

## **RESOLUTION NO. R18-27**

**A RESOLUTION AUTHORIZING AND APPROVING ADDITIONAL SERVICES BY KLJ UNDER THE TASK ORDER FOR PLANNING SERVICES APPROVED VIA RESOLUTION NO. R18-12 CONSTITUTING THE PREPARATION OF AND ASSISTANCE WITH THE ADOPTION OF NEW FLOODPLAIN REGULATIONS FOR THE CITY OF LAUREL, MONTANA.**

WHEREAS, the City of Laurel's participation in the National Flood Insurance Program (NFIP) is based upon a mutual agreement with the Federal Emergency Management Agency (FEMA); and

WHEREAS, in return for the local adoption and enforcement of floodplain management regulations that meet the minimum criteria of the NFIP, FEMA provides the availability of flood insurance coverage within the City of Laurel; and

WHEREAS, FEMA periodically evaluates the administration and enforcement of the floodplain regulations and provides updates to Flood Insurance Rate Maps and Flood Plain Management Regulations; and

WHEREAS, FEMA has the authority to impose penalties up to and including suspension from the NFIP should the City not adopt and enforce compliant Flood Plain Management Regulations; and

WHEREAS, the Montana Department of Natural Resources and Conservation (DNRC) supports the NFIP and serves as the State liaison with FEMA to coordinate activities and provide support, technical assistance, training, and outreach to City officials in the execution of their duties to identify, prevent, and resolve floodplain management issues; and

WHEREAS, it is the intent of the Flood Plain Hazard Management regulations to provide for the safety of the residents living or working along the rivers, streams and drainages in the City of Laurel by adopting land uses and reasonable limitations on construction activities; and

WHEREAS, the purpose of this chapter is to promote the public health, general welfare, and safety; to minimize flood losses in areas subject to flood hazards; to preserve and enhance natural watercourses; and to promote wise use of the floodplain; and

WHEREAS, the City of Laurel 2013 Flood Plain Hazard Management Regulations have been deemed to be inadequate by DNRC and must be updated to comply with the minimum requirements imposed upon the City by FEMA and DNRC.


NOW THEREFORE BE IT RESOLVED by the City Council of the City of Laurel, Montana, that KLJ is authorized to prepare new Floodplain Regulations and to assist the City throughout the subsequent local adoption process as required by FEMA and DNRC; and

BE IT FURTHER RESOLVED, the Mayor and City Clerk are authorized to execute any agreements, forms or documents required to effectuate this Resolution.

Introduced at a meeting of the City Council on June 5, 2018, by Council Member McGee \_\_\_\_\_.

PASSED and ADOPTED by the City Council of the City of Laurel, Montana, this 5<sup>th</sup> day of June 2018.

CITY OF LAUREL

  
\_\_\_\_\_  
Thomas C. Nelson, Mayor

ATTEST:

  
\_\_\_\_\_  
Bethany Langve, Clerk-Treasurer

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Sam Painter Civil City Attorney

DEPARTMENT OF NATURAL RESOURCES  
AND CONSERVATION



STEVE BULLOCK  
GOVERNOR

DIRECTOR'S OFFICE (406) 444-2074  
TELEFAX NUMBER (406) 444-2654

STATE OF MONTANA

WATER RESOURCES DIVISION (406) 444-6601  
TELEFAX NUMBERS (406) 444-0533 / (406) 444-5918  
<http://www.dnrc.mt.gov>

1121 9TH AVENUE  
PO BOX 201631  
HELENA, MONTANA 59620-1631

*Call  
DNRC  
STATUS update*

May 26, 2016

City of Laurel Floodplain Administrator  
Noel Eaton  
P.O. Box 10  
Laurel, MT 59044

Dear Noel:

I hope this letter finds you well. I would like to thank you for meeting with me on January 4, 2016. Please allow this letter and the attached Community Assistance Visit (CAV) Reports to serve as a summary of the relevant points covered during the visit.

