

**SECOND AMENDMENT OF  
PROFESSIONAL SERVICES AGREEMENT  
BETWEEN MILES CITY  
AND SAFEbuilt, LLC**

**THIS SECOND AMENDMENT OF PROFESSIONAL SERVICES AGREEMENT** is made effective as of the date of the last signature below by and between Miles City, Montana, (Municipality) and SAFEbuilt, LLC, (Consultant). Municipality and Consultant shall be jointly referred to as the "Parties".

**RECITALS AND REPRESENTATIONS**

WHEREAS, Parties entered into a Professional Services Agreement (Agreement), by which both Parties established the terms and conditions for service delivery on December 12, 2024; and

WHEREAS, on March 5, 2025, the Parties executed the First Amendment to the Agreement to add Fire Plan Review Services and the associated fees; and

WHEREAS, pursuant to section 2., changes to services shall that are mutually agreed upon between Parties shall be made in writing as a signed and fully executed amendment to the Agreement; and

WHEREAS, Parties hereto now desire to amend the Agreement as set forth herein.

**NOW, THEREFORE**, in consideration of the mutual promises and covenants herein contained, and other good and valuable consideration, the receipt and adequacy of which are acknowledged, the Parties agree as follows:

1. The above recitals are acknowledged as true and correct and are incorporated herein.
2. Exhibits A and B to the Agreement, including the Services and Fee Schedule, are hereby deleted in their entirety and replaced with the attached exhibits, which is incorporated herein by this reference.
3. All other conditions and terms of the original Agreement, First Amendment not specifically amended herein, shall remain in full force and effect.

IN WITNESS HEREOF, the undersigned have caused this Amendment to be executed in their respective names on the dates hereinafter enumerated.

SAFEbuilt, LLC

Miles City, MT

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: Eric Pendley

Name: 

Title: VP of Operations

Title: City Council President

Date: November 21, 2025

Date: 11-25-25

## EXHIBIT A – LIST OF SERVICES

### 1. LIST OF SERVICES

#### As-Requested Plan Review Services

- ✓ Provide plan review services electronically
- ✓ Review plans for compliance with adopted building codes, local amendments or ordinances
- ✓ Be available for pre-submittal meetings by appointment
- ✓ Coordinate plan review tracking, reporting, and interaction with applicable departments as requested
- ✓ Provide feedback to keep plan review process on schedule
- ✓ Communicate plan review findings and recommendations in writing
- ✓ Return an electronic set of finalized plans and all supporting documentation
- ✓ Provide review of plan revisions and remain available to applicant after the review is complete

#### Reporting Services

- ✓ Consultant will work with Municipality to develop a mutually agreeable reporting schedule and format

#### MUNICIPALITY OBLIGATIONS

- ✓ Municipality will intake plans and related documents to Consultant electronically

#### TIME OF PERFORMANCE

- ✓ Consultant will perform Services during normal business hours excluding Municipality holidays
- ✓ Services will be performed on an as-requested basis
- ✓ Consultant representative(s) will be available by phone and email

<b>PLAN REVIEW DELIVERABLES</b>			
<b>PRE-SUBMITTAL MEETINGS</b>	Provide pre-submittal meetings to applicants by appointment via telephone		
<b>TURNAROUND TIMES</b>	Provide comments within the following timeframes:  Day 1 = first full business day after receipt of plans and all supporting documents		
	<u>Project Type:</u>	<u>First Comments</u>	<u>Second Comments</u>
	✓ Single-family within	7 business days	5 business days or less
	✓ Multi-family within	10 business days	7 business days or less
✓ Small commercial within (under \$2M in valuation)	10 business days	7 business days or less	
✓ Large commercial within	15 business days	10 business days or less	
✓ Stand-alone permits			
• Mechanical	7 business Days	7 business Days	

## EXHIBIT B – FEE SCHEDULE FOR SERVICES

### 1. FEE SCHEDULE

- ✓ Municipality and Consultant will review the Municipal Fee Schedule and valuation tables annually to discuss making adjustments to reflect increases in the costs incurred by Consultant to provide Services.
- ✓ Beginning on the 1st anniversary of the Effective Date of the Agreement and annually thereafter, the hourly rates listed below shall be automatically increased based upon the annual increase in the Department of Labor, Bureau of Labor Statistics or successor thereof, Consumer Price Index (United States City Average, All Items (CPI-U), Not Seasonally adjusted, All Urban Consumers, referred to herein as the “CPI”). Such increases shall not exceed 4% per annum. The increase will become effective upon publication of the applicable CPI data. If the index decreases, the rates listed shall remain unchanged.
- ✓ Consultant fees for Services provided pursuant to this Agreement will be as follows:

<b>Service Fee Schedule:</b>	
Plan Review Services	\$120.00 per hour- one (1) hour minimum
Structural Engineering Plan Review	\$165.00 per hour- one (1) hour minimum
Fire Plan Review	\$165.00 per hour- one (1) hour minimum

