

## EXHIBIT C—AMENDMENT TO OWNER-ENGINEER AGREEMENT

### AMENDMENT TO OWNER-ENGINEER AGREEMENT

#### Amendment No. 1

Owner: **City of Minot, North Dakota**  
Engineer: **Apex Engineering Group, Inc.**  
Project: **City Project 4780, 16<sup>th</sup> Street SW Reconstruction from 14<sup>th</sup> Ave SW to 2<sup>nd</sup> Ave SW**  
Effective Date of Owner-Engineer Agreement: **May 1, 2023**  
Nature of Amendment: (Check those that apply)

- ☒ Additional Services to be performed by Engineer
- ☒ Modifications to services of Engineer
- ☐ Modifications to responsibilities of Owner
- ☒ Modifications of payment to Engineer
- ☐ Modifications to time(s) for rendering services
- ☐ Modifications to other terms and conditions of the Agreement

#### Description of Modifications:

- A. **Additional Work in Phase I Preliminary Engineering (Attachments A1 & A2):** **\$215,675**
- B. **Phase II Final Design – South Project (14<sup>th</sup> Ave SW to Burdick Expy) (Attachments B1 thru B4):** **\$460,024**
- C. **Phase III Construction – South Project (14<sup>th</sup> Ave SW to Burdick Expy): (Attachments C1 & C2):** **\$765,423**

#### Agreement Summary:

Original agreement amount: **\$698,650.00**  
Net change for prior amendments: **\$0.00**  
This amendment amount: **\$1,441,122.00**  
Adjusted Agreement amount: **\$2,139,772.00**  
Change in time for services (days or date, as applicable):

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in this Amendment. The Effective Date of the Amendment is **January 28, 2024**.

Owner  
City of Minot, North Dakota  
(typed or printed name of organization)

By: \_\_\_\_\_  
(individual's signature)

(Attach evidence of authority to sign.)

Date: \_\_\_\_\_  
(date signed)

Name: Thomas Ross  
(typed or printed)

Title: Mayor  
(typed or printed)

Engineer  
Apex Engineering Group, Inc.  
(typed or printed name of organization)

By:   
(individual's signature)

(Attach evidence of authority to sign.)

Date: 4-25-24  
(date signed)

Name: Matthew T. Kinsella  
(typed or printed)

Title: Vice President  
(typed or printed)

**Attachment A1****Additional Work/Costs on City Project 4780 – Minot 16<sup>th</sup> St SW****Phase I Preliminary Design****Amendment 1 Request****REVISED 04/25/24**

<b>Task Description</b>	<b>Original Scope for Prelim Design Prepared 05/01/23</b>	<b>Actual Efforts/Costs Incurred As of 04/20/24</b>
General - Phase I Prelim Design Schedule Extension	35 weeks starting 05/24/2023 - DCE by 12/01/2023 - CATEX by 01/26/2024	55 weeks starting 05/24/2023 - Draft DCE by 04/22/2024 - CATEX by 06/16/2024
General - Construction cost/ project complexity	\$12.26 M for entire project - City estimate in Nov 2021 (includes engineering & ROW)	\$14.02 - \$15.20 M for south segment \$10.82 - \$12.35 M for north segment - Apex estimate in April 2024 (includes engineering & ROW)
Task 1.0 Project Management	1.01 Project Development 1.07 Progress Reports, Invoicing  1.05 Project Coordination Mtgs 8 project meetings included	Additional PM time with 20-week schedule extension (coordination, management, prog reports, invoicing, etc.)  15 meetings held to date (as of 02/01/24), 3 more anticipated through April = 18 meetings total (10 additional meetings)
Task 2.0 Survey	2.05 Topo 2.06 CAD Drafting	Additional topo survey needed on south end of project near 14 <sup>th</sup> Ave SW to cover extended project length due to turn lanes, and to cover additional pond area with development of 2-tiered pond alternative.
Task 4.0 Preliminary Design	4.06 Preliminary Modeling	Modeling – went through multiple revisions/iterations and have taken the model much further than originally scoped. In the south segment we are probably at 80-90% modeled. This will save hours/costs in final design, so we basically just shifted some of that to prelim design. Additional modeling required when 5 <sup>th</sup> Ave roundabout option was added after Nov 2023 public meeting.  Complexity of combining various intersection configurations into all the options, also was more effort than originally estimated.

Description	Original Scope for Prelim Design Prepared 05/01/23	Actual Efforts/Costs Incurred As of 04/20/24
Task 4.0 Preliminary Design	4.13 Preliminary Cost Estimates One (1) set of quantities/cost estimates assumed	<p>Ended up preparing two (2) full set of prelim quantities/cost estimates – first for the Nov 2023 public meeting effort, and a second full set of quantities/estimates after the update to alternatives in Feb 2024.</p> <p>Cost estimates were also split into south and north sections for the 2<sup>nd</sup> round of estimates in Feb 2024.</p> <p>Also had to further revise the Feb 2024 estimates to split out Burdick Expy intersection costs to request possible NH funding from NDDOT.</p>
Task 5.0 Environmental Doc.	5.02 Aquatic Resource Field Delineation and Report 5.04 Review of Cultural Resource Report 5.05 Draft Documented CATEX	<p>Apex had completed the Draft DCE by end of Feb 2024. It was then put on hold and decision was made to split into 2 DCEs in order to keep south project on track and not delayed by the required noise analysis in north project.</p> <p>Had to expand study area from original to accommodate landowner requests for pond, which required coordination with NDDOT and additional effort for SOV re-solicitation, etc. NDDOT also required that additional field wetland delineation would be required for the expanded area, rather than an office delineation as requested.</p>
Task 6.0 Public Involvement	6.01 Public Input Meeting 94 hours original estimate	Underestimated the number of hours for this task. Actually spent 198 hours – 104 additional hours.
Task 7.0 Prelim H&H	7.03 Prelim Hydraulics/Storm Alts 7.05 Tech Memo Assumed two (2) pond scenarios	Ended up developing/analyzing five (5) pond scenarios. Additional documentation and cost estimates for tech memo. After 04/02/24 meeting with landowner, had to evaluate and develop another pond Scenario 4, and prepare cost estimate for it.
Subconsultant task	Cultural resource survey/report	<p>In its response to the Section 106 Coordination Form, NDDOT stated that a Class III cultural field inventory would be required for the portion of the project south of Burdick Expy. The original scope and budget only included a Class I Literature Review for the entire project area. The City was previously notified of this overage.</p> <p>When study area was expanded to include larger upper retention pond, NDDOT required that Class III field study would be required for the expanded area, rather than a Class I office review as requested.</p>
Subconsultant task	3D visualizations	Visualizations by Classen Graphics will cost \$4,000 more than originally estimated. The City was previously notified of this overage.

