

AMENDMENT #1 TO PROFESSIONAL SERVICES AGREEMENT

3rd Street Water Main Replacement Project

THIS PROFESSIONAL SERVICES AGREEMENT AMENDMENT #1 is made and entered into October 7, 2019, by and between the **CITY OF MISSOULA, MONTANA**, a municipal corporation organized and existing under the laws of the State of Montana, 435 Ryman St., Missoula, Montana 59802, hereinafter referred to as “City,” and **Territorial Landworks, Inc.**, 1817 South Ave. West, Suite A, Missoula, Montana 59801 hereinafter referred to as “Consultant.”

Recitals

1. On December 17, 2018, the above parties entered into an agreement whereby the Consultant agreed to preliminary project assessment, planning, and design; field work and surveying; and Department of Environmental Quality approvals and submittals work on the 3rd Street Water Main Replacement Project for which the City agreed to pay the amount of Twenty-Six Thousand, Five Hundred Twenty-Two Dollars (\$26,522.00), herein referred to as “Agreement.”
2. Since the execution of the Agreement, the parties desire to amend it as set forth in this Professional Services Agreement Amendment to include bidding, construction administration, staking, testing, and project closeout for new water main in 3rd Street between Ash Street and South Orange Street at a cost not to exceed Sixty-Two Thousand, Seventy Dollars (\$62,070.00) for the additional work. This brings the total costs for the Agreement to \$88,592.00.
3. Provisions of the original contract dated December 17, 2018, that are not amended herein remain in full force and effect.

Amendment

In consideration of the mutual covenants and agreements herein contained, the receipt and sufficiency whereof being hereby acknowledged, the parties hereto agree to amend the Agreement as follows:

1. Paragraph 3, **Scope of Work/Task Deadlines**, is amended to incorporate the following Scope of Services for the 3rd Street Water Main Replacement Project: construction administration, inspections, and staking and final project documentation, all as itemized in Consulting Scope of Services & Cost Estimate, attached hereto as Exhibit A1.
2. Paragraph 4, **Payment**, is amended in the first sentence to read as follows: “City agrees to pay Consultant an amount not to exceed Eighty-Eight Thousand, Five Hundred Ninety-Two Dollars (\$88,592.00) for services performed pursuant to the Scope of Services.”

IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year first above written.

CONTRACTOR:

Territorial Landworks, Inc.

MAYOR

City of Missoula, Montana

John Engen

ATTEST:

**APPROVED AS TO FORM AND
CONTENT:**

Martha L. Rehbein, CMC, City Clerk

Jim Nugent, City Attorney

(SEAL)