

This is **EXHIBIT K**, consisting of 4 pages, referred to in and part of the **Agreement between Owner and Engineer for Professional Services** dated August 17, 2021.

AMENDMENT TO OWNER-ENGINEER AGREEMENT
Amendment No. 02

The Effective Date of this Amendment is: September 28, 2022.

Background Data

Effective Date of Owner-Engineer Agreement: August 17, 2021

Owner: Town of Johnstown, Colorado

Engineer: Burns & McDonnell Engineering Company, Inc.

Project: Johnstown Water Treatment Plant Design

Nature of Amendment: [Check those that are applicable and delete those that are inapplicable.]

- 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:

Scope of Services

Task 306 – Preliminary Design Preconstruction Activities:

Design-Builder will prepare an opinion of probable project costs. Accuracy of this opinion of probable cost shall conform to AACE's Recommended Practice 17R-97, Class 3. Design-Builder will prepare an estimated project schedule including design and preconstruction activities/sequencing. Design-Builder will provide Owner with a listing of planned equipment and material packages and construction installation packages that are planned to be utilized for competitive bidding. Design-Builder will provide Owner with a listing of potential suppliers and subcontractors.

Tasks include:

- Prepare initial subcontracting plan identifying the construction bid packages and their associated scopes of work.
- Begin the process of identifying potential bidders for construction bid packages.
- Prepare initial procurement plan identifying the equipment and material bid packages and their associated scopes of work.
- Begin the process of identifying potential bidders for each of the equipment and material bid packages.
- Perform constructability and commercial reviews of equipment bid package technical specifications.
- Begin preparation of Division 01 specifications for bid packages.
- Prepare a project schedule for the engineering and preconstruction activities including design deliverables, known permitting activities, subcontractor bidding, equipment, and material bidding.
- Preparation of an opinion of probable construction costs based on the 15% design deliverables.
- Constructability reviews of the 15% design deliverables.
- Present 15% opinion of probable construction costs. Provided credit for engineer's 15% opinion of probable construction cost (Task 212).
- Preparation of an opinion of probable construction costs based on the 30% design deliverables. Reduced effort per Owner request.
- Constructability reviews of the 30% design deliverables.
- Attend 30% design review meetings.
- Present 30% opinion of probable construction costs.

Agreement Summary (Basic Services):

| | |
|---|-------------|
| Original agreement amount: | \$2,059,442 |
| Net change for prior amendments | \$ 407,937 |
| This amendment amount: | \$ 119,217 |
| Adjusted Agreement amount: | \$2,586,596 |
| | |
| Change in time for services (days or date, as applicable) | 25 days |

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.

OWNER:

ENGINEER:

By: _____

By: Daniel D. Kasinek

Print _____

Print _____

name: _____

name: Daniel D. Kasinek

Title: _____

Title: Vice President

Date Signed: _____

Date Signed: 9/20/2022

Town of Johnstown, CO

WTP Expansion Project

Amendment 2 - Work Breakdown Structure and Fee Schedule

Rev 1

| Activity | Construction Manager | Construction Coordinator | Project Controls | Procurement | Estimating | BMcD Total Labor | | Expenses | Sub-Consultants | Total Cost |
|--|----------------------|--------------------------|------------------|-----------------|------------|------------------|------------------|----------------|-----------------|------------------|
| | Kuntz | Pearce/Chavira | Hess | Johnson Steward | Wadell | Hours | Cost | Direct | Cost | |
| | Hours | Hours | Hours | Hours | Hours | Hours | Cost | Direct | Cost | |
| TASK SERIES 100 - 0% - 15% | | | | | | | | | | |
| Prepare 15% Estimate | | | | | 80 | 80 | \$21,200 | \$796 | | \$ 21,996 |
| Credit for Engineer's 15% Opinion of Probable Cost (Task 212) ¹ | -16 | -24 | -16 | | | -56 | -\$11,216 | (\$557) | | \$ (11,773) |
| Sub-Total Series 100 | -16 | -24 | -16 | 0 | 80 | 24 | \$9,984 | \$239 | \$0 | \$10,223 |
| TASK SERIES 200 - 15% - 30% | | | | | | | | | | |
| Prepare 30% Estimate (Reduced Effort) | 24 | | | | 290 | 314 | \$83,138 | \$3,124 | | \$ 86,262 |
| Constructability Reviews | 8 | | | | | 8 | \$2,096 | \$80 | | \$ 2,176 |
| Construction Planning & Scheduling | 40 | | 40 | | | 80 | \$19,760 | \$796 | | \$ 20,556 |
| Sub-Total Series 200 | 72 | 0 | 40 | 0 | 290 | 402 | \$104,994 | \$4,000 | \$0 | \$108,994 |
| Project Subtotals | 56 | -24 | 24 | 0 | 370 | 426 | \$114,978 | \$4,239 | \$0 | \$119,217 |
| Project Total | | | | | | | | | | \$119,217 |

Notes:

1. Assumes similar hourly rates to engineering design team