**Attachment A2**  
**Apex Engineering Group, Inc.**  
**Fee Estimate for Additional Work in Phase I - Preliminary Engineering Services**  
**City of Minot Project 4780 / NDDOT SU-4-989(129) PCN 23860**  
**16th Street SW Reconstruction - 14th Ave SW to 2nd Ave SW**  
April 25, 2024

Apex Project No. 23.106.0006

Task No.	Classification	Principal	Senior Engineer	Lead Engineer	Design Engineer II	Project Engineer	Graduate Engineer	Sr. Survey Crew Chief	Surveyor I	Lead Env. Planner	Environ. Planner I	Sr. Eng. Tech	Eng. Tech III	Support Staff I	Totals
	Apex Standard Rate (2024)	\$226	\$208	\$195	\$181	\$150	\$137	\$173	\$116	\$177	\$141	\$149	\$118	\$105	
	Task Description	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	
1.0	Project Management														
1.01	Project Development and Staff Meetings - additional work		28	4	10	4	4			4			2		56
1.02	Coordination with the City of Minot														0
1.03	Coordination with Subconsultants														0
1.04	Project Coordination Meetings and 30% & 50% Plan Review Meetings (addtl 10 mtgs)		40		40		20			20					120
1.05	QC/QA Reviews														0
1.06	Progress Reports, Invoicing, Contract Administration		24												24
	Task 1 Subtotal	0	92	4	50	4	24	0	0	24	0	0	2	0	200
2.0	Survey														
2.01	Control														0
2.02	Boundary														0
2.03	Cadastral														0
2.04	Locates & Utilities														0
2.05	Topo							14	14						28
2.05	Scanning														0
2.06	CAD Drafting												8		8
	Task 2 Subtotal	0	0	0	0	0	0	14	14	0	0	0	8	0	36
3.0	Traffic Analysis														
3.01	Traffic Data Collection														0
3.02	Operations Analysis														0
3.03	Draft Traffic Operations Report														0
3.04	Incorporate Comments and Final Traffic Operations Report														0
	Task 3 Subtotal	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4.0	Preliminary Design														
4.01	Collect and Review Information from City														0
4.02	Typical Section Alternatives														0
4.03	Roadway Geometric Alternatives														0
4.04	5th Ave SW Intersection Alternatives														0
4.05	Sidewalk/Path Alternatives														0
4.06	Preliminary Modeling (Civil 3D)				80		160								240
4.07	Identify ROW/Easement Impacts														0
4.08	Work Zone Traffic Control & Phasing														0
4.09	Preliminary Signals, Lighting, & ITS														0
4.10	Preliminary Sanitary Sewer and Watermain Layouts														0
4.11	Review of Geotechnical Report														0
4.12	Prepare 30% and 50% Plan Submittals														0
4.13	Preliminary Cost Estimates		12	80	48		32								172
4.14	Permitting - Section 404 Permit and Floodplain Permit														0
	Task 4 Subtotal	0	12	80	128	0	192	0	0	0	0	0	0	0	412
5.0	Environmental Document														
5.01	Solicitation of Views														0
5.02	Aquatic Resource Field Delineation and Report		2							12	28				42
5.03	Type I Noise Determination Form														0
5.04	Review of Cultural Resource Inventory Report		2							2					4
5.05	Draft Documented CATEX - additional work		4							24	8				36
	Task 5 Subtotal	0	8	0	0	0	0	0	0	38	36	0	0	0	82

Task No.	Classification	Principal	Senior Engineer	Lead Engineer	Design Engineer II	Project Engineer	Graduate Engineer	Sr. Survey Crew Chief	Surveyor I	Lead Env. Planner	Environ. Planner I	Sr. Eng. Tech	Eng. Tech III	Support Staff I	Totals
	Apex Standard Rate (2024)	\$226	\$208	\$195	\$181	\$150	\$137	\$173	\$116	\$177	\$141	\$149	\$118	\$105	
	Task Description	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	
6.0	Public Involvement and Stakeholder Coordination														
6.01	Public Input Meeting (1)		16	16	28		16			24	4				104
6.02	Business and Property Owner Meetings														0
6.03	City Council Update - Support for City Staff														0
6.04	3D Visualization and Renderings - Design Support and Review														0
	Task 6 Subtotal	0	16	16	28	0	16	0	0	24	4	0	0	0	104
7.0	Preliminary Hydrologic & Hydraulic Analysis														
7.01	Data Collection and Review														0
7.02	Preliminary Hydrology														0
7.03	Preliminary Hydraulics and Storm Sewer Alternatives		20	160											180
7.04	Splitting N/S costs and depth duration summary		16	80											96
7.05	Technical Memorandum		8	24											32
	Task 7 Subtotal	0	44	264	0	0	0	0	0	0	0	0	0	0	308
8.0	Right of Way Services (assumes 40 landowners, 12 PE parcels, 40 TCE parcels). Other hours/costs not shown here are included in Great West Land Services cost shown below under "Subconsultants."														
8.01	Research and Review Ownership and Title														0
8.02	Prepare ROW Plats (assume 52 parcels)														0
8.03	Waiver Valuations/Appraisals														0
8.04	Prepare ROW Documents and Packets														0
8.05	Property Owner Meetings and Negotiations														0
8.06	Railroad ROW Coordination and Permitting (BNSF and CPR)														0
	Task 8 Subtotal	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9.0	Preliminary Utility Coordination														
9.01	Preliminary Utility Coordination														0
9.02	Preliminary Utility Conflict Plans														0
9.03	Initial Utility Meeting (via Teams)														0
	Task 9 Subtotal	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Total Labor Hours	0	172	364	206	4	232	14	14	86	40	0	10	0	1142
Total Labor Costs	\$0	\$35,776	\$70,980	\$37,286	\$600	\$31,784	\$2,422	\$1,624	\$15,222	\$5,640	\$0	\$1,180	\$0	\$202,514

