

RESOLUTION NO. 4102

A RESOLUTION APPROVING AN AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF MILES CITY AND KADRMAS, LEE & JACKSON, INC., FOR SERVICES RELATED TO PERMIT APPLICATION FOR 57 PIT AT THE MILES CITY AIRPORT.


WHEREAS, the City of Miles City and Kadrmas, Lee & Jackson, Inc., have entered into a Miscellaneous Professional Services Agreement to assist with preparing an application for open cut mining related to fifty-seven gravel pit located at the Miles City Airport;

AND WHEREAS, the parties desire to amend such agreement to add additional services including the response to DEQ comments; coordination with Prince, Inc. to meet DEQ requirements; and to assist the City with an Assignment Application of Permit;

NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA AS FOLLOWS:


1. The "Amendment to Agreement for Professional Services" attached hereto as Exhibit "A", and made a part hereof, is hereby approved and adopted by the Council;
2. The Mayor of the City of Miles City is hereby empowered and authorized to execute said Agreement on behalf of the City of Miles City and to bind the City of Miles City thereto.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 12TH DAY OF SEPTEMBER, 2017.



John Hollowell, Mayor

ATTEST:



Lorrie Pearce, City Clerk



Amendment to Agreement for Professional Services

Project No. 2516112 Amendment No. 2 (Two)

Background Data

- a. Effective Date of Agreement for Professional Services August 8, 2016
- b. Engineer Kadmas, Lee & Jackson, Inc.
- c. Owner City of Miles City
- d. Project 57 Pit Opencut Mining Permit Renewal
- e. This Part of the Project Professional Assistance with Mining Permit Renewal

Nature of Amendment (check all that apply)

- Additional services provided by Engineer
- Modifications to services of Engineer
- Modifications to responsibilities of Owner
- Modifications to payment to Engineer
- Modifications to time(s) for rendering Services

Description of Modifications

This Amendment provides for the following additional work provided by the Engineer:

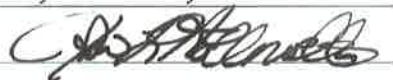
1. Respond to Department of Environmental Quality comments related to the 57 Pit Amendment Application. DEQ provided comments on December 29, 2016; February 10, 2017; and March 22, 2017. Each set of comments required updating and resubmitting the Application to DEQ.
2. Coordination with Prince, Inc. to define on-site reclamation needing to be performed by Prince, Inc. in order to meet the DEQ requirements of the 57 Pit Amendment Application. This included an on-site meeting with Prince, Inc., and preparing written on-site reclamation requirements and an exhibit detailing the reclamation requirements.
3. Assisting the City and Airport with the Assignment Application of Permit. This transferred the recognized permit holder from the City to the Airport.

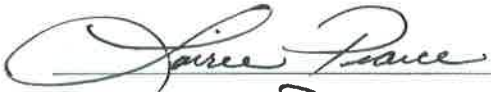
A summary of the revised contract amounts follows:

a. Original Agreement amount	<u>\$9,500.00</u>
b. Net change for prior Amendments	<u>\$3,960.00</u>
c. This Amendment amount	<u>\$3,290.00</u>
d. Adjusted Agreement amount	<u>\$16,750.00</u>

The revised completion date for the Engineer's services August 14, 2017.

Engineer and Owner hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is August 8, 2017.

Owner
City of Miles City
Signed 
Name John Hollowell
Title Mayor
Date 9-19-17

Attest 
Name Lorrie Pearce
Title City Clerk

Engineer
Kadmas, Lee & Jackson, Inc.
Signed 
Name Tom Neigum, PE
Title Aviation Services Manager
Date 8/8/17

Attest 
Name Erika Lorenz
Title Division Coordinator