

RESOLUTION NO. R24-88

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT 1 AND AMENDMENT 2 TO THE ORIGINAL TASK ORDER PREVIOUSLY APPROVED BY CITY COUNCIL VIA RESOLUTION R 23-81 FOR THE PROJECT KNOWN AS THE 5<sup>TH</sup> - 7<sup>TH</sup> SEWER LINE REPLACEMENT WITH KLJ ENGINEERING, LLC.

BE IT RESOLVED by the City Council of the City of Laurel, Montana,

Section 1: Approval. Amendment 1 and Amendment 2 to the Task Order for the Project known as the 5<sup>th</sup>-7<sup>th</sup> Sewer Line Replacement, copies attached hereto and incorporated herein (hereinafter “Amendment 1 and Amendment 2”), is hereby approved.

Section 2: Execution. The Mayor is hereby given authority to execute both Amendments on behalf of the City.

Introduced at a regular meeting of the City Council on the 8<sup>th</sup> day of October, 2024, by Council Member Mackay.

PASSED and APPROVED by the City Council of the City of Laurel the 8<sup>th</sup> day of October, 2024.

APPROVED by the Mayor the 8<sup>th</sup> day of October, 2024.

CITY OF LAUREL

Heidi Sparks for  
Dave Waggoner, Mayor

ATTEST:

Kelly Strecker  
Kelly Strecker, Clerk-Treasurer



APPROVED AS TO FORM:

Michele L. Braukmann  
Michele L. Braukmann, Civil City Attorney

This is EXHIBIT K, consisting of [1] pages, referred to in and part of the Agreement between Owner and Engineer for Professional Services Task Order dated September 26, 2023.

**Amendment 1 To Task Order: 5<sup>th</sup> -7<sup>th</sup> Sewer Line Replacement**

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**1. Background Data:**

- a. Effective Date of Task Order: September 12<sup>th</sup>, 2023
- b. Owner: City of Laurel, Montana
- c. Engineer: KLJ Engineering LLC
- d. Specific Project: 5<sup>th</sup> – 7<sup>th</sup> Sewer Line Replacement

**2. Description of Modifications**

- a. Engineer shall perform the following Additional Services: As outlined in Attached Exhibit A

**3. Task Order Summary (Reference only)**

- a. Original Task Order amount: \$95,800
- b. Net change for prior amendments: \$0
- c. This amendment amount: \$16,200
- d. Adjusted Task Order amount: \$112,000

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The foregoing Task Order Summary is for reference only and does not alter the terms of the Task Order, including those set forth in the Agreement.

Owner and Engineer hereby agree to modify the above-referenced Task Order as set forth in this Amendment. All provisions of the Agreement and Task Order not modified by this, or previous Amendments remain in effect. The Effective Date of this Amendment is 10/8/2024.

OWNER: City of Laurel

ENGINEER: KLJ Engineering LLC

By: Heidi Spack for Dave Waggoner  
Title: Mayor

By: [Signature]  
Title: Associate Vice President, Survey

Date Signed: October 8, 2024

Date Signed: October 11, 2024

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**Amendment 1 To Task Order: 5<sup>th</sup> -7<sup>th</sup> Sewer Line Replacement**

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OWNER: City of Laurel

ENGINEER: KIJ Engineering LLC

By: Heidi Spack, for Dave Waggoner By: \_\_\_\_\_

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

Date Signed: October 8, 2024 Date Signed: \_\_\_\_\_

This is EXHIBIT A, consisting of 2 pages, referred to in and part of the Task Order Amendment 1 dated \_\_\_\_\_.

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**Engineer's Services for Task Order: 5<sup>th</sup> – 7<sup>th</sup> Sewer Line Replacement – Amendment 1**

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**PART 1—BASIC SERVICES**

A1.01 *Project Management – Refer to original Task Order Agreement (TO)*

A1.02 *Topography and Boundary Survey:*

- A. Engineer will extend Topographic and Base Drawing services described in the TO to include the alley running north from Kwiki Car Wash to West 1<sup>st</sup> Street. Additional survey and base mapping will be confined to the alley right-of-way and will include cross sections of the south half of West 1<sup>st</sup> Street up to 100-feet each side of the alley.
- B. In addition to services described in TO, Engineer will provide the following:
  - 1. Prepare a preliminary grading design of the alley described above and adjustments that may be needed to the east-west alley between North 5th Street and North 6th Street, as needed to achieve surface drainage away from adjacent buildings.
  - 2. Prepare preliminary cost estimate for Contractor to complete this additional work through a Change Order.
  - 3. Meet with City Public Works Department to review preliminary plan.

A1.03 *Final Design Phase*

- A. In addition to services described in TO, Engineer will provide the following:
  - 1. Revise the Preliminary Design plan to address input from the City Public Works Department. Prepare final plan and profile sheets to be included as a revision to the current design drawings.

A1.04 *Bidding or Negotiating Phase – Refer to original TO*

A1.05 *Construction Phase*

- A. Engineer will extend services described in TO to include the following:
  - 1. Coordinate with Contractor and Owner to negotiate a Change Order to include additional work in current construction contract.
  - 2. Provide up to an additional 20 hours of on-site RPR time for observation of additional alley work.
  - 3. Provide one day of additional construction staking to stake alley grading. Engineer's scope is based on Contractor using single set of stakes for both subgrade and final surfacing. No blue tops are provided.

