

AMENDMENT NO. TWENTY-TWO (22)
TO
AGREEMENT FOR ENGINEERING SERVICES
CITY OF BILLINGS AVIATION AND TRANSIT DEPARTMENT

DATED May 5, 2022

This AMENDMENT, made and entered into on _____ 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 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 service contract dated **May 5, 2022**, 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 **May 5, 2022** 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 Amendment TWENTY-TWO (22) for Runway 7/25 Extension and Reconstruction.

The general scope of work is to prepare plans and specifications and provide bidding assistance to reconstruct Runway 7/25 with extensions on both runway ends.

Section A2 - SERVICES OF ENGINEER

A2.01

Design and Construction Administration of Airport Improvement Projects

- Phase I Programming and Pre-Design Activities for the Project (Master Agreement Section 2.01 B.)
- Phase II Preliminary Design Engineering for the Project (Master Agreement Section 2.01 B.) – Under Amendment 20 in 2020.
- Phase III Final Design Engineering for the Project (Master Agreement Section 2.01 B.)
- Phase IV Assistance in the Bidding Process (Master Agreement Section 2.01 B.)
- Phase V Construction Phase Services including Resident Project Representative (Master Agreement Section 2.01 B.) – In a future Amendment
- Phase VI Project Closeout (Master Agreement Section 2.01 B.) – In future Amendment

A2.02 Basic Services

The ENGINEER agrees to provide normal professional engineering and construction services in connection with the Project as set forth below:

Runway 7/25 project includes the extension of both runway thresholds to fix the existing pavement geometry to meet required FAA safety standards. This project includes removal of the existing pavement section (4" asphalt over 8" 100% millings), regrade and compact existing subgrade, build new pavement section (4" asphalt over 8" P-208) on existing runway and on the runway extension. Taxiways "H" and "D" will also be extended and relocated to meet B-II design standards and connect to the new runway ends. Final design for storm drainage with new inlets, pipe, and final design grading with details of runway/taxiway striping, lighting, signage, PAPIs, REILs, and wind cone. This project has been added into the AGIS system for new runway end locations, imagery will be completed under the final design in the fall. The reconstruction cost estimate is \$9.2 million, based on 2024 prices.

Final Design Phase

- Prepare for, attend, and document the pre-design conference. This was completed previously but needs to be completed again with a new project manager at the Helena FAA, and because the last meeting was 5 years ago. Review the project details and design report prior to moving into the final design.
- Prepare the scope of work, including coordination with the Sponsor and FAA.
- Prepare fee proposal. This will include preparing the initial fee proposal as well as negotiations with the Sponsor.
- Prepare Sponsor-Consultant project-specific agreement. This includes preparation, negotiation, and distribution.
- Grants – prepare two grant applications for this project (AIP, BIL), managing the grants, and complete closeout reports for two grants.
- Prepare Cold Weather Form for Discretionary funding to start the project ahead of the funding.
- Modification of Design Standards for P-152 when rock is encountered.
- The preliminary design laid out Runway 7/25 and all taxiways meeting B-II aircraft. The final design will look at grading plans and final sheets. Many preliminary design items were redesigned due to the design AC being updated in 2022. The taxiway location, hold bars and grading all were redesigned due to the update.
- **CSPP** - Prepare construction safety and phasing plan, submit to OEAAA for review. This process will take coordination with airport operations and key airport staff. Runway 7/25 crosses active Taxiways "G", "A", and commercial RWY 10L/28R. We need to discuss closures, haul routes, time frames for construction operations. Once a plan is created it will be added to the set of drawings with notes, color plans, and information. Also added to special provisions for Contractor information.
- **SMS** – Prepare for a safety management system meeting. Since this project is crossing a few active commercial taxiways and the main commercial runway a SMS meeting will be held. We will prepare for the SMS meeting and provide all required documentation and exhibits.
- Final Plans – Control point/survey drawing, CSPP sheets, final grading sheets, drainage plans, pavement section/profile/details, electrical sheets (lights, PAPIs, REILs, signs), final pavement marking sheets and details.
- Design/As-built AGIS for new approaches to be approved during the final design.
 - Imagery –This will be completed during the final design in the fall of 2024. .
- Final design work includes;
 - storm water – finalize all locations, size and details;
 - utility design – finalize;
 - pavement design thickness – already completed during preliminary design;
 - pavement geometry – initially completed during preliminary design, but redesign was required following updated AC in 2022;
 - PAPI design – finalize grading plan and airport review. This was redesigned with new FAA PM and working with the FAA airspace group;
 - pavement marking design – finalize all details, location is 80% complete;
 - lighting and signage design – finalize all details, location is 80% complete;

