

**PROFESSIONAL SERVICES AGREEMENT AMENDMENT –  
CARAS PARK STORM WATER OUTFALL PHASE II PROJECT  
AMENDMENT #3**

THIS Professional Services Agreement Amendment (“Amendment 3”) made and entered into this date \_\_\_\_\_, 2022 supplements the Agreement made and entered into on April 2<sup>nd</sup>, 2020 (“Agreement”), between the CITY OF MISSOULA, MONTANA, a municipal corporation organized and existing under the laws of the State of Montana, 435 Ryman St., Missoula, MT 59802 (“City”), and Morrison-Maierle, Inc., 1055 Mount Avenue, Missoula, MT 59801 (“Consultant”).

**RECITALS**

1. On April 2, 2020, the above parties entered into the Agreement, whereby the Consultant agreed to perform work and services consisting of project coordination, design, bidding, construction administration, and close-out for infiltration facilities at the Caras Park Stormwater Outfall, for which the City agreed to pay an amount not to exceed Eighty-Three Thousand, Nine Hundred Ninety-Three Dollars (\$83,993.00).
2. On February 8, 2021 The parties amended the Agreement to incorporate additional Scope of Services and included an additional amount not to exceed Seventy-One Thousand, Two Hundred Eighty-Seven Dollars (\$71,287.00).
3. On June 2<sup>nd</sup>, 2022 The parties amended the Agreement to incorporate additional Scope of Services and included an additional amount not to exceed Eleven Thousand Nine Hundred Thirty-Eight Dollars (\$11,938.00)
4. The parties desire to further amend the Agreement as set forth in Amendment #3 to expand the scope of services Consultant will perform.

**AMENDMENT**

In consideration of the mutual covenants and agreements herein contained, the receipt and sufficiency being hereby acknowledged, the parties agree to further amend the Agreement (as amended on June 2<sup>nd</sup>, 2022) as follows:

1. Section 4 of the Agreement, Payment, is amended to include an additional amount not to exceed Twenty Six Thousand Seven Hundred Fifty Dollars and twenty two cents (\$26,750.22) that the City agrees to pay Consultant for the services outlined in the attached Exhibit A.

All other terms and conditions of the Agreement (as Amended on June 2<sup>nd</sup>, 2022) remain in full force and effect. This Amendment is effective upon execution by all of the parties.

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

CONSULTANT: Morrison-Maierle Inc

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

Name & Title: \_\_\_\_\_

CITY OF MISSOULA, MONTANA

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

John Engen, Mayor

Attest: \_\_\_\_\_ Date: \_\_\_\_\_

Martha L. Rehbein, CMC

City Clerk

APPROVED AS TO FORM:

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

Jim Nugent, City Attorney

## EXHIBIT A

### CITY OF MISSOULA NORTH RIVERSIDE PARKS AND TRAILS PHASE 1 SITE/CIVIL IMPROVEMENTS SCOPE OF SERVICES – AMENDMENT 3

December 3, 2021  
Revised June 1, 2022

#### AMENDMENT 3 SCOPE:

- CONSTRUCTION ADMINISTRATION
  - Additional budget to support construction administration efforts through final acceptance.
    - On-site observation,
    - Weekly on-site construction meetings,
    - Review of payment requests,
    - Review of submittals and response to requests for information, and
    - Assistance with unforeseen occurrences.

#### CONSTRUCTION ADMINISTRATION

This construction duration and effort assumed in the base contract is met. This amendment extends effort at approximately 10 hours a week through final acceptance of the project December 2021 – May 2022.

Below is a table which outlines additional labor cost associated with the previously discussed tasks.

EFFORT SUMMARY	
Description	Effort Cost
CONSTRUCTION	
Construction Admin	\$26,750.22
Total:	\$26,750.22
EFFORT SUMMARY	