

## **AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT**

### **Lower Miller Creek Rd. Reconstruction-Linda Vista Blvd. to Bigfork Rd. 2020-010**

**THIS PROFESSIONAL SERVICES AGREEMENT AMENDMENT NO. 2** is made and entered into this 20<sup>th</sup> day of March, 2023, by and between the **CITY OF MISSOULA, MONTANA**, a municipal corporation organized and existing under the laws of the State of Montana, 435 Ryman, Missoula, Montana 59802, hereinafter referred to as “City,” and WGM Group, Inc., 1111 East Broadway, Missoula, Montana 59802, hereinafter referred to as “Consultant.”

#### **Recitals**

- 1.** On October 7, 2019, the above parties entered into an agreement whereby the Consultant agreed to perform work and provide the services in accordance with the requirements of the original Scope of Services, as described in Exhibit A for which the City agreed to pay the amount of One Hundred Twenty-Six Thousand, Nine Hundred Twelve and 00/100 Dollars (\$126,912.00).
- 2.** On June 17, 2021, the above parties entered into Amendment No. 1 whereby the Consultant agreed to perform work and provide the services in accordance with the requirements of the Scope of Services, as described in Exhibit A1 in an amount not to exceed Thirty Six Thousand, Four Hundred Five and 00/100 Dollars (\$36,405.00).
- 3.** Since the execution of the Agreement, the parties desire to amend it as set forth in this Professional Services Agreement Amendment No. 2 to include additional work, as described in Exhibit A2 in an amount not to exceed Sixty-Three Thousand, One Hundred Forty-Seven and 50/100 Dollars (\$63,147.50). This brings the Agreement total to \$226,464.50.
- 4.** Provisions of the original contract dated October 7, 2019, 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. Scope of Work/Task Deadlines** is amended to incorporate the following Scope of Services attached hereto as Exhibit A2.

**2. Payment**, is amended in the first sentence to read as follows: “City agrees to pay Consultant an amount not to exceed Two Hundred Twenty-Six Thousand, Four Hundred Sixty Four and 50/100 Dollars (\$226,464.50) 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.

**CONSULTANT:**  
WGM Group, Inc.

**MAYOR:**  
City of Missoula, Montana

\_\_\_\_\_

\_\_\_\_\_  
Jordan Hess, Mayor

**ATTEST:**

**APPROVED AS TO FORM AND CONTENT:**

\_\_\_\_\_  
Martha L. Rehbein, CMC, City Clerk

\_\_\_\_\_  
Jim Nugent, City Attorney

(SEAL)

March 1, 2023

**Kevin Slovarp**

City Engineer  
City of Missoula  
435 Ryman Street  
Missoula, MT 59802

Re: Lower Miller Creek Road Reconstruction Project, Linda Vista Blvd. to Bigfork Road  
City Project No. 2019-010 Amendment Request #2

Dear Kevin:

WGM Group, Inc. (WGM) is pleased to provide this amended scope of services proposal to continue our assistance to the City of Missoula (City) with the Lower Miller Creek Road project. We understand that the City recently selected the Mountain States Lighting "Budget" decorative luminaire pole (see attached drawing number 25RTS-COBRA-SIMP-MSL) as the City standard luminaire pole. The lighting design and layout provided in the 60 percent plans submittal is not based on this newly selected luminaire pole. Therefore, the analysis and design will need to be revised. We also understand the City would like to shift the proposed roundabout at Lower Miller Creek Road and Old Bitterroot Road to the west and south to avoid utility and right-of-way impacts while allowing access to the proposed Riverfront Trails subdivision. WGM's goal is to provide efficient and effective services for the City and offers the following service amendments for the City's consideration. Please note that due to the length of time this project has elapsed, WGM has revised its budget for any work left on the phases that are not complete. Those phases are Phase 01 – Project Management, Phase 02 – Public Involvement, and Phase 07 – Final Design. No rate adjustment is included for WGM in Phase 05 because our work on this phase was completed, and the increased budget is only on work not yet completed and is due to an increase in fee rates since the original contract was signed October 7, 2019.

**SCOPE OF SERVICES AMENDMENT**

**Phase 01: Project Management** **\$2,127.00**

The increased budget for Phase 01 included in this amendment includes rate increases on the remaining unspent budget and the time necessary to develop this amendment.

