

AMENDMENT NO. THIRTY-THREE (33)
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 THIRTY-THREE (33) for Pond E Expansion.

The general scope of work is to provide pre-design and design phase services, prepare plans, specifications, provide bidding assistance, construction administration and observation, and closeout services to expand the existing Pond E on the northwest end of the airport.

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:

Expansion of an existing detention pond on the northwest side of the Billings Logan Airport property. AC 150/5320-5D (Airport Drainage Design) and AC 150/5200-33C (Hazardous Wildlife Attractants on or near Airports) will be followed for design. HydroCAD will be used to calculate predevelopment flow rates and future impervious flow rates. The 100-year 24-hour storm will be used to calculate water storage. The detention pond will drain within the allowable maximum 48-hour detention pond period for the design storm. The outfall structure will allow water to exit the pond at the 5-year, 25-year and 50-year predevelopment rates to meet the City of Billings storm water requirements. New impervious infrastructure is proposed at the west end of the airport. The existing pond holds a 50-year storm event. The other ponds at the airport all hold 100-year storm events and meet the City of Billings standards.

This project will bring Pond E up to the City of Billings' standards and increase its size to accommodate a 100-year storm event for the west end area. Everything west of Taxiway "G" flows into Pond E through a 60" RCP pipe. Major design components include:

- Expand Pond E to detain a 100-year storm and release at pre-development rate.
- New discharge structure inside the pond; releasing at a 5-year, 25-year, and 50 year predevelopment rate.
- New discharge structure with erosion control at the exit of the pond.
- Calculate the pond area, showing all future impervious area as per the 2025 draft Master Plan exhibits.

Funding – The project will be funded with community grant and local share funding sources. The construction project is estimated at 60 calendar days for all removal, excavation, pavement section, and paving.

FAA design Items that need to be completed for the project:

- IFE
- CATEX
- Airspace
- Design Report – send to City of Billings
- Following investigation and survey work, no AIP dollars are anticipated to be used.

Project Design:

- Design Survey
- Geotech Investigation
- HydroCAD modeling
- Put in all new impervious areas following 2025 Master Plan exhibits.
- Specifications
- Cost estimate and bid items
- QA for plans, specifications, and quantities
- Final quantities for the bid package
- NO AGIS Survey is included in scope.

Bidding:

- Prebid meeting
- Addenda – if required
- Bid Opening
- Tabulate bids and prepare recommendations of award
- Notice of Award and Contract Documents
- Buy American and DBE items

Project Construction Administration:

- Observation time – 60 calendar days
- Prepare Construction Payment Applications
- Weekly observation reports

- Review Shop Drawings and Submittals
- Construction Survey
- Review of all geotech reports and acceptance testing
- Record drawings
- Review of DBE, lien release, closeout report

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 2025
Phase II – Preliminary Design Engineering	January 2026
Phase III –Final Design Engineering	February 2026
Phase IV – Bidding Assistance	
• Advertise	March 2026
• Bid Opening	March 2026
Phase V - Construction Phase Services	July-October 2026
Phase VI – Project Closeout Services	Fall/Winter 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 227.47 %.
- 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 \$ 251,100.00 based on the following assumed distribution:

Phase	Method of Payment		Compensation
Phase I – Programming & Pre-Design Activities	Lump Sum		\$ 8,420
Phase II – Preliminary Design Services	Lump Sum		\$ 59,350
Phase III – Final Design Services	Lump Sum		\$ 54,840
Phase IV – Assistance in the Bidding Process	Cost Plus Fixed Fee		
	Direct Labor, Payroll & Overhead	\$6,579	
	Reimbursable Expenses	\$0	
	Subconsultant Costs	\$0	
	Estimated Total Cost	\$6,579	
	Fixed Fee	\$987	
	Total Estimated Compensation		\$ 7,570
Phase V - Construction Phase Services	Cost Plus Fixed Fee		
	Direct Labor, Payroll & Overhead	\$84,454	
	Reimbursable Expenses	\$5,648	
	Subconsultant Costs	\$10,000	
	Estimated Total Cost	\$100,102	
	Fixed Fee	\$12,668	
	Total Estimated Compensation		\$ 112,770
Phase VI – Project Closeout Services	Lump Sum		\$ 8,150
TOTAL COMPENSATION THIS TASK AMENDMENT			\$ 251,100

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 15, 2025, 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 THIRTY-THREE (33) on

CONSULTANT

Morrison-Maierle, Inc.