After careful review of the City of Laurel's floodplain program, there were a few items that we will need to follow-up with the community on:

1. The City of Laurel will need to update their ordinances within six months of the date of this Community Assistance Visit follow-up letter. The community will need to update their ordinance to the 2014 model and include the 2016 LOMR. If additional time is needed for the ordinance update, then the community should submit written request to me.
2. The community needs to continue to provide information on the mitigation, enforcement and permit activities in the SFHA.
3. DNRC Floodplain program will continue to work with Noel on training for mapping products and tools.
4. DNRC will send a copy of the FIS to the community and work with Laurel on the ordinance update.
5. DNRC will provide additional information on floodproofing for the applicant and the community.
6. DNRC will provide an example of a Recovery Plan to the community.
7. The community should continue to educate landowners about permit requirements and development practices along the river and in designated floodplains.
8. Additional outreach and education should be performed annually throughout the community to highlight the benefits of flood insurance.
9. Please review and provide comments on the attached CAV report for any errors or information that may have been left out.

As mentioned previously, it is required that both DNRC and FEMA approve any changes to your floodplain regulations prior to adoption. It is a required review process as well as a benefit for the community to make sure the updated regulations meet both state and federal regulations.

Once the time comes, I will be available to work with you throughout this process to assist with any questions and concerns. Here is my contact information, along with information for the National Flood Insurance Program (NFIP) Specialist for Montana, Marijo Brady. Please feel free to contact either one of us with questions:

Traci Sears  
NFIP Coordinator  
Montana DNRC  
Floodplain Program  
1424 9<sup>th</sup> Ave.  
Helena, MT 59620  
406-444-6654  
[tsears@mt.gov](mailto:tsears@mt.gov)

Marijo Brady  
NFIP Specialist  
FEMA Region VIII  
P.O. Box 25267  
DFC, Bldg 710  
Denver, CO 80225  
303-235-4835  
[marijo.brady@dhs.gov](mailto:marijo.brady@dhs.gov)

I know that in the last few months, you have been actively working with Sam Johnson, DNRC Regional Engineer, on floodplain projects and information. I encourage the community to continue to utilize our DNRC Floodplain Program as a community resource.

I look forward to talking with you soon and please call me with any questions you may have concerning this letter or the enclosed CAV reports.

Sincerely,



Traci Sears, CFM  
National Flood Insurance Program (NFIP) Coordinator  
Montana DNRC Floodplain Program  
1424 9<sup>th</sup> Ave.  
Helena, MT 59620-1601  
406-444-6654  
[tsears@mt.gov](mailto:tsears@mt.gov)

cc: Marijo Brady, FEMA; Sam Johnson, Montana DNRC

Attachments: Community Assistance Report (Draft)

COMMUNITY ASSISTANCE VISIT REPORT  
CITY OF LAUREL  
YELLOWSTONE COUNTY, MONTANA  
JANUARY 4, 2016

**FINDINGS:**

- 1) **Community Floodplain Management Regulations** – (Are there any problems – Serious – Minor – None - N/A) - Minor

Laurel regulates development within the identified floodplain via an Ordinance amending Chapter 15.70 of the Laurel Municipal Code “Floodplain Regulations” effective November 1, 2013. A review of this ordinance has found the majority of the document in compliance with the requirements of section 60.3 of Title 44, of the Code of Federal Regulations (44CFR). The only minor issue with the ordinance is the state model used for this local ordinance

Section 1.7, the responsibility of floodplain administration is with the office of planning. Copies of the ordinance are available in the Clerk and Recorders and Planning Offices.

**Issues:**

Currently, the effective ordinance is based on the 2013 version of the State Model Floodplain Ordinance and is an older version of the State Model completed in 2014. The community will also need to include the LOMR 15-08-1029P to reflect the change in jurisdictional area for the SFHA.

**Remedies:**

The community should look into updating their ordinance to reflect the small changes to the state 2013 version and to include LOMR 15-08-1029P dated January 8, 2016.

The community was provided a copy of the 2014 State Model Floodplain Ordinance which is also available for download at [www.mtfloodplain.mt.gov](http://www.mtfloodplain.mt.gov). Traci Sears with Montana DNRC encouraged the community to work with DNRC and FEMA in the updating or amending of the ordinance.

- 2) **Engineering or other problems with the maps of Flood Insurance Study** – (Are there any problems with the community administrative and enforcement procedures – Serious-Minor-None-N/A) – Minor.

The current effective Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRMs) are dated November 6, 2013.

The 2013 FIS and FIRMs amended the initial detailed Flood Insurance Study (FIS) with an effective date of July 6, 1982 and the accompanying Flood Insurance Rate Maps that went effective January 6, 1983.

