

AMENDMENT NO. TWENTY-FOUR (24)
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-FOUR (24) for Overlook Road Rehabilitation.

The general scope of work is to prepare plans, specifications, provide bidding assistance and construction administration/observation to rehabilitate the existing Overlook Road.

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.)
- 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.)
- Phase VI Project Closeout (Master Agreement Section 2.01 B.)

A2.02 Basic Services

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

- Prepare the scope of work (SOW) for design and construction administration, including coordination with Sponsor and FAA. Provide blank manhour sheet for independent fee review with SOW and preliminary exhibits.
- FAA items include CATEX, Airspace, Design Report, Grant Application for BIL funding, Certification documents, preliminary plans and specifications for review.
- Prepare Construction Estimates.
- Design Survey, pavement design, pavement marking, and traffic control plan. The road is 25 feet wide by 3,600 long.
- Prepare final Plans & Specifications for bidding.
- Provide bidding phase services including conducting a prebid meeting, answering bidder questions, issuing addenda if required, attend the bid opening, tabulate bids, prepare recommendations of award to Owner and FAA, Contract Documents, and review Buy American / DBE documents.
- Provide 21 calendar days of construction phase services to include full time construction observation, payment applications, weekly observation reports, review shop drawings and submittals, construction survey, and project closeout items.

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	December 2024
Phase II – Preliminary Design Engineering	January 2025
Phase III –Final Design Engineering	February 2025
Phase IV – Bidding Assistance	
• Advertise	March 2025
• Bid Opening	March 2025
Phase V - Construction Phase Services	June-August 2025
Phase VI – Project Closeout Services	January 2026

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 \$ 123,815 based on the following assumed distribution:

Phase	Method of Payment		Compensation
Phase I – Programming & Pre-Design Activities	Lump Sum		\$ 6,040
Phase II – Preliminary Design Services	Lump Sum		\$ 36,770
Phase III – Final Design Services	Lump Sum		\$ 20,890
Phase IV – Assistance in the Bidding Process	Cost Plus Fixed Fee		
	Direct Labor, Payroll & Overhead	\$5,626	
	Reimbursable Expenses	\$0	
	Subconsultant Costs	\$0	
	Estimated Total Cost	\$5,626	
	Fixed Fee	\$844	
	Total Estimated Compensation		\$ 6,470
Phase V - Construction Phase Services	Cost Plus Fixed Fee		
	Direct Labor, Payroll & Overhead	\$35,526	
	Reimbursable Expenses	\$1,355	
	Subconsultant Costs	\$5,000	
	Estimated Total Cost	\$41,881	
	Fixed Fee	\$5,329	
	Total Estimated Compensation		\$ 47,210
Phase VI – Project Closeout Services	Lump Sum		\$ 6,435
TOTAL COMPENSATION THIS TASK AMENDMENT			\$ 123,815

Section A6 - CONSULTANTS:

Rimrock Engineering for Geotechnical Investigation – Preliminary Design Phase.
Rimrock Engineering for Geotechnical Construction Phase Acceptance testing.

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 December 1, 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-FOUR (24) on

CONSULTANT

Morrison-Maierle, Inc.

BY: Jill Cook

DATE: 1/22/2025

OWNER

City of Billings

BY: _____

DATE: _____

ATTEST:

BY: _____
City Clerk

APPROVED AS TO FORM:

BY: _____
City Attorney

Exhibit A

TABLE 1A

Amendment 24 DESIGN ENGINEERING BUDGET

Engineering Services	Total Man-hours	Labor Rate	Total
Professional Services for	302	\$148.50	\$44,846
Expenses			
Vehicle (Company)		\$65	
Vehicle (Rental)		\$0	
Air Travel (Commercial)		\$0	
Air Travel (Charter)		\$0	
Meals		\$0	
Lodging		\$0	
Survey Supplies		\$1,000	
Survey Equipment		\$240	
Printing		\$40	
Full Size ALP Printing + Postage		\$0	
Total Expenses		\$1,345	
Professional Charges		\$10,780	subconsultants
Total MU Labor			\$44,846
Total Direct Expenses			\$1,345
Total Fixed Fee			<u>\$6,729</u>
Total MU Labor & Expenses & Fixed Fee			\$52,920
Professional Expenses			\$10,780
Total Lump Sum for Design Phase			\$63,700

TABLE 2A

**Amendment 24
ENGINEERING BUDGET
CONSTRUCTION ADMINISTRATION**

Engineering Services	Total Man-hours	Labor Rate	Total
Professional Services	334	\$139.95	\$46,745
Expenses			
Vehicle (Company)		\$288	
Vehicle (per Hour)		\$830	
Vehicle (Rental)		\$0	
Air Travel (Commercial)		\$0	
Air Travel (Charter)		\$0	
Meals		\$0	
Lodging		\$0	
Survey Supplies		\$0	
Survey Equipment		\$240	
Printing		\$0	
Full Size ALP Printing + Postage		\$0	
<u>Total Expenses</u>		<u>\$1,358</u>	
<u>Professional Charges</u>		\$5,000	subconsultants
Total MU Labor		\$46,745	
Total Direct Expenses		<u>\$1,358</u>	
Total MU Labor & Expenses		<u>\$48,103</u>	
Fixed Fee		\$7,012	
Professional Expenses		<u>\$5,000</u>	
Total Cost Plus Fixed Fee for Construction Phase		<u>\$60,115</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 Transit Camera System and Sidewalk Modifications			
PHASE I - DESIGN	TABLE 1A	\$25,200		\$25,200
PHASE II - CONSTRUCTION	TABLE 2A	\$9,317	\$1,383	\$10,700
TOTAL Amendment No. 21		\$34,517	\$1,383	\$35,900
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
Amendment No. 23	Pavement Condition Index Study			
PHASE I - DESIGN	TABLE 1A	\$72,330		\$72,330
PHASE II - CONSTRUCTION	TABLE 2A			\$0
TOTAL Amendment No. 23		\$72,330	\$0	\$72,330
Amendment No. 24	Overlook Road Rehabilitation			
PHASE I - DESIGN	TABLE 1A	\$63,700		\$63,700
PHASE II - CONSTRUCTION	TABLE 2A	\$53,103	\$7,012	\$60,115
TOTAL Amendment No. 24		\$116,803	\$7,012	\$123,815