BY: *Bill A Cook*

DATE: 1/7/2026

OWNER

City of Billings

BY: _____

DATE: _____

ATTEST:

BY: _____
City Clerk

APPROVED AS TO FORM:

BY: _____
City Attorney

Exhibit A

TABLE 1A

Amendment 33 DESIGN ENGINEERING BUDGET

Engineering Services	Total Man-hours	Labor Rate	Total
Professional Services for	539	\$181.66	\$97,915
Expenses			
Vehicle (Company)	\$106		
Vehicle (Rental)	\$0		
Air Travel (Commercial)	\$0		
Air Travel (Charter)	\$0		
Meals	\$0		
Lodging	\$0		
Survey Supplies	\$1,500		
Survey Equipment	\$360		
Printing	\$40		
Full Size ALP Printing + Postage	\$0		
Total Expenses	\$2,006		
Professional Charges	\$8,000	subconsultants	
Total MU Labor			\$97,915
Total Direct Expenses			\$2,006
Total Fixed Fee			\$14,689
Total MU Labor & Expenses & Fixed Fee			<u>\$114,610</u>
Professional Expenses			\$8,000
Total Lump Sum for Design Phase			\$122,610

TABLE 2A

**Amendment 33
ENGINEERING BUDGET
CONSTRUCTION ADMINISTRATION**

Engineering Services	Total Man-hours	Labor Rate	Total
Professional Services	635	\$154.53	\$98,123

Expenses

Vehicle (Company)	\$778
Vehicle (per Hour)	\$2,150
Vehicle (Rental)	\$0
Air Travel (Commercial)	\$0
Air Travel (Charter)	\$0
Meals	\$0
Lodging	\$0
Survey Supplies	\$2,000
Survey Equipment	\$720
Printing	\$0
Full Size ALP Printing + Postage	\$0
Total Expenses	\$5,648
<u>Professional Charges</u>	<u>\$10,000</u> consultants

Total MU Labor	\$98,123
Total Direct Expenses	<u>\$5,648</u>
Total MU Labor & Expenses	\$103,771
Fixed Fee	\$14,719
Professional Expenses	<u>\$10,000</u>
Total Cost Plus Fixed Fee for Construction Phase	<u>\$128,490</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
Amendment No. 25	2025 Land Acquisition			
PHASE I - DESIGN	TABLE 1A	\$24,020		\$24,020
PHASE II - CONSTRUCTION	TABLE 2A	\$0	\$0	\$0
TOTAL Amendment No. 25		\$24,020	\$0	\$24,020
Amendment No. 26	MET Transit Addition Construction Administration			
PHASE I - DESIGN	TABLE 1A			
PHASE II - CONSTRUCTION	TABLE 2A	\$25,000	\$0	\$25,000
TOTAL Amendment No. 26		\$25,000	\$0	\$25,000
Amendment No. 27	Terminal Ticket Area			
PHASE I - DESIGN	TABLE 1A	\$1,019,570		\$1,019,570
PHASE II - CONSTRUCTION	TABLE 2A	\$0	\$0	\$0
TOTAL Amendment No. 27		\$1,019,570	\$0	\$1,019,570

Summary of Agreements for Professional Engineering Services (Cont.)				
Description		Labor & Expenses	Fixed Fee	Total
Amendment No. 28 Runway 7/25 Construction Administration				
PHASE I - DESIGN	TABLE 1A	\$27,000	\$0	\$27,000
PHASE II - CONSTRUCTION	TABLE 2A	\$550,385	\$73,175	\$623,560
TOTAL Amendment No. 28		\$577,385	\$73,175	\$650,560
Amendment No. 29 MET Transit Addition Construction Administration				
PHASE I - DESIGN	TABLE 1A			\$0
PHASE II - CONSTRUCTION	TABLE 2A	\$20,000		\$20,000
TOTAL Amendment No. 29		\$20,000	\$0	\$20,000
Amendment No. 30 FY26 On Call				
PHASE I - DESIGN	TABLE 1A	\$24,999		\$24,999
PHASE II - CONSTRUCTION	TABLE 2A			
TOTAL Amendment No. 30		\$24,999	\$0	\$24,999
Amendment No. 31 Terminal Ticket Area - Final Design & Bidding				
PHASE I - DESIGN	TABLE 1A	\$740,700	\$0	\$740,700
PHASE II - CONSTRUCTION	TABLE 2A	\$35,162	\$2,138	\$37,300
TOTAL Amendment No. 31		\$775,862	\$2,138	\$778,000
Amendment No. 32 2026 Taxilane Construction				
PHASE I - DESIGN	TABLE 1A	\$115,780	\$0	\$115,780
PHASE II - CONSTRUCTION	TABLE 2A	\$150,348	\$19,002	\$169,350
TOTAL Amendment No. 32		\$266,128	\$19,002	\$285,130
Amendment No. 33 Pond E Expansion				
PHASE I - DESIGN	TABLE 1A	\$122,610	\$0	\$122,610
PHASE II - CONSTRUCTION	TABLE 2A	\$113,772	\$14,718	\$128,490
TOTAL Amendment No. 33		\$236,382	\$14,718	\$251,100