**Issues:**

Noel refers to the FIRMs and FIS when needed. She would like some additional training on how to use the maps and Flood Insurance Study. Noel is not aware of any issues or changes to the Special Flood Hazard Area (SFHA) since November 6, 2013. The community requested an additional copy of the FIS for the City of Laurel.

The community will also need to amend their current ordinance to reflect LOMR 15-08-1029P.

**Remedies:**

DNRC Floodplain program will continue to work with Noel on training for mapping products and tools.

DNRC will send a copy of the FIS to the community and work with Laurel on the ordinance update.

- 3) **Biennial Report Data** – (Are there any problems with the community Biennial Report Data – Major-Minor-None-N/A) - Minor

Per FEMA Region VIII, at this time FEMA is not requiring submittal of community Biennial reports.

- 4) **Violations/Enforcement** – (Are there any potential violations of the community management regulations? – Yes-No-N/A) Minor

At the time of the CAV, Laurel was not aware of any violations.

**Issues:**

In March, 2016 the community started an enforcement procedures on a new gas station that is going into the SFHA. The community has asked for additional information on floodproofing for the applicant and the community.

**Remedies:**

The community is working with DNRC to help resolve this enforcement issue. It is important that the community is familiar with the NFIP program. DNRC is also working closely with the Department of Environmental Quality (DEQ) – underground storage division. Traci Sears and Steve Story with DNRC Floodplain program met with DEQ representatives to go over the NFIP and local floodplain programs. Both agencies are dedicated to moving forward with improved collaboration and understanding.

DNRC will provide additional information on floodproofing for the applicant and the community.

- 5) **Administration and Enforcement Procedures** – (Are there any problems with the community administrative and enforcement procedures? – Serious-Minor-None-N/A) Minor

The initial detailed Flood Insurance Study (FIS) with accompanying Flood Insurance Rate Maps (FIRMs) went effective on November 6, 2013. As a condition of continued participation in the NFIP, the City of Laurel was required to adopt floodplain

management regulations that accepted the FIS and accompanying maps as well as meeting local, state, and federal requirements. Laurel has adopted floodplain management regulations consistent with those required under Montana State Statute, Title 76, and Chapter 5. According to 44 CFR 60.3 (d), the City of Laurel has adopted Level "D" Floodplain Regulations. The study and maps are the primary tools used by the local floodplain administrator in assuring that all development in the designated floodplain meets the standards set forth in the floodplain management regulations.

The City Planner, Noel Eaton, has assumed the duties of the floodplain administrator for the City of Laurel. She is new to the floodplain program and is eager to be educated and trained on the local program and the NFIP. Section 1.07, identified the responsibility for Floodplain Administration with the City of Laurel planning office. Floodplain permits are separate from all other permits; i.e. building permits.

Information provided to the community included:

- Answers to Questions on the NFIP
- The Benefits of Flood Insurance Versus Disaster Assistance
- Reducing Damage from Localized Flooding
- E273 Manual

- 6) **Floodplain Management Program** – (Are there any other problems in the community's floodplain management program – Serious-Minor-None-N/A) Minor

The instances of floodplain permit applications were minimal and Traci Sears and Sam Johnson with Montana DNRC assisted with reviews and information for the community. There have been no variances or appeals issued or submitted by the community in the last year.

**Issues:**

Permits may have been required for emergency projects/activities that may have occurred in the designated floodplain. It is also important for the community to recognize any type of development in the 100-year floodplain should have a floodplain permit; i.e. Substantial improvements, fill, retaining walls, etc...

**Remedies:**

Training is a key component in understanding the requirements and responsibilities of the local floodplain program. Montana DNRC provides training throughout the year to local communities and various stakeholders. DNRC provides training information and on-line training modules (currently in draft form) at [www.mtfloodplain.mt.gov](http://www.mtfloodplain.mt.gov).

- 7) **Programmatic issue or problems identified** – (Yes-No) – Yes  
(Programmatic problems relate to the nation or region, not just a community)

**Issues:**

- A. Careful and well thought decisions should be made when doing any type of development in and around a designated or natural floodplain.
- B. Flood Insurance outreach should be a main component for a local floodplain program.

**Remedies:**

- A. The community should continue to educate landowners about permit requirements and development practices along the river and in designated floodplains.
- B. Additional outreach and education should be performed annually throughout the community to highlight the benefits of flood insurance.