- A1.06 *Post-Construction Phase – Refer to original TO*
  - A1.07 *Commissioning Phase—Not Included*
  - A1.08 *Other Services—Not Included*
- PART 2—ADDITIONAL SERVICES – Refer to original TO**

This is EXHIBIT K, consisting of [1] pages, referred to in and part of the Agreement between Owner and Engineer for Professional Services Task Order dated September 26, 2023.

**Amendment 2 To Task Order: 5<sup>th</sup> -7<sup>th</sup> Sewer Line Replacement**

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**1. Background Data:**

- a. Effective Date of Task Order: September 12<sup>th</sup>, 2023
- b. Owner: City of Laurel, Montana
- c. Engineer: KLJ Engineering LLC
- d. Specific Project: 5<sup>th</sup> – 7<sup>th</sup> Sewer Line Replacement

**2. Description of Modifications**

- a. Engineer's Estimate for the project was insufficient to cover the costs of the actual Engineering required for the project. Attached Exhibit A which outlines the estimated cost vs actual costs of each phase of the project.

**3. Task Order Summary (Reference only)**

- a. Original Task Order amount: \$95,800
- b. Net change for prior amendments: \$16,200
- c. This amendment amount: \$10,696
- d. Adjusted Task Order amount: \$122,696

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The foregoing Task Order Summary is for reference only and does not alter the terms of the Task Order, including those set forth in the Agreement.

Owner and Engineer hereby agree to modify the above-referenced Task Order as set forth in this Amendment. All provisions of the Agreement and Task Order not modified by this, or previous Amendments remain in effect. The Effective Date of this Amendment is September 17<sup>th</sup>, 2024.

OWNER: City of Laurel

ENGINEER: KLJ Engineering LLC

By: Heidi Sprink for Dave  
Wagoner  
Title: Mayor

By: [Signature]  
Title: Associate Vice President, Municipal

Date Signed: October 8, 2024

Date Signed: October 11, 2024

This is **EXHIBIT K**, consisting of [1] pages, referred to in and part of the **Agreement between Owner and Engineer for Professional Services Task Order** dated September 26, 2023.

**Amendment 2 To Task Order: 5<sup>th</sup> -7<sup>th</sup> Sewer Line Replacement**

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OWNER: City of Laurel

ENGINEER: KLJ Engineering LLC

By: Heidi Sparks for Dave Waggoner  
Title: Mayor

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

Date Signed: October 8, 2024

Date Signed: \_\_\_\_\_

This is EXHIBIT A, consisting of a page, referred to in and part of the Task Order Amendment 2 dated September 17<sup>th</sup>, 2024.

**Engineer's Services for Task Order: 5<sup>th</sup> – 7<sup>th</sup> Sewer Line Replacement – Amendment 2**

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**PART 1—BASIC SERVICES**

A1.01 *Project Budget – Table A below is a comparison of the original Engineer's estimate of costs for engineering design and construction vs. the actual accumulated costs acquired during the project.*

A.

<b>Task</b>	<b>Engineer's EOC</b>	<b>Actual Expenditure</b>	<b>Over/Under</b>
Project Management	\$16,905.00	\$7,896.50	(\$9,008.50)
Survey	\$12,099.00	\$9,521.50	(\$2,577.50)
Preliminary Design	\$12,491.00	\$4,661.50	(\$7,829.50)
Final Design	\$12,154.99	\$21,281.00	\$9,126.01
Bidding	\$5,640.00	\$16,601.00	\$10,961.00
Construction	\$50,245.01	\$62,734.50	\$12,489.49
Closeout	\$2,465.00	\$0.00	(\$2,465.00)
<b>Total Costs</b>	<b>\$112,000.00</b>	<b>\$122,696.00</b>	<b>\$10,696.00</b>

- B. Final Design – Lack of known information and additional gathering/in depth analysis of the existing system pushed preliminary design issues into the Final Design phase.
- C. Bidding – Changes requested by the City during the bidding process (analysis of the alley way running north/south) and change order design were charged to bidding as the design phases of the project had already been closed out at that time.
- D. Construction – Extra days were added into the construction as we were waiting on approval of the alley way change order which was never approved. Extra construction review of the asphalt between 5<sup>th</sup> Ave and 6<sup>th</sup> Ave. as Contractor was required to pave the east end of this alley way 3 times in order to get an adequate cross slope to prevent runoff from the car wash from running onto property north of the alley way.



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Owner and Engineer hereby agree to modify the above-referenced Task Order as set forth in this Amendment. All provisions of the Agreement and Task Order not modified by this, or previous Amendments remain in effect. The Effective Date of this Amendment is 6/11/2024

OWNER: City of Laurel

By: 

Title: Mayor

Date Signed: 6/11/24

ENGINEER: KLJ Engineering LLC

By: 

Title: Associate Vice President, Municipal

Date Signed: June 12, 2024

This is EXHIBIT A, consisting of 2 pages, referred to in  
9/26/2023 and part of the Task Order Amendment 1 dated

**Engineer's Services for Task Order: 5<sup>th</sup> – 7<sup>th</sup> Sewer Line Replacement – Amendment 1**

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A1.07 *Commissioning Phase—Not Included*

A1.08 *Other Services—Not Included*

**PART 2—ADDITIONAL SERVICES – Refer to original TO**

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**Exhibit A – Engineer's Services – 5<sup>th</sup> – 7th Sewer Line Replacement**

**EJCDC® E-505, Agreement Between Owner and Engineer for Professional Services – Task Order Edition.**

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