

This is **EXHIBIT K**, consisting of 3 pages, referred to in and part of the **Agreement between Owner and Engineer for Professional Services** dated August 21, 2013.

## AMENDMENT TO OWNER-ENGINEER AGREEMENT

### Amendment No. Five (5)

#### 1. Background Data:

- a. Effective Date of Owner-Engineer Agreement: August 21, 2013
- b. Owner: City of Minot, ND
- c. Engineer: HMjv
- d. Project: Downtown Infrastructure Improvements Project, City Project 3608

#### 2. Description of Modifications:

- a. In accordance with the Minot City Council meeting minutes dated October 2, 2017:
  - 1) Authorize the use of available surplus Additional Services budget (\$142,419.53) for the Basic Services components of Construction Management Services (CMS), and Resident Project Representative (RPR) Services.
  - 2) In accordance with Exhibit C of the Agreement (C2.01.A.4), adjust the distribution of Basic Services budgets between individual Design and Bidding Services phase segments of the work to be consistent with services actually rendered such that any phase budget surpluses are utilized for CMS and RPR services and such that the adjusted Agreement amount is not exceeded. See attached budget summary sheet, summarized as follows:
    - a) Decrease the Preliminary Design Services budget by \$61.40, from \$1,038,940.92 to \$1,038,879.52.
    - b) Increase the Final Design Services – One Contract budget by \$3,389.10, from \$1,157,942.08 to \$1,161,331.18.
    - c) Decrease the Bidding Services – One Contract budget by \$119.87, from \$121,800 to \$121,680.13.

- d) Increase the 2015 Phase Bidding Documents Preparation budget by \$3,321.13, from \$75,677.00 to \$78,998.13.
- e) Decrease the 2015 Phase Bidding Services budget by \$2,613.34, from \$40,020.00 to \$37,406.66.
- f) Increase the 2016 Phase Bidding Documents Preparation budget by \$4,702.27, from \$86,912.00 to \$91,614.27.
- g) Decrease the 2016 Phase Bidding Services budget by \$4,737.63, from \$26,568.00 to \$21,830.37.
- h) Decrease the 2017 Phase Design and Bidding Services budget by \$3,057.03, \$143,082.00 to \$140,024.97.

- 3) Increase the Construction Management Services budget by \$58,787.00, from \$766,378.00 to \$825,165.00.
- 4) Increase the Resident Project Representative Services budget by \$144,955.00, from \$1,205,009.00 to \$1,349,964.00.
- 5) Increase the Public Information Coordination (PIC) budget by \$22,368.30 from \$406,000.00 to \$428,368.30.
- 6) Decrease the Additional Services (other than PIC) budget by \$142,419.53, from \$245,700.00 to \$103,280.47.

3. Agreement Summary (Reference only)

- a. Original Agreement amount: \$3,741,100.00
- b. Net change for prior amendments: \$1,572,929.00
- c. This amendment amount: \$ 84,514.00
- d. Adjusted Agreement amount: \$3,398,543.00

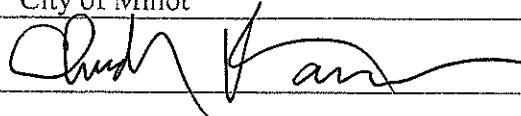
The foregoing Agreement Summary is for reference only and does not alter the terms of the Agreement, including those set forth in Exhibit C.

Owner and Engineer 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 October 2, 2017.

OWNER:

City of Minot

By:



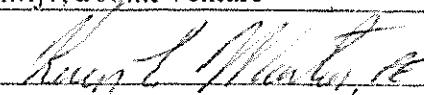
Title: Mayor

Date Signed: 10/19/17

ENGINEER:

HJM JV, a Joint Venture

By:



Title: Principal Project Manager

Date Signed: 10-9-17

By:



Title: Vice President

Date Signed: 10/12/2017

Minot Downtown Infrastructure Improvements Project

HMjv Amendment #5 - Budget Summary

Agreement Phase	Original Budget	Prior Amendments	Current Budget	Proposed	
				Amendment #5	Proposed Budget
Phase 1 - Public Information Coordination (PIC)	\$ 378,000.00	\$ 28,000.00	\$ 406,000.00	\$ 22,368.30	\$ 428,368.30
Phase 2 - Preliminary Design Services	\$ 813,300.00	\$ 225,640.92	\$ 1,038,940.92	\$ (61.40)	\$ 1,038,879.52
Phase 3 - Final Design Services - one contract	\$ 876,900.00	\$ 281,042.08	\$ 1,157,942.08	\$ 3,389.10	\$ 1,161,331.18
Phase 4 - Bidding Services - one contract	\$ 90,000.00	\$ 31,800.00	\$ 121,800.00	\$ (119.87)	\$ 121,680.13
Phase 5 - Construction Management Services (CMS)					
Office CMS (invoice phase 5)	\$ 145,100.00	\$ 149,182.00	\$ 294,282.00	\$ 97,169.00	\$ 391,451.00
Construction Staking (invoice phase 10)	\$ 374,364.00	\$ 75,596.00	\$ 449,960.00	\$ (68,620.00)	\$ 381,340.00
Record Drawings (invoice phase 11)	\$ 22,136.00	\$ -	\$ 22,136.00	\$ 30,238.00	\$ 52,374.00
Phase 6 - Resident Project Representative (RPR)	\$ 795,600.00	\$ 409,409.00	\$ 1,205,009.00	\$ 144,955.00	\$ 1,349,964.00
Phase 7 - Additional Services (other than PIC)	\$ 245,700.00	\$ -	\$ 245,700.00	\$ (142,419.53)	\$ 103,280.47
Phase 8 - 2015 Phase Bidding Documents Prep	\$ -	\$ 75,677.00	\$ 75,677.00	\$ 3,321.13	\$ 78,998.13
Phase 9 - 2015 Phase Bidding Services	\$ -	\$ 40,020.00	\$ 40,020.00	\$ (2,613.34)	\$ 37,406.66
Phase 12 - 2016 Phase Bidding Documents Prep	\$ -	\$ 86,912.00	\$ 86,912.00	\$ 4,702.27	\$ 91,614.27
Phase 13 - 2016 Phase Bidding Services	\$ -	\$ 26,568.00	\$ 26,568.00	\$ (4,737.63)	\$ 21,830.37
Phase 14 - 2017 Phase 3 Design & Bidding	\$ -	\$ 143,082.00	\$ 143,082.00	\$ (3,057.03)	\$ 140,024.97
Totals	\$ 3,741,100.00	\$ 1,572,929.00	\$ 5,314,029.00	\$ 84,514.00	\$ 5,398,543.00