**NARRATIVE:**

**1) Community Background Notes:**

Laurel is located in the southwestern corner of Yellowstone County, in south-central Montana, in Yellowstone County. The principal industries in Laurel include an oil refinery, a large railroad yard, and a modular home plant. Land use in Laurel consists of agricultural pasture, dryland, farming, irrigated crops, and urban development. Development along Italian Ditch consists of business districts and industrial parks. Nutting Ditch is located in a rapidly growing residential area consisting of home sites and subdivisions.

Several small tributaries such as Clarks Fork Ditch, Italian Ditch, and Nutting Ditch, and a major tributary, Clarks Fork Yellowstone River, join Yellowstone River near Laurel. The topography of the community consists of gently sloping floodplains and alluvial fans rising to local terraces.

The runoff water causing flooding problems within the corporate limits of Laurel originates as rainfall runoff from local drainage areas surrounding the city. Floodwaters in the Italian Ditch and Main Street study reaches originate from an ungauged area west of Laurel. Flooding on May 18, 1978, was the worst in the history of Laurel and was used as the basis for the Main Street and Italian Ditch Studies. Major floods of record on Yellowstone River occurred in 1918, 1943, 1944, 1967, 1974, 1975, and 2011.

Laurel entered the regular phase of the NFIP on January 6, 1983.

**2) Mitigation Grants Notes:**

Yellowstone County and the City of Laurel adopted Multi-Jurisdictional Pre-Disaster Mitigation Plan Update in 2012. The community is working on several grant opportunities to assist in the relocation and update to the water intake system. The community is closing out the riprap project on Riverside Park.

There is a concern on the ongoing erosion issues downstream of the bridge and near Riverside Park. The community would also like to get an example of a Recovery Plan to start putting together.

**3) Other Findings Notes:**

The community is interested in all training opportunities to assist the planner/floodplain administrator. Ms. Sears briefly discussed floodplain training opportunities to include



DNRC, EMI, and AMFM conference. Noel was able to attend the AMFM conference that was held in Fairmont.

**4) General CAV Notes**

The following Community Assistance Visit Report narrative has been prepared by Traci Sears with the Montana Department of Natural Resources and Conservation (DNRC). Traci met with Noel Eaton the Planner and Floodplain Administrator for the City of Laurel on January 4, 2016 to conduct a CAV and basic Floodplain training. Floodplain materials were distributed and discussed.

The last CAV for the community occurred on June 16, 2013. As of January 4, 2016 CIS Insurance Overview shows that there are currently 13 floodplain policies in place for this community and 11 paid losses.

**5) E.O. 11988 Notes:**

Federal activities/projects need to consider floodplain requirements in the design and project construction. Also, the community is aware that prior to issuing a permit, they are required to make sure all other applicable (federal, state, and local agency) applications and permits have been received/issued for projects located in the designated floodplain.

**6) Community Action Needed Notes:**

- A. The community needs to continue to provide information on the mitigation, enforcement and permit activities in the SFHA.
- B. The community will need to update their ordinance to the 2014 model and include the 2016 LOMR.
- C. DNRC Floodplain program will continue to work with Noel on training for mapping products and tools.
- D. DNRC will send a copy of the FIS to the community and work with Laurel on the ordinance update.
- E. DNRC will provide additional information on floodproofing for the applicant and the community.
- F. DNRC will provide an example of a Recovery Plan to the community.
- G. The community should continue to educate landowners about permit requirements and development practices along the river and in designated floodplains.
- H. Additional outreach and education should be performed annually throughout the community to highlight the benefits of flood insurance.

RESOLUTION NO. R18-12

**A RESOLUTION APPROVING A TASK ORDER THAT PROVIDES FOR PLANNING SERVICES FOR THE CITY ISSUED PURSUANT TO THE MASTER SERVICES AGREEMENT BETWEEN THE CITY OF LAUREL AND KLJ ENGINEERING.**

WHEREAS, the City of Laurel's planning services were previously provided by a full time City Planner who was an employee of the City, who recently resigned; and

WHEREAS, the City intends to advertise, locate and hire a qualified replacement for the city planner position, however such action will take time and effort; and

WHEREAS, the City currently has ongoing tasks within the planning department that requires a temporary consultant to perform such services until a full-time planner is located and hired; and

WHEREAS, the City's on-call engineers (KLJ Engineering) employs qualified staff who are able to provide planning services for the City of Laurel on a temporary basis to enable the City's planning department to continue operating until a full-time planner is located and hired; and

WHEREAS, the City requested KLJ prepare the attached Task Order for the City Council's consideration, which includes the terms and conditions for their provision of planning services; and

WHEREAS, the Mayor and City Staff have determined the attached Task Order is in the best interest of the City and recommends the City Council approving the attached Task Order for the provision of the City's planning services until a full time planner is located and hired.