Phase I Direct Expenses (All except Subconsultants)	\$0
Phase I Direct Expenses (Subconsultants)	\$13,161

Additional Work in Phase I - Grand Total Fee Estimate \$215,675

Estimated Direct Expenses - Phase I Preliminary Engineering

Vehicle Mileage Totals0\$0.00

Survey Vehicle Mileage Totals0\$0.00

Subsistence Totals0\$0.00

Lodging Totals0\$0.00

Supplies\$0.00  
Miscellaneous Costs\$0.00

Phase I Direct Expenses Total (All except Subconsultants)\$0.00

Subconsultants:		
Juniper LLC (Class III Field Survey & Expanded Study Area)		\$8,617.00
Classen Graphics (3D Visualization)		\$4,544.00

Amendment 1 to Phase I - Subconsultants Total\$13,161.00

Expense Notes:  
1.Meals are payable on a daily per diem basis and limited to \$45.00 per employee per day (Breakfast \$9.00, Lunch \$14.00, Dinner \$22.00).

**Attachment B1**  
**Scope Assumptions and Basis for Fee Estimate**  
**Phase II Final Design**  
**Minot 16<sup>th</sup> Street SW Reconstruction – 14<sup>th</sup> Ave SW to 2<sup>nd</sup> Ave SW**  
**Updated: April 17, 2024**

**General Information**

- **Schedule**

- Phase I Preliminary/Environmental – assumed ~~35 weeks (05/24/2023 to 01/26/2024)~~  
**55 weeks (05/24/2023 to 06/16/2024)**
- Phase II Final Design – assumed ~~36 weeks (12/11/2023 to 08/16/2024) (7-week overlap with Phase I)~~  
**15 weeks (05/06/2024 to 08/16/2024) – south segment only**
  - Bid Period – assume 12 weeks (08/16/2024 to 11/08/2024 [bid date])
- Phase III Construction – assumed 24 weeks (05/05/2025 to 10/17/2025)  
**22 weeks (05/05/2025 to 10/04/2025) – south segment only**

- **Construction Cost Estimate & Engineering Budget:**

- **\$12,189,000 – Apex const cost estimate from April 2024 (south segment only)**
- \$10,093,144 – City const cost estimate from November 2021
- \$ 2,018,629 – Engineering Budget (20% of City Cost Estimate)
- \$ 9,626,000 – estimate from NDDOT 2023-2026 Final STIP
  - \$7,790,000 Federal
  - \$1,836,000 City

- **Subconsultants – Phase II**

- Odney – Public Outreach, PIC - **hours/costs already included in Phase I contract**
- Great West Land Services – ROW Acquisition - **hours/costs already included in Phase I contract**
- Boulder Appraisal – Appraisals - **hours/costs already included in Phase I contract**
- SRF – Retaining Wall design/plan prep
- Prairie Engineering – Lighting design/plan prep

- **Other Anticipated Vendor Costs**

- Title Research Company - **costs already included in Phase I contract**

**South Segment: Phase II Final Design – Assumptions and Basis**

- **15 week schedule – 05/06/2024 to 08/16/2024 (south segment only) + 12 week bid period**

- **Included:**

- Task 10.0 Project Management
  - Project Development, Management, and Coordination
  - Project Coordination Meetings (6 assumed – 2 in-person and 4 virtual on MS Teams):
    - Design meeting during site visit – in-person
    - 95% PS&E Plan Review – in-person
    - 4 other monthly coordination meetings during final design (virtual on Teams)
  - QC/QA Reviews
  - Progress Reports, Invoicing, Contract Administration
- Task 11.0 Final Design
  - Title Sheet & TOC, Scope of Work/Survey Data - Sections 1, 2, & 4
  - Notes - Section 6

