

This is **EXHIBIT K**, consisting of 2 pages, referred to in and part of the **Agreement between Owner and Engineer for Professional Services – Task Order Edition** dated January 1, 2018.

Amendment No. 1 To Task Order No. 2025-1: Dickinson Drainageway Project

1. Background Data:

- a. Effective Date of Task Order: February 4, 2025
- b. Owner: City of Dickinson, ND
- c. Engineer: Apex Engineering Group, Inc.
- d. Specific Project: Dickinson Drainageway Project

2. Description of Modifications

- a. The Scope of Services currently authorized to be performed by Engineer in accordance with the Task Order and previous amendments, if any, is modified as follows: **See Attachment 1**
- b. Attachments: **Attachment 1 – Scope of Services** pertaining to specific tasks for the project.
- c. For the Additional Services or the modifications to services set forth above, Owner shall pay Engineer the following additional or modified compensation: \$382,600 (Hourly Rates)
- d. The schedule for rendering services under this Task Order is modified as follows:
 - Study and Report Services: May 2026

3. Task Order Summary (Reference only)

- a. Original Task Order amount: \$ 6,700
- b. Net change for prior amendments: \$ 0
- c. This amendment amount: \$ 382,600
- d. Adjusted Task Order amount: \$ 389,300

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

Owner and Engineer hereby agree to modify the above-referenced Task Order as set forth in this Amendment. All provisions of the Agreement and Task Order not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is August 5, 2025.

OWNER:

By: _____

Title: _____

Date
Signed: _____

ENGINEER:

By: Scott M. Schneider

Title: Vice President

Date
Signed: 7-29-2025

Attachment 1 to Amendment No. 1, Task Order No. 2025-1

NW Regional Retention Project
City of Dickinson, North Dakota
July 25, 2025

Phase No.	Description
1	Study and Feasibility Report

Project Background

The Apex Engineering Group/Houston Engineering, Inc. Team (Project Team) has developed this preliminary proposal for services to the City of Dickinson (City) on the Northwest Regional Retention Project. The Project will involve preliminary planning and design of flood damage reduction solutions for the City of Dickinson. The release of FEMA's latest Flood Insurance Rate Map (FIRM) dated August 28, 2024, resulted in more than 750 City of Dickinson properties being included within the floodplain. Many of these properties are concentrated along the Dickinson Drainageway. The City of Dickinson aims to reduce the flood risk identified on the FIRMs for as many properties as feasible. Concepts of flood reduction include a regional reservoir upstream of the Corporate Boundary/Public Safety Center as well as improvements through the urbanized area of the Dickinson Drainageway. The goal of a Northwest Regional Retention project would be to mitigate flood risks at the headwaters of the Dickinson Drainageway. The preliminary planning will be done in support of the City applying for a NDDWR Cost Share as well as other potential funding options.

The Project Planning, Design, and Implementation will ultimately be completed in a phased approach as detailed below.

Phase 1 – Study and Report Phase

Objective:

Phase 1 services will include planning and pre-design work as it relates to helping the City develop flood risk reduction strategies for the Dickinson Drainageway. Early services in this phase will focus on background data development and alternative evaluation. This phase will include preparation of hydrologic and hydraulic modeling, alternative analysis, preliminary concept drawings, preliminary design, cost estimates and design documentation – the final deliverable will be a Feasibility Study Report. Phase 1 also includes project management, progress meetings with City of Dickinson staff and other stakeholders.

Activities:

Task 1. Identify Project Goals, Outreach and Project Management

The Project Team will be responsible for the overall coordination of work completed by the consultant team. Apex will be responsible for managing the project schedule and budget, assigning work, coordinating internal meetings, and communications with the City of Dickinson. Monthly updates will be submitted and will include, at a minimum, what was completed in the previous period, what is anticipated to be completed in the next period, issues or concerns for the City of Dickinson, and deliverables/milestones achieved during the previous period.

Progress meetings with representatives from the City of Dickinson will be held to discuss design and planning issues, scheduling, progress, and upcoming work. The Project Manager will ensure that the project proceeds in a timely and efficient manner, and that the City is provided proper communication of the project status.