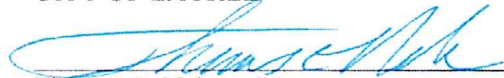
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana, the Mayor and City Clerk are authorized to execute the attached Task Order for the provision of the City's planning services until a full time City Planner is located and hired.

Introduced at a meeting of the City Council on March 20, 2018, by Council Member Herr \_\_\_\_\_.


PASSED and ADOPTED by the City Council of the City of Laurel, Montana, this 20th day of March, 2018.

APPROVED by the Mayor this 20<sup>th</sup> day of March, 2018.

CITY OF LAUREL

  
Thomas C. Nelson, Mayor

ATTEST:

  
Bethany Keeler, Clerk-Treasurer

APPROVED AS TO FORM:

  
Sam Painter, Civil City Attorney



2611 Gabel Road  
Billings, MT 16102-7379  
406.241.5499  
KLJMS.COM

March 7, 2018

Kurt Markegard  
Public Works Director  
City of Laurel  
Via email: kmarkegard@laurel.mt.gov

Re: City of Laurel Planning Services

Dear Kurt:

The draft task order for City of Laurel Planning services is enclosed for your review and comment. Please take your time to read through the details and let us know if you have any questions or corrections. The scope of services aligns with our understanding of your conversation with Forrest Sanderson last Friday, March 2nd.

The master services agreement (Agreement) that was executed on December 5, 2017 applies to all task orders, unless indicated otherwise in each specific task order. For example, Exhibit A in the Agreement was replaced by the Exhibit A attached to this task order; however, Exhibit B along with other exhibits attached to the Agreement are incorporated by reference. Due to the unique nature of the requested planning services, we made a revision to Exhibit C, which is noted on the task order.

Once again, thank you very much for this opportunity. We look forward to providing these services to the City of Laurel.

Sincerely,

KLJ

A handwritten signature in blue ink that reads "Forrest Sanderson".

FOR

Forrest Sanderson, AICP, CFM  
Project Manager

Enclosure(s): as noted  
cc: file

This is a Task Order for KLJ Project No. 1804-00554, consisting of four (4) pages, plus attachments.

## Task Order: City of Laurel Planning Services

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In accordance with Paragraph 1.01 of the Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated December 5, 2017 ("Agreement"), Owner and Engineer agree as follows:

### 1. Background Data

- A. Effective Date of Task Order: March 20, 2018
- B. Owner: City of Laurel
- C. Engineer: Kadrmas, Lee & Jackson, Inc. (dba "KLJ")
- D. Specific Project (title): City of Laurel Planning Services
- E. Specific Project (description): Planning services related to subdivision, zoning, development, floodplain hazard management, reviews and other related work

### 2. Services of Engineer

- A. The specific services to be provided or furnished by Engineer under this Task Order are:  
Set forth in Part 1—Basic Services of Exhibit A, "Engineer's Services for Task Order," modified for this specific Task Order, and attached to and incorporated as part of this Task Order.
- B. Resident Project Representative (RPR) Services – Not Used
- C. Designing to a Construction Cost Limit – Not Used
- D. Other Services – Not Used
- E. All of the services included above comprise Basic Services for purposes of Engineer's compensation under this Task Order.

### 3. Additional Services

- A. Additional Services that may be authorized or necessary under this Task Order are:  
Set forth in Part 2—Additional Services of Exhibit A, "Engineer's Services for Task Order," modified for this specific Task Order, and attached to and incorporated as part of this Task Order.

### 4. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 of the Agreement and in Exhibit B.

## 5. Task Order Schedule

Planning services shall be completed within the timelines found in the applicable local regulations or Montana Law. It is anticipated that services will be provided "on-call" throughout the duration of the Agreement, upon request of Owner.