- Quantities – Section 8
  - Basis of Estimate – Section 10
  - General Details & Typical Sections - Sections 20 & 30
  - Removals – Section 40
  - Inlet and Manhole Summary – Section 50
  - Storm Sewer Plan and Profile – Section 55
  - Watermain Plan and Profile – Section 56
    - *No hours/costs assumed for south segment*
  - Roadway Plan and Profile/Grading Sheets/ADA – Section 60
  - Wetland Impacts – Section 75
    - *No hours/costs assumed for south segment*
  - Temp & Perm Erosion Control – Sections 76 & 77
  - Retaining Wall Layouts – Section 85 (Supply wall alignment, review SRF plans)
    - 4 walls assumed, 100-200 feet in length, 2-3 feet in height
  - Joint Layouts – Section 90
  - Work Zone Traffic Control – Section 100
  - Signing – Section 110
  - Pavement Marking – Section 120
  - Lighting - Section 140
    - *Review only – Prairie Engineering to design and prepare lighting plans*
  - Signals & ITS - Section 150 & 160
  - Cross Sections – Section 200
  - Final Corridor Modeling (Civil 3D)
  - Construction Estimate and Quantities
  - PS&E Submittal, Corrections, & Final Submittal
  - Addenda & Bid Questions
  - AMG Data and Staking Data
- Task 12.0 Public Involvement
    - Business and Property Owner Meetings – assume 2 trips to Minot for business/property stakeholder (assumed group meetings with individual as needed)
    - City Council Update - Support for City Staff, also includes trip to Minot to attend City Council meeting at which Engineering staff provides the project update
    - Odney – Public Outreach and PIC Services – **Phase II hours/costs already included in Phase I contract**
      - Media Relations
      - Assistance with Business and Property Owner Communications
      - General Public Communications
      - Online Content Development and Management
        - ✓ Updating minotroads.com website during design
  - Task 13.0 Final Hydrology & Hydraulics Analysis
    - Final Storm Storm Sewer Trunk Line and Pond Design
      - Design criteria:
        - ✓ Storm sewer 5-year event on 16<sup>th</sup> St SW; 10-year event on Burdick Expy
    - Final Inlet Design
      - Design criteria:
        - ✓ Inlets: 10-year event
        - ✓ Estimated 56 inlets
    - Final City Participation Calculations
    - Final Technical Memorandum (Draft and Final)

- Task 14.0 Right of Way Services
  - **Apex Phase II hours/costs already included in Phase I contract**
  - **Great West Land Services hours/costs already included in Phase I contract**
  - **Boulder Appraisal hours/costs already included in Phase I contract**
- Task 15.0 Final Utility Coordination
  - Utility Coordination
  - Utility Conflict Plans and Special Provision
  - Utility Meeting (via Teams)



**Attachment B2**  
**Apex Engineering Group, Inc.**  
**Fee Estimate for Phase II - Final Design Services**  
**City of Minot Project 4780 / NDDOT SU-4-989(129) PCN 23860**  
**16th Street SW Reconstruction - 14th Ave SW to Burdick Expwy**  
**(South Segment)**  
April 17, 2024

Apex Project No. 23.106.0006

Task No.	Classification	Principal	Senior Engineer	Lead Engineer	Design Engineer I	Project Engineer	Graduate Engineer	Sr. Survey Crew Chief	Surveyor I	Lead Env. Planner	Environ. Planner I	Sr. Eng. Tech	Eng. Tech III	Support Staff I	Totals
	Apex Standard Rate (2024)	\$226	\$208	\$195	\$168	\$150	\$137	\$173	\$116	\$177	\$141	\$149	\$118	\$105	
	Task Description	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	
10.0	Project Management - Phase II														
10.01	Project Development and Staff Meetings		40	40			16								96
10.02	Coordination with the City of Minot		8	8											16
10.03	Coordination with Subconsultants		8												8
10.04	Coordination with Other Agencies		8												8
10.05	Project Coordination Meetings and 95% PS&E Plan Review Meetings (6 total)		24	48			12						12		96
10.06	QC/QA Reviews	2	8	20	16	16									62
10.07	Progress Reports, Invoicing, Contract Administration	2	24											4	30
	Task 10 Subtotal	4	120	116	16	16	28	0	0	0	0	0	12	4	316
11.0	Final Design and Plan Preparation														
11.01	Title Sheet & TOC, Scope of Work/Survey Data - Sections 1, 2, & 4		2	4			8						8		22
11.02	Notes - Section 6		4	24											28
11.03	Quantities – Section 8			16			40						16		72
11.04	Basis of Estimate – Section 10			2			8								10
11.05	General Details & Typical Sections - Sections 20 & 30			4			40						8		52
11.06	Removals – Section 40			4								40			44
11.07	Inlet and Manhole Summary – Section 50			4			8					40			52
11.08	Storm Sewer Plan and Profile – Section 55			16			16						60		92
11.09	Watermain Plan and Profile – Section 56 (no work assumed for south segment)														0
11.10	Roadway Plan and Profile/Grading Sheets/ADA – Section 60		4	40			80						60		184
11.11	Wetland Impacts – Section 75 (no work assumed for south segment)														0
11.12	Temp & Perm Erosion Control – Sections 76 & 77			8			40					16			64
11.13	Retaining Wall Layouts – Section 85 (Supply wall alignment, review SRF plans)		4	8			16								28
11.14	Joint Layouts – Section 90			16			32								48
11.15	Work Zone Traffic Control – Section 100		4	16			60						16		96
11.16	Signing – Section 110			4			16					16			36
11.17	Pavement Marking – Section 120			4			16						16		36
11.18	Lighting - Section 140 (Review only)		4	4											8
11.19	Signals & ITS - Section 150 & 160		12		80								40		132
11.20	Cross Sections – Section 200			8			40								48
11.21	Corridor Modeling (Civil 3D)			8			160								168
11.22	Construction Estimate and Quantities		4	28			40					40			112
11.23	PS&E Submittal, Corrections, & Final Submittal		4	52			40					40	40	4	180
11.24	Addenda & Bid Questions		4	8			8						8		28
11.25	AMG Data and Staking Data			8			24					40			72
	Task 11 Subtotal	0	46	286	80	0	692	0	0	0	0	232	272	4	1612
12.0	Public Involvement and Stakeholder Coordination														
12.01	Business and Property Owners Meetings		40	40											80
12.02	Website Update - Support to Odney		4	8									8		20
12.03	City Council Update - Support for City Staff		8	8											16
	Task 12 Subtotal	0	52	56	0	0	0	0	0	0	0	0	8	0	116
13.0	Final Hydrologic & Hydraulic Analysis, and Pond Design														
13.01	Final Storm Sewer Trunk Line and Pond Design		24	40			100								164
13.02	Final Inlet Design		16	24			156								196
13.03	Final City Participation Calculations		4	16			40								60
13.04	Technical Memorandum		4	16			40								60
	Task 13 Subtotal	0	48	96	0	0	336	0	0	0	0	0	0	0	480
14.0	Right of Way Services														