- initial cost estimate from 2020, this will be updated to 2024 prices;
 - update approach information with FAA; and
 - all sign, lighting, and pavement marking plans need to be sent to BIL certification inspector. This will be completed in September.
- Complete Project Manual with Specifications

Bidding/Construction preparation

- Advertise the project for 4-5 weeks since it is a large project. Have a prebid meeting with all interested parties. Addendums during bidding (2 each).
- Attend bid opening. After reviewing all bid documents, prepare award recommendations. Send FAA all bidding items and award recommendations.
- Prepare contract documents, review insurance certifications and bonding, and get contracts ready for signatures.
- Start reviewing shop drawings, prepare a construction management plan, coordinate testing labs with the Contractor and Owner, and get the safety plan information back from the contractor.

Construction Phase (NOT INCLUDED UNDER THIS SCOPE, FOR FUTURE WORK)

- This will include construction observation time, project management during the project.
- This could be constructed in 2025 or 2026. Need final CSPP with calendar days to complete the construction observation time.

Section A3 – Owner’s Responsibilities

The provisions of **Section 3 Owner’s Responsibilities** from the Master Agreement are hereby incorporated by reference.

The following SPONSOR’s responsibilities related directly to this project are added to this Task Amendment: No additional Changes added to this section.

Section A4 - Times for Rendering Services

<u>Phase</u>	<u>Completion Date</u>
Phase I – Programming and Pre-Design Activities	October 2024
Phase II – Preliminary Design Engineering	Complete - NA
Phase III –Final Design Engineering	January 2025
Phase IV – Bidding Assistance <ul style="list-style-type: none"> • Advertise • Bid Opening 	February – March 2025 March 2025
Phase V - Construction Phase Services	NA – In future Amendment
Phase VI – Project Closeout Services	NA – In future Amendment

Section A5 - Payments to ENGINEER

A5.01 Effective Rates for this Task Amendment

- A. The approved federal overhead rate in effect on the date of this Amendment is 226.35 %.
- B. Per Diem, Subsistence and Transportation rate shall be as set forth in the Federal Travel Regulations.

A5.02. Summary of Total Compensation

The total compensation for services identified under this Amendment is estimated to be \$ 348,630.00 based on the following assumed distribution:

Phase	Method of Payment		Compensation
Phase I – Programming & Pre-Design Activities	Lump Sum		\$ 13,660
Phase II – Preliminary Design Services	Lump Sum		
Phase III – Final Design Services	Lump Sum		\$ 311,185
Phase IV – Assistance in the Bidding Process	Cost Plus Fixed Fee		
	Direct Labor, Payroll & Overhead	\$20,675	
	Reimbursable Expenses	\$9	
	Subconsultant Costs	\$0	
	Estimated Total Cost	\$20,684	
	Fixed Fee	\$3,101	
	Total Estimated Compensation		\$ 23,785
Phase V - Construction Phase Services	Cost Plus Fixed Fee		
	Direct Labor, Payroll & Overhead	\$0	
	Reimbursable Expenses	\$0	
	Subconsultant Costs	\$0	
	Estimated Total Cost	\$0	
	Fixed Fee	\$0	
	Total Estimated Compensation		\$ -
Phase VI – Project Closeout Services	Lump Sum		\$ -
TOTAL COMPENSATION THIS TASK AMENDMENT			\$ 348,630

Section A6 - CONSULTANTS:

NV5 Geospatial Inc. conducting imagery for Runway 7/25 per FAA Advisory Circular.

Section A7- OTHER MODIFICATIONS TO MASTER AGREEMENT:

None

Section A8 - ATTACHMENTS:

- A. Exhibit A – Engineering Budget
- B. Exhibit B – Total Amendments to Date

Section A9 - APPROVAL AND ACCEPTANCE:

A9.01 Approval and Acceptance of this Amendment, including the attachments listed above, shall incorporate this document as part of the Master Agreement. Engineer is authorized to begin performance of Programming and Pre-Design Activities on the Project on September 2024, which date is confirmed upon receipt of a copy of this Amendment signed by **Owner**.

The Effective Date of this Amendment is as written in above.

IN WITNESS WHEREOF, the parties hereto have made and executed the Amendment TWENTY-TWO (22) on _____.

CONSULTANT

Morrison-Maierle, Inc.