- 1.1 Project Background
- 1.2 Purpose and Need Development
- 1.3 Project Administration
- 1.4 Progress Meetings (Maximum of three)
- 1.5 Quality Assurance/Quality Control
- 1.6 Project Team Coordination Meetings

Task 2. Initial Existing Conditions Model Review

The Project Team will reconcile the effective FEMA Flood Insurance Study XPSWMM model and the City's updates to the model. Updates will include resolving hydrology differences and updating land use and infrastructure changes resulting from development within the watershed. Data gaps will be identified and incorporated into the project model. The project XPSWMM model will be the baseline for alternative development.

- 2.1 Reconcile FEMA and City models
- 2.2 Confirm Study extents
- 2.3 Update/Refine Hydrology
- 2.4 Identify Data Gaps
- 2.5 Update Model Detail as Necessary

Task 3. Topographic Survey for Model Data Gaps/Definition

The Project Team will provide topographic survey for the XPSWMM model gaps as required. The topographic survey will include intermittent data point collection (utilities, culverts, drainage features) and will not be design level survey. A ND One-Call may be initiated in the area of the preferred retention to determine potential utility conflicts.

Task 4. Proposed Conditions Analysis

The Project Team will develop and perform preliminary analysis/screening for up to six (6) alternatives with the goal to meet the purpose and need developed as part of Task 1. Preliminary alternatives may include one large regional retention pond, a series of ponds, conveyance improvements, utilization of existing storage in the hydrology, or a hybrid of alternatives. The development of the alternatives will include initial sizing of the features to model the options and assess their relative benefits for preliminary analysis and screening.

Two alternatives will be further developed based on the hydraulic benefits and direction from the City, including civil considerations to municipal utilities, roadways, and recreation facilities. After further refinement is performed on the two alternatives, a preferred alternative will be selected.

4.1 Storage Analysis

- a. Identifying storage sites
 - i. Research dam guidelines for on-channel ponds
 - ii. Coordinating with road authorities regarding use of existing embankments for storage areas
- b. Developing concept pond layouts and storage curves
- c. Modeling

4.2 Conveyance Analysis

- a. Identifying problem areas
- b. Evaluating connections to other local projects
- c. Identifying limitations to improvements
- d. Modeling

4.3 Combination Alternatives

Task 5. Preliminary Design

The Project Team will develop concept level preliminary design documents for the preferred alternative to determine utility conflicts, real estate, right-of-way impacts and preliminary cost estimates. Community quality of life improvements, such as multi-use paths around a storage facility, will be reviewed.

- 5.1 Initial Design of Preferred Alternative (CLOMR/Concept Level) including Conceptual Drawings
- 5.2 Utility Conflict Review
- 5.3 Oil/Gas Conflict Review

Task 6. Feasibility Report/Decision Document

The Project Team will develop a Feasibility Report to summarize the technical methodology and results, and the developed alternatives. The report will evaluate the merits, reduction in flood risk and cost of the alternatives that are evaluated in detail after preliminary screening and recommend a preferred alternative. Technical Memorandums may be provided for various interim tasks and summarized in the Feasibility Study.

- 6.1 Preliminary Report
- 6.2 Opinion of Probable Costs
- 6.4 City/Stakeholder Input
- 6.5 Recommendations
- 6.6 Final Report

City of Dickinson Responsibilities:

- ✓ Execute contract between Dickinson and Apex.
- ✓ Provide the latest development activity and infrastructure improvement record drawings.
- ✓ Geotechnical Investigation as required to develop the project.

Project Team Responsibilities and Deliverables:

- ✓ Review and execute contract with Dickinson in a timely manner.
- ✓ Communicate with Dickinson on project updates and schedule.
- ✓ Manage Project Staff to complete project tasks, meet contractual deadlines, and stay within budget.
- ✓ Feasibility Report

Phase 2 Design and Phase 3 Construction Administration services are not included in this scope; however, this contract may be amended if the City chooses to include such services.

Project Schedule

Task/Activity

Date

Executed Contract

August 2025

Draft Feasibility Report

May 2026