

W.O. 19-12, West End Reservoir Project

Standard Agreement and General Conditions Between Owner and General Contractor/Construction Manager (GC/CM)

Change Order No. 2

OWNER: City of Billings

CONTRACTOR: Dick Anderson Construction, LLC

DATE: November 6, 2024

In accordance with the terms of this Contract, the following changes are approved:

CHANGE IN CONTRACT PRICE:

Original Contract Price:	\$153,211.35
Net Increase from Previous Change Orders:	\$408,352.64
Contract Price Prior to this Change Order:	\$561,563.99
Net Increase of this Change Order:	\$13,553,020.76
Contract Price with all Approved Change Orders:	\$14,114,584.75

CHANGE IN CONTRACT TIME:

Original Contract Time:	N/A
Net Change from Previous Change Orders:	N/A
Contract Time Prior to this Change Order:	N/A
Net Increase of this Change Order:	577
Contract Time with all Approved Change Orders:	577

DESCRIPTION:

Dick Anderson Construction is directed to make the following changes in the Contract Documents:

- Construct BBWA Unloader Structure, Screen Structure, Diversion Channel, Raw Water Pump Station (RWPS), and Canyon Creek Diversion Structure. Install 20 and 60-inch piping to connect facilities and 36 and 42-inch pipe toward the West End Water Treatment Plant (WEWTP). Install gravel access roads. This GMP includes some but not the majority of the electrical facilities installation. (*\$13,553,020.76 increase*).

REASON FOR CHANGE ORDER:

In order to be ready for summer 2026 WEWTP start-up activities, construction of the Raw Water Delivery Facilities needs to start in 2024. This \$13,553,020.76 Guaranteed Maximum Price is based on HDR Engineering's 60% GMP (Civil, Structural & Process) Drawings and Specifications and Dick Anderson Construction's self-performance of the work. As design progresses toward final completion, value-engineering of the project may result in cost savings. When 100% Design Plans and Specifications are complete, DAC will solicit bids to install electrical and other work disciplines to ensure the City receives the best project construction value. The project team will assemble a future change order to add the electrical and possibly adjust other work discipline pricing downward based on comparison of bids to DAC's self-performed pricing.



ATTACHMENTS:

- Attachment 1: W.O. 19-12 Billings West End Reservoir, Change Order No. 2 (11pp., 11/6/24)

In consideration of the terms and performance contained herein, or attached and incorporated herein, the Owner and Contractor also agree to the following modifications to the Standard Agreement and General Conditions Between Owner and General Contractor/Construction Manager dated December 13, 2023:

1. ARTICLE 2 GENERAL PROVISIONS, Section 2.6 DEFINITIONS, 2.6.1.1. Add the following to the list of exhibits that are part of this Agreement:
 - EXHIBIT E: Attachment 1: W.O. 19-12 Billings West End Reservoir, Change Order No. 2, BBWA Raw Water Delivery – 60% Drawings, Assumptions and Calculations on which the GMP is Based, Contingency, Allowances, and 60% Schedule (11pp., 11/6/24)
 - EXHIBIT F: W.O. 19-12, West End Water Facility, BBWA Raw Water Delivery, 60% GMP (Civil, Structural & Process) Drawings and Project Manual (HDR, September 2024)
2. ARTICLE 6 TIME, Replace Section 6.1.1 with the following:
 - 6.1.1 SUBSTANTIAL/FINAL COMPLETION Based on a Work Notice to Proceed date of December 2, 2024, the Date of Substantial Completion for the BBWA Raw Water Delivery Facilities described in Change Order No. 2 is established as June 30, 2026, and the date of Final Completion is established as July 31, 2026. The dates for Substantial and Final Completion are subject to adjustments as provided for in the Contract Documents.
3. ARTICLE 6 TIME, Change Section 6.3.1 (m) to the following:
 - (m) adverse weather conditions: contract time for adverse weather conditions shall be evaluated in accordance with the City of Billings Standard Modifications to MPWSS, 6th Edition, Section 00900 – Standard Provisions, 2. Extension of Contract Time for Adverse Weather.
4. ARTICLE 16 SCOPE OF WORK, Add the following:
 - 16.4 SCOPE OF WORK – CHANGE ORDER NO. 2. Pursuant to Section 3.4 and ARTICLE 7, the Owner and CG/CM desire to establish an additional Guaranteed Maximum Price (GMP) for performance of the portion of Work in accordance with the exhibits listed below, which are part of this Agreement:
 - a) EXHIBIT E: Attachment 1: W.O. 19-12 Billings West End Reservoir, Change Order No. 2, BBWA Raw Water Delivery – 60% Drawings, Assumptions and Calculations on which the GMP is Based, Contingency, Allowances, and 60% Schedule (11pp., 11/6/24)
 - b) EXHIBIT F: W.O. 19-12, West End Water Facility, BBWA Raw Water Delivery, 60% GMP (Civil, Structural & Process) Drawings and Project Manual (HDR, September 2024)

The said Contract as hereby amended shall remain in full force and effect.

IN WITNESS WHEREOF the said Parties have caused this agreement to be executed as of the day and year signed below.



GENERAL CONTRACTOR/CONSTRUCTION MANAGER

Name: _____

By: _____

Title: _____

Date: _____

CITY OF BILLINGS, MONTANA

By: _____
Mayor

Date: _____

END OF DOCUMENT.