BY: *Gill A. Cook*

DATE: 10/16/2024

OWNER

City of Billings

BY: _____

DATE: _____

ATTEST:

BY: _____
City Clerk

APPROVED AS TO FORM:

BY: _____
City Attorney

Exhibit A

Amendment 22 DESIGN ENGINEERING BUDGET

Engineering Services	Total Man-hours	Labor Rate	Total
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Professional Services for	1,242	\$178.96	\$222,269
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Expenses

Vehicle (Company)	\$182
Vehicle (Rental)	\$0
Air Travel (Commercial)	\$0
Air Travel (Charter)	\$0
Meals	\$0
Lodging	\$0
Survey Supplies	\$1,000
Survey Equipment	\$720
Printing	\$80
Full Size ALP Printing + Postage	\$0
Total Expenses	\$1,982

Professional Charges	\$67,255	subconsultants
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Total MU Labor	\$222,269
Total Direct Expenses	\$1,982
Total Fixed Fee	\$33,339
Total MU Labor & Expenses & Fixed Fee	\$257,590
Professional Expenses	\$67,255
Total Lump Sum for Design Phase	\$324,845

**Amendment 22
ENGINEERING BUDGET
Phase IV - Bidding**

Engineering Services	Total Man-hours	Labor Rate	Total
Professional Services	116	\$178.23	\$20,675

Expenses

Vehicle (Company)	\$9
Vehicle (Rental)	\$0
Air Travel (Commercial)	\$0
Air Travel (Charter)	\$0
Meals	\$0
Lodging	\$0
Survey Supplies	\$0
Survey Equipment	\$0
Printing	\$0
Full Size ALP Printing + Postage	\$0
Total Expenses	\$9
<u>Professional Charges</u>	<u>\$0 subconsultants</u>

Total MU Labor	\$20,675
Total Direct Expenses	<u>\$9</u>
Total MU Labor & Expenses	\$20,684
Fixed Fee	\$3,101
Professional Expenses	<u>\$0</u>
Total Cost Plus Fixed Fee for Bidding Phase	<u>\$23,785</u>

Exhibit B

Summary of Agreements for Professional Engineering Services				
Description		Labor & Expenses	Fixed Fee	Total
Amendment No. 1 FY 23 On Call				
PHASE I - DESIGN	TABLE 1A	\$24,999		\$24,999
PHASE II - CONSTRUCTION	TABLE 2A			\$0
TOTAL Amendment No. 1		\$24,999	\$0	\$24,999
Amendment No. 2 Carpet Replacement				
PHASE I - DESIGN	TABLE 1A	\$9,792		\$9,792
PHASE II - CONSTRUCTION	TABLE 2A	\$2,047	\$299	\$2,346
TOTAL Amendment No. 2		\$11,839	\$299	\$12,138
Amendment No. 3 Baggage Claim Restroom Remodel				
PHASE I - DESIGN	TABLE 1A	\$29,627		\$29,627
PHASE II - CONSTRUCTION	TABLE 2A	\$14,810	\$1,073	\$15,883
TOTAL Amendment No. 3		\$44,437	\$1,073	\$45,510
Amendment No. 4 Steam Boiler Replacement Project				
PHASE I - DESIGN	TABLE 1A	\$9,561		\$9,561
PHASE II - CONSTRUCTION	TABLE 2A	\$2,837	\$416	\$3,253
TOTAL Amendment No. 4		\$12,398	\$416	\$12,814
Amendment No. 5 Mid-Field Service Road				
PHASE I - DESIGN	TABLE 1A	\$54,709		\$54,709
PHASE II - CONSTRUCTION	TABLE 2A	\$65,006	\$8,841	\$73,847
TOTAL Amendment No. 5		\$119,715	\$8,841	\$128,556
Amendment No.6 Commerical Apron - Schedule 4				
PHASE I - DESIGN	TABLE 1A	\$67,332		\$67,332
PHASE II - CONSTRUCTION	TABLE 2A	\$143,015	\$19,070	\$162,085
TOTAL Amendment No.6		\$210,347	\$19,070	\$229,417
Amendment No. 7 MET Transit OnCall				
PHASE I - DESIGN	TABLE 1A	\$24,999		\$24,999
PHASE II - CONSTRUCTION	TABLE 2A			
TOTAL Amendment No. 7		\$24,999	\$0	\$24,999
Amendment No. 8 Passenger Facility Charge (PFC) Application Assistance				
PHASE I - DESIGN	TABLE 1A	\$12,168		\$12,168
PHASE II - CONSTRUCTION	TABLE 2A			
TOTAL Amendment No. 8		\$12,168	\$0	\$12,168
Amendment No. 9 Terminal Patch and Paint				
PHASE I - DESIGN	TABLE 1A	\$9,126		\$9,126
PHASE II - CONSTRUCTION	TABLE 2A	\$3,362	\$504	\$3,866
TOTAL Amendment No. 9		\$12,488	\$504	\$12,992