## 6. Payments to Engineer

A. Owner shall pay Engineer for services rendered under this Task Order as follows:

Description of Service	Amount	Basis of Compensation
1. Basic Services (Part 1)	\$ (tbd)	Direct Labor
2. Additional Services (Part 2)	\$ (tbd)	Direct Labor

~~\*Based on a [ ] month continuous construction period.~~

~~Compensation items and totals based in whole or in part on Hourly Rates or Direct Labor are estimates only. Lump sum amounts and estimated totals included in the breakdown by phases incorporate Engineer's labor, overhead, profit, reimbursable expenses (if any), and Consultants' charges, if any. For lump sum items, Engineer may alter the distribution of compensation between individual phases (line items) to be consistent with services actually rendered, but shall not exceed the total lump sum compensation amount unless approved in writing by the Owner.~~

B. The terms of payment are set forth in Article 4 of the Agreement and in the applicable governing provisions of Exhibit C.

## 7. Consultants retained as of the Effective Date of the Task Order: None

## 8. Other Modifications to Agreement and Exhibits:

Agreement Exhibit C "Payments to Engineer for Services and Reimbursable Expenses" Article 2, Part C2.02 is modified as follows. All other parts of Agreement Exhibit C remain unchanged.

C. Direct Labor Costs Times a Factor

- For the specified category of services, Owner shall pay Engineer an amount equal to Engineer's Direct Labor Costs times a factor of 3.4 for the services of Engineer's employees engaged on the Specific Project. Direct Labor Costs means salaries and wages paid to employees but does not include payroll-related costs or benefits. Under this method, Engineer shall also be entitled to reimbursement from Owner for the expenses identified in Paragraph C2.03 below, and Appendix 1.
- Engineer's Reimbursable Expenses Schedule is attached to this Exhibit as Appendix 1.
- ~~The total estimated compensation for the specified category of services shall be stated in the Task Order. The scope of Engineer's services related to the Task Order is difficult to quantify, and total estimated compensation is indeterminable; therefore, Owner shall pay Engineer on~~



an hourly (time and materials) basis for services related to the Task Order. Upon request by Owner, Engineer shall provide estimated fees for specific tasks prior to beginning such tasks identified as Basic Services (Part 1) or Additional Services (Part 2). This total-estimated compensation incorporates all labor, overhead, profit, and reimbursable expenses (including Consultant's charges, if any).

4. The amounts billed will be based on the applicable Direct Labor Costs for the cumulative hours charged to the specified category of services on the Specific Project during the billing period times the above-designated factor, plus reimbursable expenses (including Consultant's charges, if any).
5. The Direct Labor Costs and the factor applied to Direct Labor Costs will be adjusted annually (as of January 1) to reflect equitable changes in the compensation payable to Engineer.

**9. Attachments:**

Exhibit A – Engineer's Services for Task Order

**10. Other Documents Incorporated by Reference:**

December 5, 2017 Agreement between Owner and Engineer for Professional Services, Task Order Edition

**11. Terms and Conditions**

Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is March 20, 2018.

OWNER: City of Laurel

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

ENGINEER: Kadrmas, Lee & Jackson, Inc.

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Engineer License or Firm's

Certificate No. (if required): \_\_\_\_\_

State of: \_\_\_\_\_

PEL-EF-LIC-37

Montana

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Kurt Markegard

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Forrest Sanderson, AICP, CFM

Title: Director of Public Works

Address: PO Box 10  
Laurel, MT 59044

E-Mail  
Address: kmarkegard@laurel.mt.gov

Phone: 406-628-4796

Title: Planner

Address: PO Box 80303  
Billings, MT 59108

E-Mail  
Address: forrest.sanderson@kljeng.com

Phone: 406-245-5499

**Engineer's Services for Task Order: City of Laurel Planning Services**

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**PART 1—BASIC SERVICES**

**A1.01 Planning Services**

- A. As Basic Services and upon request by Owner, Engineer shall:
1. Consult with Owner to define and clarify Owner's requirements, including objectives and constraints, space, capacity and performance requirements, flexibility, expandability, and any budgetary limitations, and identify available data, information, reports, facilities plans, and site evaluations.
  2. Conduct site visits to review existing conditions and facilities, unless such visits are not necessary or applicable.
  3. Advise Owner of any need for Owner to obtain, furnish, or otherwise make available to Engineer additional relevant data and information, for Engineer's use in providing planning services.
  4. After consultation with Owner, recommend to Owner the solution(s) which in Engineer's judgment meet Owner's requirements.
  5. Identify, consult with, and analyze requirements of applicable governmental authorities or other stakeholders on a case-by-case basis.
  6. Advise Owner of any need for Owner's legal counsel to review and approve Engineer's evaluations and recommendations, and review such matters with Owner's legal counsel.
  7. Advise Owner of any need for Owner to provide data or services of the types described in Exhibit B.
  8. Provide on-call planning and related technical support services (engineering, surveying, etc.) related to the following:
    - a. Capital improvement plan reviews
    - b. Subdivision reviews
    - c. Annexation requests
    - d. Zoning reviews
    - e. Special reviews, conditional uses, and similar requests
    - f. Variance requests
    - g. Site plan reviews



