manholes, new water/sewer services, pull boxes, luminaire poles and signal poles.

- **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, including preparing record drawings, preparation of a punch list, preparation of Certificate of Substantial Completion, information review and recommendation of final acceptance. Also Perform 2-year warranty walk-through.

- **605 – Reports, Record Drawings, and Closeout**
Prepare conformed record drawings including modifications during construction and mark-ups from contractor.

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.

CONSULTANT – HDR Engineering, Inc.
NAME: _____
BY: _____
TITLE: _____
DATE: _____

CITY OF BILLINGS, MONTANA
BY: _____

City Council or Designee

DATE: _____