

**ADDENDUM No. 1
TO
PROFESSIONAL SERVICES AGREEMENT
Construction Fee Determinations SSW 04-1429**

BANNER ASSOCIATES, INC
409 22nd Avenue South • P O Box 298
Brookings, South Dakota 57006-0298
(605) 692-6342
FAX (605) 692-5714

This ADDENDUM No. 1 to the professional services letter agreement, executed March 22, 2005, is made by and between the City of Rapid City, hereinafter called the OWNER, and Banner Associates, Inc., hereinafter called CONSULTANT.

The OWNER has requested the original project scope be expanded and modified to include utility oversize analysis and utility construction connection fee determinations associated with Red Rock Meadows Subdivision, Phase I. The OWNER has also requested that the results of the analysis and determinations by the CONSULTANT be incorporated into the Red Rock Canyon Estates Utility Construction Fee Determinations and Report. As such, the schedule for Red Rock Canyon Estates will be expanded and will require a time extension.

The SCOPE OF SERVICES for the ADDENDUM to be performed by the CONSULTANT shall include:

1. Red Rock Meadows Oversize Cost Determination – Review and compare material supplier invoices, contractor's pay requests, and other appropriate developer's information against City approved plans, and verify quantities. Coordinate with developer and determine oversize costs for the 16" & 12" water mains and 10" sanitary sewer using City's oversize forms and procedures.
2. Modify Sheridan Lake Road Sanitary Sewer Benefiting Area – Red Rock Meadows Subdivision plans include a sanitary sewer lift station in the near future, and a second sewer lift station for full build-out of the area. The original analysis of the Sheridan Lake Road sanitary sewer analysis will be modified to include the expanded service area and benefiting properties that will be created by the lift stations.
3. Additional Oversize Resolution for Dunsmore Sanitary Sewer Construction Fee – An additional Resolution and identification of Benefiting Properties will be developed to recover the oversize costs incurred by the OWNER for the 10" sanitary sewer in Dunsmore Road between Sheridan Lake Road and Red Rock Meadows.
4. Modify Red Rock Canyon Estates Oversize Water Resolution – The new 12" and 16" water mains installed with Red Rock Meadows will further benefit the ultimate water service zone in the Red Rock and Selador Ranch areas. The original Resolution will be modified to include the additional oversize costs and expanded service area.
5. Establish Dunsmore Road Water Connection Fees – The Red Rock Meadows' developer has constructed off-site water improvements with the Dunsmore Road between Sheridan Lake Road and Red Rock Meadows. Develop a resolution and coordinate with OWNER's Attorney's Office to develop an agreement whereas the OWNER will collect connection fees as adjoining properties connect to the water line, and the OWNER will reimburse the Red Rock Meadows' developer as these connections are made.
6. Establish Dunsmore Road Sanitary Sewer Connection Fees – The Red Rock Meadows' developer has constructed off-site sanitary sewer improvements with the Dunsmore Road between Sheridan Lake Road and Red Rock Meadows. Develop a resolution and coordinate with OWNER's Attorney's Office to develop an agreement whereas the OWNER will collect

connection fees as adjoining properties connect to the sanitary sewer main, and the OWNER will reimburse the Red Rock Meadows' developer as these connections are made.

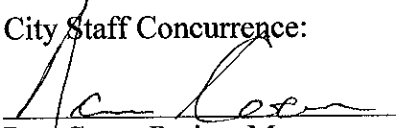
The expanded scope of the Sheridan Lake Road / Red Rock area will require an expanded time to complete that portion of the original contract. Additionally, the expanded scope requires information to be obtained by the CONSULTANT from the Red Rock Meadows developer and his contractor and suppliers. If timely response to information requests is not obtained from the developer, CONSULTANT reserves the right to request additional time proportional to the delay in receiving the requested information. The expanded scope sequentially impacts remaining tasks to be completed under the original agreement. An Amended Schedule is attached.

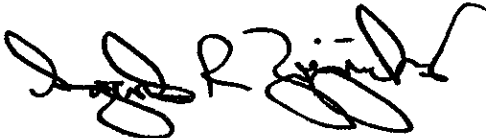
The Additional Services included in this ADDENDUM will be completed for an amount not-to-exceed \$3,948.00. The total amended Contract Amount will be \$ 38,360.00 for this Project.

The Additional Services included in this ADDENDUM will be performed in accordance with the Letter Agreement for Professional Services for City Project No. SSW04-1429 between the OWNER and CONSULTANT executed March 22, 2005. The completion date for this contract will be October 31, 2005.

Banner Associates, Inc.
Consulting Engineers & Architects
Brookings, SD 57006

City Staff Concurrence:


Dan Coon, Project Manager



Sigurds R. Zvejnieks, PE
Vice-President

ACKNOWLEDGMENT OF ACCEPTANCE

Accepted this _____ day of _____, 2005

For: City of Rapid City

By: _____


Title: Mayor, City of Rapid City

Attest:

By: _____

Title: Finance Officer, City of Rapid City

APPROVED AS TO FORM
CITY ATTORNEY'S OFFICE

 _____ 9-21-05
Attorney Date

Attachments:

- Attachment "A" – Schedule
- Attachment "B" – Estimated Manhours

ATTACHMENT "A"**AMENDMENT No. 1 - REVISED CONSTRUCTION FEE
DETERMINATION SCHEDULE FOR REMAINING TASKS****City Project No. SSW04-1429**

Following Milestone Dates are for draft Construction Fee Report submission to the Public Works Department and the City Attorney's Office for review and comments. The Final Report and Resolution for each area will be provided within 5 working days after review comments are received by Consultant from the Public Works Department and the City Attorney's Office.

<u>Study Area</u>	<u>Milestone Date</u>
Red Rocks Estates / Red Rock Meadows	September 19, 2005
Auburn Hills	October 3, 2005
Moon Ridge Water & Sewer	October 17, 2005
Highway 16	October 24 2005
Heartland I-90 Business Park	October 31, 2005
Golden Eagle Drive	October 24, 2005
Identify Other Potential Areas, Summarize Procedures & Guidelines Used, and Recommend Policy Items, Project Wrap-up & Closeout Meeting	October 31, 2005

ATTACHMENT "B"**AMENDMENT No. 1
Estimated Hours by Position****BANNER ENGINEERING SERVICES FOR THE CITY OF RAPID CITY
CONSTRUCTION FEE DETERMINATIONS City # SSW04-1429**

<u>Manhour Estimates</u>		<u>Manhours</u>
<u>TASK</u>		
1	Red Rock Meadows Oversize	16
2	Modify Sheridan Lake Road Benefiting Area	4
3	Dunsmore Sanitary Sewer Construction Fee Determination	8
4	Modify Red Rock area Water Construction Fee Determination	6
5	Dunsmore Off-site Water Connection Fee	4
6	Dunsmore Off-site Sewer Connection Fee	4
	TOTAL	42
		Billing
		Rate
	Senior Project Manager - Construction Fee	\$ 94.00
	Sigurds R. Zvejnieks	\$ 3,948.00