- h. Development application reviews
  - i. Impact fee assessments
  - j. Floodplain reviews and administration
  - k. Permit reviews as submitted by an outside applicant
  - l. Review and recommend updates, revisions or amendments to local regulations, codes, standards, etc.
  - m. Other planning-related tasks requested by Owner
9. Prepare staff reports and recommendations to Owner.
10. Attend and/or facilitate public hearings, City Council meetings, workshops, board/committee meetings, etc.
- B. Engineer's services shall be completed within the timelines found in the applicable local regulations or Montana Law. It is anticipated that services will be provided "on-call" throughout the duration of the Agreement, upon request of Owner.

## **PART 2—ADDITIONAL SERVICES**

### *A2.01 Additional Services Requiring an Amendment to Task Order*

- A. *Advance Written Authorization Required:* During performance under a Task Order, Owner may authorize Engineer in writing to furnish or obtain from others Additional Services of the types listed below. Unless expressly indicated above or in the specific Task Order to be included Basic Services, the following services are not included as part of Basic Services and will be paid for by Owner as Additional Services, using the basis of compensation for Additional Services, as indicated in the specific Task Order.
- 1. Preparing updates, revisions or amendments to local regulations, codes, standards, etc. listed below, and providing drafts of such documents to Owner's legal counsel for review and approval by Owner:
    - a. Subdivision regulations
    - b. Zoning regulations or maps
    - c. Floodplain regulations
    - d. City code updates
    - e. Growth policy preparation or update to existing
    - f. Design standards for public and private infrastructure
    - g. Standard specifications for construction of public and private infrastructure
    - h. Capital Improvement plan and updates

2. Preparation of applications and supporting documents (in addition to those furnished under Basic Services) for private or governmental grants, loans, or advances in connection with a specific project; and preparation or review of environmental assessments and impact statements, or other environmental-related field work and permitting tasks.
  3. Services to make measured drawings of existing conditions or facilities, to conduct tests or investigations of existing conditions or facilities, or to verify the accuracy of drawings or other information furnished by Owner or others.
  4. Assistance to Owner in training Owner's staff.
  5. Services required as a result of Owner's providing incomplete or incorrect information to Engineer.
  6. Providing renderings or 3-D (artistic) models for Owner's use.
  7. Furnishing services of Consultants for other than Basic Services.
  8. Providing data or services of the types described in Exhibit B, when Owner retains Engineer to provide such data or services instead of Owner furnishing the same.
  9. Services during out-of-town travel required of Engineer, upon request of Owner, necessary to complete Basic Services.
  10. Preparing to serve or serving as a consultant or witness for Owner in any litigation, arbitration, mediation, lien or bond claim, or other legal or administrative proceeding.
  11. Overtime work requiring higher than regular rates.
  12. Provide assistance in responding to the presence of any Constituent of Concern at any project site, in compliance with current Laws and Regulations.
  13. The nature of technical support (engineering, surveying, etc.) described in A1.01.A.8 above is to assist with planning-related services. Providing engineering and surveying related to preliminary engineering, design, bidding, construction and post-construction phase services is not included.
  14. Other additional services performed or furnished by Engineer not otherwise provided for in this Agreement.
- B. *Advance Written Authorization Not Required:* Engineer shall advise Owner in advance that Engineer will immediately commence to perform or furnish the Additional Services of the types listed below. For such Additional Services, Engineer need not request or obtain specific advance written authorization from Owner. Engineer shall cease performing or furnishing such Additional Services upon receipt of written notice from Owner. Unless expressly indicated above or in the specific Task Order to be included Basic Services, the following services are not included as part of Basic Services and will be paid for by Owner as Additional Services, using the basis of compensation for Additional Services, as indicated in the specific Task Order.
1. None