Task No.	Classification	Principal	Senior Engineer	Lead Engineer	Design Engineer I	Project Engineer	Graduate Engineer	Sr. Survey Crew Chief	Surveyor I	Lead Env. Planner	Environ. Planner I	Sr. Eng. Tech	Eng. Tech III	Support Staff I	Totals
	Apex Standard Rate (2024)	\$226	\$208	\$195	\$168	\$150	\$137	\$173	\$116	\$177	\$141	\$149	\$118	\$105	
	Task Description	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	
	Note: These hours/costs were previously included in Original Phase I Contract.														0
															0
	Task 14 Subtotal	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15.0	Final Utility Engineering and Coordination														
15.01	Utility Coordination			8			24								32
15.02	Utility Conflict Plans & Special Provision			4			60						40		104
15.03	Utility Meetings (via Teams)		4	4			8								16
	Task 15 Subtotal	0	4	16	0	0	92	0	0	0	0	0	40	0	152

Total Labor Hours	4	270	570	96	16	1148	0	0	0	0	232	332	8	2676
Total Labor Costs	\$904	\$56,160	\$111,150	\$16,128	\$2,400	\$157,276	\$0	\$0	\$0	\$0	\$34,568	\$39,176	\$840	\$418,602

Phase II Direct Expenses (All except Subconsultants)	\$3,912
Phase II Direct Expenses (Subconsultants)	\$37,510
South Segment: Phase II - Grand Total Fee Estimate	\$460,024

Estimated Direct Expenses - Phase II Final Design

Vehicle Mileage @ \$0.67 / Mile	Round Trip		No. of Trips	Per Trip	Total	Cost
	From-To			Mileage	Mileage	(@ \$0.67/mi)
Task 10.05 (assume 2 in-person meetings)	Apex Bsmk	Project Site	2	220	440	\$294.80
Task 11.0 (assume 2 site visits during final design)	Apex Bsmk	Project Site	2	220	440	\$294.80
Task 12.0 (assumes 3 visits - 2 stakeholder mtgs, 1 City Council)	Apex Bsmk	Project Site	3	220	660	\$442.20
Task 14.0 Right of Way (previously included in Phase I original contract)	Apex Bsmk	Project Site	0	220	0	\$0.00
Vehicle Mileage Totals					1,540	\$1,031.80

Survey Vehicle Mileage @ \$1.00 / Mile			Round Trip	Per Trip	Total	Cost
From-To		No. of Trips	Mileage	Mileage	(@ \$1.00/mi)	
Apex Bsmk	Project Site	0	0		0	\$0.00
On-Site Travel		0	0		0	\$0.00
Survey Vehicle Mileage Totals					0	\$0.00

Subsistence (\$45 / day / person max)		No. of days	No. of people	Total No. of per diems	Cost (@ \$45/day)
Task 10.05 (assume 2 in-person meetings)		2	2	4	\$180.00
Task 11.0 (assume 2 site visits during final design)		2	2	4	\$180.00
Task 12.0 (assumes 3 visits - 2 stakeholder mtgs, 1 City Council)		3	2	6	\$270.00
Task 14.0 Right of Way (previously included in Phase I original contract)		0	0	0	\$0.00
Subsistence Totals				14	\$630.00

Lodging (\$125 / night)	Lodging Location	No. of nights	No. of people	Total No. of nights	Cost (@ \$125/night)
Task 10.05 (assume 2 in-person meetings)	Minot	1	2	2	\$250.00
Task 11.0 (assume 2 site visits during final design)	Minot	1	2	2	\$250.00
Task 12.0 (assumes 3 visits - 2 stakeholder mtgs, 1 City Council)	Minot	3	2	6	\$750.00
Task 14.0 Right of Way (previously included in Phase I original contract)	Minot	0	0	0	\$0.00
Lodging Totals				10	\$1,250.00

Supplies	\$500.00
Miscellaneous Costs	\$500.00

Phase II Direct Expenses Total (All except Subconsultants) \$3,911.80

Subconsultants:	
Odney (Public Outreach, PIC services)	Hours/cost through final design already included in Phase I original contract
Great West Land Services (ROW Acquisition)	Hours/cost through final design already included in Phase I original contract
Boulder Appraisal (Basic Data Book & 2 Appraisals)	Hours/cost through final design already included in Phase I original contract

Task No.	Classification	Principal	Senior Engineer	Lead Engineer	Design Engineer I	Project Engineer	Graduate Engineer	Sr. Survey Crew Chief	Surveyor I	Lead Env. Planner	Environ. Planner I	Sr. Eng. Tech	Eng. Tech III	Support Staff I	Totals
	Apex Standard Rate (2024)	\$226	\$208	\$195	\$168	\$150	\$137	\$173	\$116	\$177	\$141	\$149	\$118	\$105	
	Task Description	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	
	Prairie Engineering (Lighting Design and Plan Preparation)						\$7,200.00								
	SRF (Retaining Wall Design and Plan Preparation)						\$30,310.00								
Phase II - Subconsultants Total							\$37,510.00								



**Prairie Engineering P.C.**  
Mechanical and Electrical Consulting Engineers  
Minot and Bismarck, North Dakota

1905 17<sup>th</sup> Street SE  
Minot, North Dakota 58701  
Ph: 701-852-6363 Fx: 701-839-7085

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**PROJECT NO.** 24031  
**DATE:** March 29, 2024

**AUTHORIZATION AND AGREEMENT FOR ENGINEERING SERVICES**

**CLIENT:** Apex Engineering Group  
**Contact Name:** Matt Kinsella  
**Billing Address:** 4733 Amber Valley Parkway South  
Fargo, ND 58104

**PROJECT DATA:**

**Job Title:** Minot 16<sup>th</sup> St SW Reconstruction.  
**Description of Work:** Street lighting upgrade and minor traffic signal system modifications.  
**Estimated Area (SF):** NA  
**Estimated Budget:** NA

**ENGINEERING SERVICES:**

**Design Phase:** Provide design analysis, plans, specifications, and unit quantity estimate for demolition of existing lighting system and installation of new street lighting. Minor modifications to the existing traffic signal system at 16<sup>th</sup> and Burdick.  
**Construction Phase:** Shop drawing review and project coordination. Interim site inspections if required. Final inspection and report. Electronic update for "As-Built" drawings.