Deliverables: Amendment #2

**Phase 02: Public Involvement** **\$1,797.90**

The increased budget for Phase 02 included in this amendment includes rate increases on the remaining unspent budget, as well as an overall exhibit illustrating easement needs for the project. The following tasks are necessary to complete the additional requested services:

- Develop simplified and colorized easement exhibit illustrating the existing and needed property/easements for the proposed design
- Show calculated area needed for easements once design is refined

Deliverables: Easement Exhibit

### **Phase 05: Electrical Design: Lighting Analysis & Design**

**\$15,047.00**

WGM will work with HDR to revise the current lighting layout and design to be based on the newly selected “Budget” decorative luminaire pole and LED fixture. The lighting design will use type 3 lighting distribution with full cut-off optics to reduce light trespass onto private property. The following tasks are necessary to complete the revisions:

- Determine the luminaire pole spacing for the corridor and locate poles based on luminaire spacing, utility conflicts, and conflicts with proposed landscaping and signs
  - *Corridor lighting analysis excludes photometric analysis*
- Determine the luminaire location at the intersections at Linda Vista Boulevard, Old Bitterroot Road, Drago Lane, and Bigfork Road based on City standard lighting level calculations on the road surface for an urban collector street
- Develop photometric exhibit at the roundabout only
- Develop lighting memo documenting lighting calculations
- Verify the recommended service location and electrical design is adequate for the updated luminaire pole locations
- Provide senior engineer QA/QC

Deliverables: Photometric map demonstrating lighting level specifications are met at the intersection (roundabout) of Lower Miller Creek Road and Old Bitterroot Road, future corridor lighting layout, roundabout intersection lighting layout, and service recommendations based on the new “Budget” decorative luminaire pole and LED fixture.

Exclusions: This scope continues to exclude photometric analysis for the majority of the corridor, except as stated above at the proposed roundabout.

### **Phase 07: Final Design**

**\$34,175.60**

The increased budget for Phase 07 included in this amendment includes rate increases on the remaining unspent budget, as well as the time involved in redesigning the roundabout at Old Bitterroot Road and Lower Miller Creek Road. This scope assumes the City will negotiate impacts with the adjacent subdivision through that property’s development review processes. WGM will continue coordination with the adjacent developer to ensure proposed improvements, such as road alignment and profile and storm drain infrastructure alignment. The following tasks are necessary to complete the revisions:

- Preliminary roundabout layout including the following performance metrics:
  - Fastest path analysis
  - Revised vehicle turning analysis
  - Sight distance analysis
- Client and Developer Review Meetings
  - Our scope assumes four meetings with the stakeholders involved in the roundabout design
- Revised storm drain layout and computations for pipe sizing at the updated roundabout design
- Updated approach grading based on revised roundabout geometrics, including revised curb geometrics entering and exiting the roundabout
- Utility coordination including:
  - Meeting/Phone conversation with Northwestern Energy to finalize roundabout location and utility impacts associated with the overhead transmission line west of Lower Miller Creek Road and south of Old Bitterroot Road. (Assumes two meetings)

- Coordination with utility companies on utility relocations needed based on final design. (Assumes up to four meetings with various utility companies)
- Two days of survey staking to mark/delineate impacts and utility relocations.

**Deliverables:** Incorporation of the revised mini-roundabout at the intersection of Lower Miller Creek Road and Old Bitterroot Road into the 90 percent Stage 3 Plans Submittal, including revised hydraulics and storm water design at this location. Utility coordination meeting minutes and staking as defined above. Continued coordination with adjacent development on intersection geometrics and storm drain design.

**Exclusions:** Negotiations with adjacent development for right-of-way needs/impacts.

#### **Phase 08: Miscellaneous Engineering Work**

**\$10,000.00**

This task is intended to address miscellaneous engineering work that may be requested by the City and is outside this scope of work. The budget for this phase will only be used with prior authorization and direction by the City for specific work items.

#### **ADDITIONAL SERVICES**

Services not specifically described in the tasks above are not included in this scope of work amendment. WGM would be happy to provide estimates for any additional services at the time they are identified.

#### **FEE ESTIMATE**

Our fees will be billed on a time and materials basis with a total cost not to exceed the total listed below for the work described herein without a supplemental agreement. Fees are valid through August 2023 and may need to be adjusted if the project extends beyond this date. A project cost summary to date is provided below.

