

# 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. 3

OWNER: City of Billings

CONTRACTOR: Dick Anderson Construction, LLC

DATE: November 26, 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:	\$13,961,373.40
Contract Price Prior to this Change Order:	\$14,114,584.75
<b>Net Increase of this Change Order:</b>	<b>\$165,070.04</b>
Contract Price with all Approved Change Orders:	\$14,279,654.79

#### CHANGE IN CONTRACT TIME:

Original Contract Time:	N/A
Net Change from Previous Change Orders:	577
Contract Time Prior to this Change Order:	577
Net Increase of this Change Order:	0
Contract Time with all Approved Change Orders:	577

#### DESCRIPTION:

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

- Improve north reservoir site dewatering operations and obtain a SWPPP permit for the north and south reservoir cells. Work includes: cleaning out accumulated organics and other materials in the current pumping area, installing a deep pump well, extending 2 perforated pipes for future dewatering, adding electrical improvements, and placing 500CY of rock around the pump well. Work is for a Guaranteed Maximum Price to be paid on a time and materials basis (\$165,070.04 increase).

#### REASON FOR CHANGE ORDER:

Area improvements and installation of a deep-well submersible pump will allow for continuous and more efficient winter dewatering and contribute to the longer-term dewatering strategy for the north cell site. Groundwater in the area has been substantially reduced and freezing is an issue, so the existing skid-mounted pump is less effective. The pump's speed can only be turned-down to 60% resulting in intermittent pumping, operational and maintenance issues. Lead-time on the purchase of a submersible pump is 16 weeks, but Xylem will rent the same pump for half price until the new pump is delivered. In order that construction on the BBWA RWD project (Change Order No. 2) can start in the south cell area in December, the SWPP permit and BMPs are also included in this change order.



ATTACHMENTS:

- Dewatering Pump & Site Improvements, Change Order No. 3 (11pp., 11/26/24)

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 G: W.O. 19-12 Billings West End Reservoir Project, Dewatering Pump & Site Improvements, Change Order No. 3 (11pp., 11/26/24)
2. ARTICLE 16 SCOPE OF WORK, Add the following:
  - 16.4 SCOPE OF WORK – CHANGE ORDER NO. 3. 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 G: W.O. 19-12 Billings West End Reservoir Project, Dewatering Pump & Site Improvements, Change Order No. 3 (11pp., 11/26/24)

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.