**ENGINEERING FEES:**

**Design Phase Services:** Hourly as per attachment, not to exceed \$7,200

**Construction Phase Services:** Hourly as per attachment, not to exceed \$2,000.

**OTHER CONSIDERATIONS:**

Invoices will be submitted for services and reimbursable expenses and are due within 30 days of when rendered.

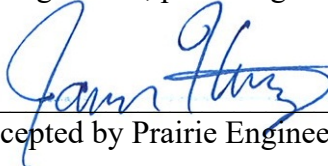
Prairie Engineering, P.C. agrees to keep in force during the term of this agreement, and for at least twelve months thereafter from, professional liability insurance covering its liability for acts, errors, or omissions in providing or failing to provide professional services, with a per-claim coverage of \$2,000,000.00 and aggregate coverage of \$2,000,000.00. The present policy is effective October 1, 2023 through October 1, 2024.

Owner/Engineer agreement shall not be binding on Consultant unless Consultant has been furnished with copy of same and has accepted provisions contained therein.

A copy of the Owner/Engineer agreement has been reviewed and accepted as part of this agreement.

\_\_\_\_\_ YES        X   NO

If terms are agreeable, please sign and return one copy.

BY:   
Accepted by Prairie Engineering, P.C.

DATE: 03/29/2024

BY: \_\_\_\_\_ DATE: \_\_\_\_\_




Hourly Rates/Expense Rates  
Effective January 1, 2024

Principal	\$200 Per Hour
Senior Engineer	\$145 Per Hour
Engineer	\$105 - \$135 Per Hour
Designer	\$80 - \$135 Per Hour
Secretary/Accounting	\$70 Per Hour
Reproduction: Blueprints	\$2.50/Sheet or Cost from Commercial Printer Plus 10%
Reproduction: Specifications	\$0.20/Sheet or Cost from Commercial Printer Plus 10%
Mileage	\$0.70 Per Mile
Postage, Telephone, Office Supplies	Cost Plus 10%
Outside Consultants (if required)	Invoice Plus 10%

SRF Consulting Group, Inc.  
Client: Apex Engineering / City of Minot  
Project: 16th St SW Reconstruction in Minot, ND  
Subconsultants:

Work Tasks and Person-Hour Estimates



16434.PP

<u>TASK NO.</u>	<u>SUMMARY OF TASKS</u>
1	STRUCTURAL

SRF Consulting Group, Inc.

Client:Apex Engineering / City of Minot

Project:16th St SW Reconstruction in Minot, ND

Subconsultants:

16434.PP

TASK NO.

TASK DESCRIPTION

PROF. VIII-VII

PROF. VI

PROF. V

PROF. IV

PROF. III

PROF. II

PROF. I

TECH.

SUPPORT

TOTALS

EST. FEE

1.0

STRUCTURAL

Assumptions:

- Scope of retaining wall work includes up to 300' of retaining walls at three separate sites with walls up to 4' in height.

- Task includes hours for one wall type. Wall type options consist of CIP, modular block, or sheet pile with decorative facing

- Utility coordination to be completed by client

- Meeting attendance will be virtual

Client Deliverables:

- Wall alignments & top of wall profiles

- Wall plan and elevation sheets

- Final Geotechnical report

1.1

Project Management

10

-

-

-

-

-

-

-

5

15

\$3,350.00

1.2

Structural Design, Special Provisions & Section 170 Plans and estimate for retaining walls outlined under the assumptions above. Plans will also include foundation and backfill details which SRF will coordinate with Geotechnical Engineer.

40

-

40

-

-

40

-

24

-

144

\$26,960.00

SRF Deliverables:

- 90% Plans, Specs, and Estimate.

- 100% Plans, Specs, and Estimate.

SUBTOTAL - TASK 1

50

0

40

0

0

40

0

24

5

159

\$30,310.00

TOTAL ESTIMATED PERSON-HOURS

50

0

40

0

0

40

0

24

5

159

AVERAGE HOURLY BILLING RATE

\$254

\$0

\$205

\$0

\$0

\$128

\$0

\$145

\$162

ESTIMATED LABOR AND OVERHEAD

\$12,700

\$0

\$8,200

\$0

\$0

\$5,120

\$0

\$3,480

\$810

\$30,310.00

SRF ESTIMATED DIRECT NON-SALARY EXPENSES

\$0.00

SUBTOTAL: (SRF Labor and Expenses)

\$30,310.00

SUBCONSULTANTS:

\$0.00

TOTAL ESTIMATED FEE (SRF and Subconsultants combined)

\$30,310.00





16434.PP

**\$0.00**

SRF Consulting Group, Inc.