<b>COST SUMMARY</b>	
01 – Project Management (Rate Increase Only)	\$400.00
01 – Project Management (Time Spent on Amendment #2)	\$1,727.00
02 – Public Involvement (Rate Increase Only)	\$1,259.90
02 – Public Involvement (Additional Services Requested)	\$538.00
05 – Electrical Design: Lighting Analysis & Design	\$15,047.00
07 – Final Design (Rate Increase Only)	\$5,171.60
07 – Final Design (Additional Services Requested)	\$29,004.00
08 – Miscellaneous Engineering Work	\$10,000.00
<b>TOTAL COST FOR AMENDMENT #2</b>	<b>\$63,147.50</b>
Lower Miller Creek Scope (effective 10/7/2019)	\$126,912.00
Lower Miller Creek Amendment #1 (effective 6/15/2021)	\$36,405.00
Lower Miller Creek Amendment #2	\$63,147.50
<b>TOTAL REVISED PROJECT BUDGET</b>	<b>\$226,464.50</b>

### **SCHEDULE**

We are prepared to begin the work described herein immediately upon receipt of a signed contract, and anticipate delivery of Stage 3 plans in August, 2023. WGM will work with City staff to develop a project schedule that outlines tasks and coordination items between WGM, City staff, and the adjacent development.

### **CLOSING**

Thank you for the opportunity to continue to provide these services and we look forward to working with you on this project. If you have any questions or if you feel that any portion of this proposal needs revision, please feel free to contact us. If the approach described meets your needs, please send us your standard contract agreement for our review and signature.

Sincerely,  
WGM Group, Inc.

  
**Stephen McDaniel, PE**  
Project Manager

---

DBG:aes

# Professional Services Estimate

Project Name: **LMCR**  
 Project #: **190318**  
 Client: **City of Missoula**  
 Date: **2-17-2023**



DIRECT LABOR	Phase 01 PROJECT MANAGEMENT		Phase 02 PUBLIC INVOLVEMENT		Phase 05 ELECTRICAL		Phase 07 FINAL DESIGN		Phase 08 MISCELLANEOUS ENGINEERING WORK		TOTAL	
	Hours	Total \$	Hours	Total \$	Hours	Total \$	Hours	Total \$	Hours	Total \$	Hours	Total \$
Principal Engineer	1	\$209			2	\$418					3	\$ 627
Sr Project Engineer							20	\$3,740			20	\$ 3,740
Project Engineer 2	6	\$978	1	\$163	4	\$652	20	\$3,260			31	\$ 5,053
Project Engineer 1	2	\$304			30	\$4,560					32	\$ 4,864
Sr Traffic Engineer					19	\$3,648					19	\$ 3,648
Sr Transportation Consultant												
Sr Transportation Engineer 2												
Staff Engineer/EI 3			1	\$143			68	\$9,724			69	\$ 9,867
Staff Engineer/EI 2							6	\$816			6	\$ 816
2-Person Crew							16	\$3,344			16	\$ 3,344
3-Person Crew												
Sr CADD Drafter					14	\$1,918					14	\$ 1,918
CADD Drafter			2	\$232			70	\$8,120			72	\$ 8,352
CADD Technician												
Project Coordinator 2												
Project Coordinator 1												
Project Assistant 2	2	\$236									2	\$ 236
<b>TOTAL LABOR</b>	<b>11</b>	<b>\$ 1,727</b>	<b>4</b>	<b>\$ 538</b>	<b>69</b>	<b>\$ 11,196</b>	<b>200</b>	<b>\$ 29,004</b>		<b>\$ -</b>	<b>284</b>	<b>\$ 42,465</b>