Summary of Agreements for Professional Engineering Services (Cont.)				
Description		Labor & Expenses	Fixed Fee	Total
Amendment No. 10 MET Monad Office Remodal				
PHASE I - DESIGN	TABLE 1A	\$296,720		\$296,720
PHASE II - CONSTRUCTION	TABLE 2A	\$105,530	\$6,750	\$112,280
TOTAL Amendment No. 10		\$402,250	\$6,750	\$409,000
Amendment No. 11 FY 24 On Call				
PHASE I - DESIGN	TABLE 1A	\$24,999		\$24,999
PHASE II - CONSTRUCTION	TABLE 2A			\$0
TOTAL Amendment No. 11		\$24,999	\$0	\$24,999
Amendment No. 12 2023 Apron Schedule 4 - Amendment				
PHASE I - DESIGN	TABLE 1A			
PHASE II - CONSTRUCTION	TABLE 2A	\$22,000	\$900	\$22,900
TOTAL Amendment No. 12		\$22,000	\$900	\$22,900
Amendment No. 13 Gate Fiber Replacement Project				
PHASE I - DESIGN	TABLE 1A	\$12,080		\$12,080
PHASE II - CONSTRUCTION	TABLE 2A	\$9,485	\$1,423	\$10,908
TOTAL Amendment No. 13		\$21,565	\$1,423	\$22,988
Amendment No. 14 MET IT Security Infrastructure				
PHASE I - DESIGN	TABLE 1A	\$8,500		\$8,500
PHASE II - CONSTRUCTION	TABLE 2A	\$4,498	\$602	\$5,100
TOTAL Amendment No. 14		\$12,998	\$602	\$13,600
Amendment No. 15 Cargo Slot 5 Ramp Construction				
PHASE I - DESIGN	TABLE 1A	\$341,120		\$341,120
PHASE II - CONSTRUCTION	TABLE 2A	\$330,075	\$42,015	\$372,090
TOTAL Amendment No. 15		\$671,195	\$42,015	\$713,210
Amendment No. 16 Aviation Place Road Rehabilitation				
PHASE I - DESIGN	TABLE 1A	\$80,345		\$80,345
PHASE II - CONSTRUCTION	TABLE 2A	\$71,466	\$9,719	\$81,185
TOTAL Amendment No. 16		\$151,811	\$9,719	\$161,530
Amendment No. 17 IP 9 Window Replacement				
PHASE I - DESIGN	TABLE 1A	\$6,390		\$6,390
PHASE II - CONSTRUCTION	TABLE 2A	\$3,660	\$550	\$4,210
TOTAL Amendment No. 17		\$10,050	\$550	\$10,600
Amendment No. 18 FY 25 On Call				
PHASE I - DESIGN	TABLE 1A	\$24,999		\$24,999
PHASE II - CONSTRUCTION	TABLE 2A			\$0
TOTAL Amendment No. 18		\$24,999	\$0	\$24,999

Summary of Agreements for Professional Engineering Services (Cont.)				
Description		Labor & Expenses	Fixed Fee	Total
Amendment No. 19	West Sewer and Water Expansion			
PHASE I - DESIGN	TABLE 1A	\$14,495		\$14,495
PHASE II - CONSTRUCTION	TABLE 2A	\$30,380	\$4,470	\$34,850
TOTAL Amendment No. 19		\$44,875	\$4,470	\$49,345
Amendment No. 20	MET Bus Wash			
PHASE I - DESIGN	TABLE 1A	\$35,670		\$35,670
PHASE II - CONSTRUCTION	TABLE 2A	\$13,326	\$994	\$14,320
TOTAL Amendment No. 20		\$48,996	\$994	\$49,990
Amendment No. 21	MET Security Cameras Upgrade			
PHASE I - DESIGN	TABLE 1A	\$26,200		\$26,200
PHASE II - CONSTRUCTION	TABLE 2A	\$9,317	\$1,383	\$10,700
TOTAL Amendment No. 21		\$35,517	\$1,383	\$36,900
Amendment No. 22	Runway 7/25 Extension and Reconstruction			
PHASE I - DESIGN	TABLE 1A	\$324,845		\$324,845
PHASE II - CONSTRUCTION	TABLE 2A	\$20,684	\$3,101	\$23,785
TOTAL Amendment No. 22		\$345,529	\$3,101	\$348,630