Client:

Apex Engineering / City of Minot

Project:

16th St SW Reconstruction in Minot, ND

Subconsultants:

16434.PP


SRF

Work Tasks and Person-Hour Estimates

TASK NO.	TASK DESCRIPTION	PROF. VIII-VII	PROF. VI	PROF. V	PROF. IV	PROF. III	PROF. II	PROF. I	TECH.	SUPPORT	TOTALS	EST. FEE
SUMMARY OF COSTS:		PROF. VIII-VII	PROF. VI	PROF. V	PROF. IV	PROF. III	PROF. II	PROF. I	TECH.	SUPPORT		TOTALS
1	STRUCTURAL	\$ 12,700.00	\$ -	\$ 8,200.00	\$ -	\$ -	\$ 5,120.00	\$ -	\$ 3,480.00	\$ 810.00		\$30,310.00
TOTALS		\$12,700.00	\$0.00	\$8,200.00	\$0.00	\$0.00	\$5,120.00	\$0.00	\$3,480.00	\$810.00		\$30,310.00

SRF Consulting Group, Inc.  
Client: Apex Engineering / City of Minot  
Project: 16th St SW Reconstruction in Minot, ND  
Subconsultants:

Work Tasks and Person-Hour Estimates



16434.PP

TASK NO.	TASK DESCRIPTION	PROF. VIII-VII	PROF. VI	PROF. V	PROF. IV	PROF. III	PROF. II	PROF. I	TECH.	SUPPORT	TOTALS	EST. FEE
SUMMARY OF HOURS:		PROF. VIII-VII	PROF. VI	PROF. V	PROF. IV	PROF. III	PROF. II	PROF. I	TECH.	SUPPORT	TOTALS	
1	STRUCTURAL	50	-	40	-	-	40	-	24	5		\$159.00
TOTALS		50	0	40	0	0	40	0	24	5		\$159.00

**Attachment C1**  
**Scope Assumptions and Basis for Fee Estimate**  
**Phase III Construction**  
**Minot 16<sup>th</sup> Street SW Reconstruction – 14<sup>th</sup> Ave SW to 2<sup>nd</sup> Ave SW**  
**Updated: April 17, 2024**

**General Information**

- **Schedule**

- Phase I Preliminary/Environmental – assumed ~~35 weeks (05/24/2023 to 01/26/2024)~~  
**55 weeks (05/24/2023 to 06/16/2024)**
- Phase II Final Design – assumed ~~36 weeks (12/11/2023 to 08/16/2024) (7-week overlap with Phase I)~~  
**15 weeks (05/06/2024 to 08/16/2024) – south segment only**
  - Bid Period – assume 12 weeks (08/16/2024 to 11/08/2024 [bid date])
- Phase III Construction – assumed 24 weeks (05/05/2025 to 10/17/2025)  
**22 weeks (05/05/2025 to 10/04/2025) – south segment only**

- **Construction Cost Estimate & Engineering Budget:**

- **\$12,189,000 – Apex const cost estimate from April 2024 (south segment only)**
- \$10,093,144 – City const cost estimate from November 2021
- \$ 2,018,629 – Engineering Budget (20% of City Cost Estimate)
- \$ 9,626,000 – estimate from NDDOT 2023-2026 Final STIP
  - \$7,790,000 Federal
  - \$1,836,000 City

- **Subconsultants – Phase III**

- Material Testing Services – testing
- Odney – Public Outreach, PIC
- Prairie Engineering – Lighting inspection support, shop drawing review

**South Segment: Phase III Construction – Assumptions and Basis**

- **22 week schedule – 05/05/2025 to 10/04/2025 (south segment only)**

- **Staffing assumptions for construction:**

- Senior Engineer: 2 Trips x 16 Hrs. / Trip + 14 hrs admin, closeout = 46 Hours
- Lead Engineer: 16 Trips x 16 Hrs. / Trip + 74 hrs admin, closeout = 330 Hours
- Project Engineer: 22 Weeks x 64 Hrs. / Week + 334 hrs admin, closeout = 1,742 Hours
- Graduate Engineer: 18 Weeks x 50 Hrs. Week + 116 hrs admin, closeout = 1,016 Hours
- Engineering Technician: 12 Weeks x 50 Hrs. Week = 600 Hours
- Survey Crew: 274 crew-hours

- **Included:**

- Task 16.0 Construction Administration
  - Project Development, Management, and Coordination
  - Coordination with City and Contractor
  - Site Visits and QC/QA Reviews
  - Change Orders and Shop Drawing Review
  - Invoicing

- Task 17.0 Construction Inspection
  - Earthwork / Grading / Aggregate Base
  - Underground Utilities (Storm, Sanitary, Water)
  - Concrete Paving/General Inspection
  - Traffic Control / Erosion Control Inspection
  - Permanent Signing / Pavement Marking
  - Street Lighting / Traffic Signal Inspection
  - Materials Testing Coordination / Plant Inspection
  - Record Keeping & Quantities
- Task 18.0 Construction Surveying
  - Earthwork / Grading /Aggregate Base
  - Concrete Paving / Curb & Gutter
  - Utilities
  - Misc. Items
- Task 19.0 Project Closeout
  - Final Acceptance and Payment
  - Final Records Submittal

Attachment C2  
Apex Engineering Group, Inc.  
Fee Estimate for Phase III - Construction Engineering & Administration Services  
City of Minot Project 4780 / NDDOT SU-4-989(129) PCN 23860  
16th Street SW Reconstruction - 14th Ave SW to Burdick Expwy  
(South Segment)  
April 17, 2024