DIRECT EXPENSES	Phase 01	Phase 02	Phase 05	Phase 07	Phase 08	TOTAL
Sub-consultants	-	-	3,788.00	-	-	\$ 3,788.00
Copies / Prints	-	-	-	-	-	\$ -
Mileage	-	-	-	-	-	\$ -
Lodging / Per Diem	-	-	-	-	-	\$ -
Fees / Permits	-	-	-	-	10,000.00	\$ 10,000.00
Survey Equipment	-	-	-	540.00	-	\$ 540.00
Technology Fee	-	9.90	63.00	381.60	-	\$ 454.50
<b>Other (RATE ADJUSTMENT)</b>	<b>400.00</b>	<b>1,250.00</b>	<b>-</b>	<b>4,250.00</b>	<b>-</b>	<b>\$ 5,900.00</b>
<b>TOTAL DIRECT EXPENSES</b>	<b>\$ 400.00</b>	<b>\$ 1,259.90</b>	<b>\$ 3,851.00</b>	<b>\$ 5,171.60</b>	<b>\$ 10,000.00</b>	<b>\$ 20,682.50</b>

SUMMARY	Phase 01	Phase 02	Phase 05	Phase 07	Phase 08	TOTAL
<b>Hours</b>	<b>11.0</b>	<b>4.0</b>	<b>69.0</b>	<b>200.0</b>		<b>284.0</b>
<b>Labor</b>	<b>\$ 1,727.00</b>	<b>\$ 538.00</b>	<b>\$ 11,196.00</b>	<b>\$ 29,004.00</b>	<b>\$ -</b>	<b>\$ 42,465.00</b>
<b>Expenses</b>	<b>\$ 400.00</b>	<b>\$ 1,259.90</b>	<b>\$ 3,851.00</b>	<b>\$ 5,171.60</b>	<b>\$ 10,000.00</b>	<b>\$ 20,682.50</b>
<b>TOTAL</b>	<b>\$ 2,127.00</b>	<b>\$ 1,797.90</b>	<b>\$ 15,047.00</b>	<b>\$ 34,175.60</b>	<b>\$ 10,000.00</b>	<b>\$ 63,147.50</b>



August 15, 2022

Writer's Direct e-mail:  
[lisa.fischer@hdrinc.com](mailto:lisa.fischer@hdrinc.com)

Stephen McDaniel, P.E.  
Project Manager  
WGM Group  
1111 East Broadway  
Missoula, MT 59808

**Re: 2019 – City of Missoula – Lower Miller Creek Road –Lighting Electrical Design Amendment #1**

Dear Stephen,

We have reviewed WGM's request include the electrical design of the proposed roundabout at the intersection of Old Bitterroot Road and Lower Miller Creek Road as part of the Lower Middle Creek Road project.

The proposed scope and engineering fee for this amendment includes adjusted staff rates from the original contract dated 10/07/2019 and the addition of a new roundabout at the intersection of Old Bitterroot Road and Lower Miller Creek Road. This intersection reconstruction will include the addition of roundabout lighting and the changing the design to utilize the City's 25-ft Tapered Steel Pole Cobra instead of the Midtown Standard luminaire.

For the purpose of this estimate, it is assumed that only one roundabout and two electrical services are included in the project.

Our general electrical engineering scope of work for this amendment is outlined below:

- Discuss site with WGM as needed. (up to 2 hours total).
- Develop red-line plan sheets with detail drawings per the City of Missoula's requirements.
- Provide red-line plan details of street light pole wiring diagrams with watertight connector schedules, conduit and wire schedules, and material tabulation schedule per the City of Missoula's requirements.
- Calculate voltage drops and conduit fills for specified wire sizes associated with the roundabout.
- Edit special provisions for lighting specifications for the roundabout.





- HDR to coordinate with WGM on pole and conduit locations.

Our scope and fee does not include the following:

- Project drafting (completed by WGM), except for the service one lines and wiring details which HDR will complete in AutoCAD or MicroStation format.
- Spotting of the luminaire poles. WGM will provide required spacing of luminaires based on lighting level calculations and spot poles accordingly to reduce/eliminate conflicts as well as to provide the pole and luminaire schedules.
- Bid administration services.
- Construction engineering services. If the intersection lighting bid alternate is awarded, construction engineering services can be added as an amendment.

The final deliverables to WGM associated with the roundabout electrical design will be a set of red-lined plans, voltage drop calculations, conduit fill calculations, one-line wiring diagrams, cost estimate (based on material quantities), and edited special provisions. Additional lighting, traffic signals, or electrical connections (such as landscape irrigation, etc.) will require an amendment to this scope and fee.

Our engineering fee proposal based on the amendment scope of work outlined in this letter is \$3,788. This fee includes adjusted staff rates from 2019 to 2022 to complete the current scope of the project.