Apex Project No. 23.106.0006

Task No.	Classification	Principal	Senior Engineer	Lead Engineer	Design Engineer II	Project Engineer	Graduate Engineer	Sr. Survey Crew Chief	Surveyor I	Lead Env. Planner	Environ. Planner I	Sr. Eng. Tech	Eng. Tech III	Support Staff I	Totals
	Apex Standard Rate (2024)	\$226	\$208	\$195	\$181	\$150	\$137	\$173	\$116	\$177	\$141	\$149	\$118	\$105	
	Task Description	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	
16.0	Construction Administration														
16.01	Internal Project & Staff Meetings		4	20		20	20								64
16.02	Coordination with City Staff		4	18		20									42
16.03	Project Site Visits & QC/QA		30												30
16.04	Coordination w/Contractor & Project Meetings			20		22	16								58
16.05	Coordination with Property / Business Owners			16		40									56
16.06	Change Orders & Shop Drawing Review			16		40									56
	Task 16 Subtotal	0	38	90	0	142	36	0	0	0	0	0	0	0	306
17.0	Construction Inspection														
17.01	Earthwork / Grading / Aggregate Base			80		420	160						160		820
17.02	Underground Utilities (Storm, Sanitary, Water)			20		240	200						200		660
17.03	Concrete Paving/General Inspection			40		300	150						150		640
17.04	Traffic Control / Erosion Control Inspection					120	60						60		240
17.05	Permanent Signing / Pavement Marking					40	20						20		80
17.06	Street Lighting / Traffic Signal Inspection					80	40						10		130
17.07	Materials Testing Coordination / Plant Inspection			20		40	10								70
17.08	Record Keeping & Quantities			40		200	180								420
	Task 17 Subtotal	0	0	200	0	1440	820	0	0	0	0	0	600	0	3060
18.0	Construction Surveying														
18.01	Earthwork / Grading /Aggregate Base							100	100						200
18.02	Concrete Paving / Curb & Gutter							100	100						200
18.03	Utilities							50	50						100
18.04	Misc. Items							24	24						48
	Task 18 Subtotal	0	0	0	0	0	0	274	274	0	0	0	0	0	548
19.0	Project Closeout														
19.01	Final Acceptance & Payment		4	20		80	80								184
19.02	Final Records Submittal		4	20		80	80								184
	Task 19 Subtotal	0	8	40	0	160	160	0	0	0	0	0	0	0	368

Total Labor Hours	0	46	330	0	1742	1016	274	274	0	0	0	600	0	4282
Total Labor Costs	\$0	\$9,568	\$64,350	\$0	\$261,300	\$139,192	\$47,402	\$31,784	\$0	\$0	\$0	\$70,800	\$0	\$624,396

Phase III Direct Expenses (All except Subconsultants)	\$94,027
Phase III Direct Expenses (Subconsultants)	\$47,000
South Segment: Phase III - Grand Total Fee Estimate	\$765,423

Estimated Direct Expenses - Phase III Construction Engineering							
Vehicle Mileage @ \$0.67 / Mile			Round Trip		Per Trip	Total	Cost
	From-To		No. of Trips	Mileage	Mileage	(@ \$0.67/mi)	
Task 16.0 - Project Management	Apex Bsmk	Project Site	2	220	440		\$294.80
Task 17.0 - Construction Administration & Inspection (Lead Eng)	Apex Bsmk	Project Site	16	320	5,120		\$3,430.40
Task 17.0 - Construction Administration & Inspection (Other Eng Staff)	Apex Bsmk	-	52	220	11,440		\$7,664.80
Task 17.0 - Construction Administration & Inspection (Other Eng Staff)	-	Project Site	312	50	15,600		\$10,452.00
Task 19.0 - Project Closeout	Apex Bsmk	Project Site	2	220	440		\$294.80
Vehicle Mileage Totals					33,040		\$22,136.80
Survey Vehicle Mileage @ \$1.00 / Mile			Round Trip		Per Trip	Total	Cost
	From-To		No. of Trips	Mileage	Mileage	(@ \$1.00/mi)	

Task No.	Classification	Principal	Senior Engineer	Lead Engineer	Design Engineer II	Project Engineer	Graduate Engineer	Sr. Survey Crew Chief	Surveyor I	Lead Env. Planner	Environ. Planner I	Sr. Eng. Tech	Eng. Tech III	Support Staff I	Totals
	Apex Standard Rate (2024)	\$226	\$208	\$195	\$181	\$150	\$137	\$173	\$116	\$177	\$141	\$149	\$118	\$105	
	Task Description	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	

Task 18.0 - Construction Survey	Apex Bsmk	-	11	220	2,420	\$2,420.00
Task 18.0 - Construction Survey	-	Project Site	55	50	2,750	\$2,750.00
Survey Vehicle Mileage Totals					5,170	\$5,170.00

Subsistence (\$45 / day / person max)

	No. of days	No. of people	Total No. of per diems	Cost (@ \$45/day)
Task 16.0 - Project Management	8	1	8	\$360.00
Task 17.0 - Construction Administration & Inspection (Lead Eng)	32	1	32	\$1,440.00
Task 17.0 - Construction Administration & Inspection (Other Eng Staff)	104	3	312	\$14,040.00
Task 18.0 - Construction Survey	55	2	110	\$4,950.00
Task 19.0 - Project Closeout	2	2	4	\$180.00
Subsistence Totals			466	\$20,970.00

Lodging (\$125 / night)

	Lodging Location	No. of nights	No. of people	Total No. of nights	Cost (@ \$125/night)
Task 16.0 - Project Management	Minot	4	1	4	\$500.00
Task 17.0 - Construction Administration & Inspection (Lead Eng)	Minot	16	1	16	\$2,000.00
Task 17.0 - Construction Administration & Inspection (Other Eng Staff)	Minot	86	3	258	\$32,250.00
Task 18.0 - Construction Survey	Minot	44	2	88	\$11,000.00
Lodging Totals				362	\$45,750.00

Supplies	\$0.00
Miscellaneous Costs	\$0.00

Phase III Direct Expenses Total (All except Subconsultants)	\$94,026.80
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Subconsultants:

Material Testing Services (Testing)	\$35,000.00
Odney (Public Outreach, PIC services)	\$10,000.00
Prairie Engineering (Lighting inspection and shop drawing review)	\$2,000.00

Phase III - Subconsultants Total	\$47,000.00
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Expense Notes:

1.Meals are payable on a daily per diem basis and limited to \$45.00 per employee per day (Breakfast \$9.00, Lunch \$14.00, Dinner \$22.00).