Please let us know if you find our proposal acceptable. We are looking forward to working with you and your staff on this project.

Sincerely,  
HDR Engineering, Inc.

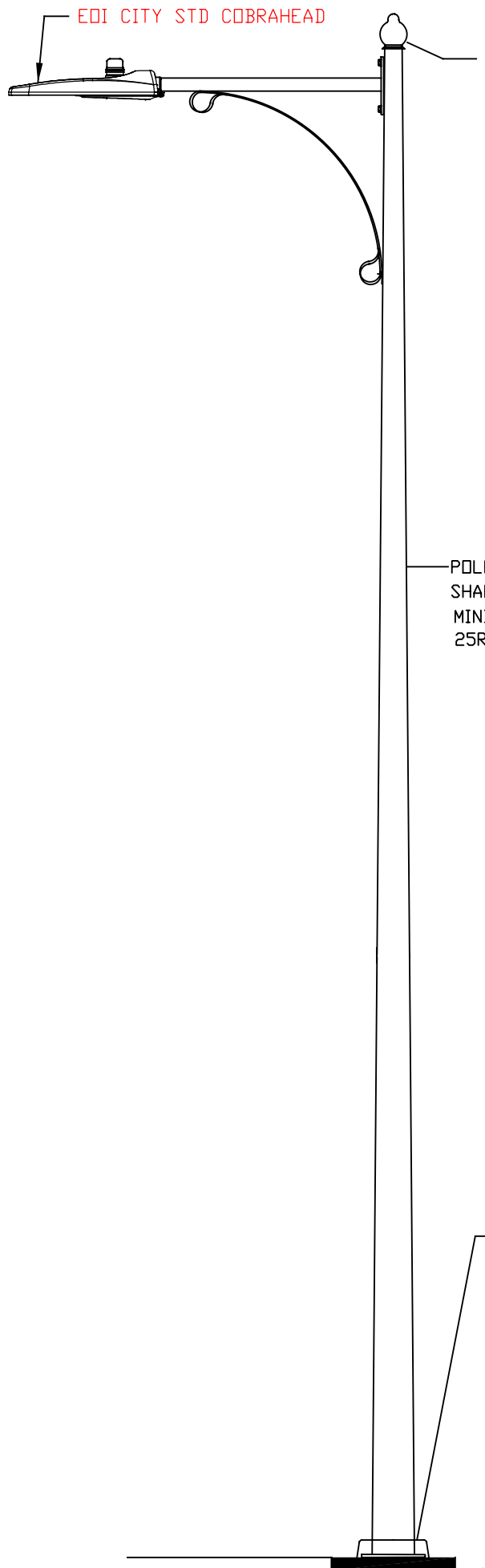
A handwritten signature in blue ink, appearing to read 'Lisa Fischer'.

Lisa Fischer, PE  
Project Manager

A handwritten signature in black ink, appearing to read 'Jared R. Harris'.

Jared Harris, PE  
Vice President

[illegible]



EOI CITY STD COBRAHEAD

POLYURETHANE FINIAL

FINISH;  
BLACK IN COLOR

POLE: 25' BY MOUNTAIN STATES LIGHTING.  
SHAFT: TAPERED STEEL  
MINIMUM 13.5 EPA @ 100 MPH, 1.3 GF  
25RTS-8/4.5-4'SA/SCR ARM-HH-TC-BC-BK

2 PIECE ABS ANCHOR PLATE COVER

SIDEWALK GRADE

CONFIDENTIAL: This drawing is confidential and proprietary to the Lighting Division of Mountain States Lighting (MSL), and may not be reproduced without the express written consent of MSL. Any use hereof or of any of the information or detail herein shall be for the sole benefit of MSL, © 2001 MSL.

PRODUCT APPROVALS	
SALES	
ENG.	
CUST.	

REVISIONS:			
MOUNTAIN STATES LIGHTING		P.O. Box 13358 Ogden, Utah 84412-3358 Phone 801-605-9057 Fax 801-605-9058	
JOB NAME: Missoula-25' Tapered Steel Pole Cobra No Acc			
SCALE: NTS	DATE: 2/15/22	DRAWN BY: PMP	DRAWING NUMBER: 25RTS-COBRA-SIMP-MSL
REP: Mountain States		QUOTE #:	DIST.: