

## **Payments to Engineer for Services and Reimbursable Expenses**

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Article 4 of the Agreement is amended and supplemented to include the following agreement of the parties:

### **ARTICLE 4 – INVOICES AND PAYMENTS**

#### ***C4.01 Compensation For Basic Services – Standard Hourly Rates Plus Reimbursable Expenses Method of Payment***

- A. Owner shall pay Engineer for Basic Services set forth in Exhibit A, except for services of Engineer's Resident Project Representative and Post-Construction Phase services, if any, as follows:
1. An amount equal to the cumulative hours charged to the Project by each class of Engineer's employees times Standard Hourly Rates for each applicable billing class for all services performed on the Project, plus Reimbursable Expenses and Engineer's Consultant's charges, if any.
  2. Engineer's Reimbursable Expenses Schedule and Standard Hourly Rates are attached to this Exhibit C as Appendices 1 and 2.
  3. The total compensation for services under Paragraph C4.01 is estimated to be \$35,854 based on the following assumed distribution of compensation:

|                                 |                  |
|---------------------------------|------------------|
| a. Study and Report Phase       | \$ <u>Ø</u>      |
| b. Preliminary Design Phase     | \$ <u>Ø</u>      |
| c. Final Design Phase           | \$ <u>33,004</u> |
| d. Bidding or Negotiating Phase | \$ <u>2,850</u>  |
| e. Construction Phase           | \$ <u>Ø</u>      |
  4. Engineer may alter the distribution of compensation between individual phases of the work noted herein to be consistent with services actually rendered, but shall not exceed the total estimated compensation amount unless approved in writing by Owner.
  5. The total estimated compensation for Engineer's services included in the breakdown by phases as noted in Paragraph C4.01.A.3 incorporates all labor, overhead, profit, Reimbursable Expenses and Engineer's Consultant's charges.
  6. The amounts billed for Engineer's services under Paragraph C4.01 will be based on the cumulative hours charged to the Project during the billing period by each class of

Engineer's employees times Standard Hourly Rates for each applicable billing class, plus Reimbursable Expenses and Engineer's Consultant's charges.

- ~~7. The Standard Hourly Rates and Reimbursable Expenses Schedule will be adjusted annually to reflect equitable changes in the compensation payable to Engineer.~~
- ~~8. Overhead includes the cost of customary and statutory benefits including, but not limited to, social security contributions, unemployment, excise and payroll taxes, workers' compensation, health and retirement benefits, bonuses, sick leave, vacation, and holiday pay applicable thereto; the cost of general and administrative overhead which includes salaries and wages of employees engaged in business operations not directly chargeable to projects, plus non-Project operating costs, including but not limited to, business taxes, legal, rent, utilities, office supplies, insurance, and other operating costs. Overhead shall be computed as a percentage of Direct Labor Costs. Fixed fee is the lump sum amount paid to Engineer by Owner as margin or profit and will only be adjusted by an amendment to this agreement.~~
- ~~9. Direct Labor Costs and Overhead applied to Direct Labor Costs will be adjusted annually to reflect equitable changes in the compensation payable to Engineer.~~

#### ~~C4.02 Compensation For Resident Project Representative and Post-Construction Basic Services~~

~~A. Owner shall pay Engineer for Resident Project Representative and Post-Construction Basic Services as follows:~~

- ~~1. Resident Project Representative Services. For services of Engineer's Resident Project Representative, if any, under Paragraph A1.05 of Exhibit A, an amount based on the following method of payment:~~
  - ~~a. Lump Sum. A Lump Sum fee amount of \$ \_\_\_\_\_. The Lump Sum includes compensation for the Resident Project Representative's services, and for the services of any direct assistants to the Resident Project Representative. Appropriate amounts have been incorporated in the Lump Sum to account for labor, overhead, profit, and Reimbursable Expenses related to the Resident Project Representative's Services.~~
  - ~~b. Hourly Rate Plus Reimbursable Expenses. Hourly rates for the Resident Project Representative and direct assistants as specified in Appendix 2 plus Reimbursable Expenses.~~
  - ~~c. Direct Labor Costs Plus Reimbursable Expenses. An amount equal to the Engineer's Direct Labor Cost times a factor of \_\_\_\_\_ plus Reimbursable Expenses.~~
  - ~~d. Direct Labor Costs Plus a Fixed Fee Plus Reimbursable Expenses. An amount equal to the Engineer's Direct Labor Cost times a factor of \_\_\_\_\_ plus a fixed fee of \$ \_\_\_\_\_ plus Reimbursable Expenses.~~

~~The total compensation under this paragraph is included in the total construction fee in C 4.01, A, 3, e.~~



2. ~~Post Construction Phase Services.~~ For ~~Post Construction Phase Services~~ under Paragraph A1.06 of Exhibit A, an amount based on the following method of payment:

- a. ~~Lump Sum.~~ A Lump Sum fee amount of \$\_\_\_\_\_. The Lump Sum includes compensation for Engineer's post-construction services and such services of Engineer's Consultants, if any. Appropriate amounts have been incorporated in the Lump Sum to account for labor, overhead, profit, and Reimbursable Expenses related to Post-Construction Phase Services.
- b. ~~Hourly Rate Plus Reimbursable Expenses.~~ Hourly rates as specified in Appendix 2 plus Reimbursable Expenses.
- c. ~~Direct Labor Costs Plus Reimbursable Expenses.~~ An amount equal to the Engineer's Direct Labor Cost times a factor of \_\_\_\_\_ plus Reimbursable Expenses.
- d. ~~Direct Labor Costs Plus a Fixed Fee Plus Reimbursable Expenses.~~ An amount equal to the Engineer's Direct Labor Cost times a factor of \_\_\_\_\_ plus a fixed fee of \$\_\_\_\_\_ plus Reimbursable Expenses.

The total compensation under this paragraph is estimated to be \$\_\_\_\_\_. is included in the total construction fee in C4.01A.3.e.

#### C4.03 *Compensation For Additional Services*

A. Owner shall pay Engineer for Additional Services as follows:

- 1. *General.* For services of Engineer's employees engaged directly on the Project pursuant to Paragraph A2.01 or A2.02 of Exhibit A of the Agreement, except for services as a consultant or witness under Paragraph A2.01.A.20, an amount equal to a fee determined by the method of payment for basic services in paragraph C4.01, or a lump sum amount negotiated between the Owner and Engineer for specific additional work tasks performed by the Engineer.
- 2. *Serving as a Witness.* For services performed by Engineer's employees as witnesses giving testimony in any litigation, arbitration, or other legal or administrative proceeding under paragraph A2.01.A.20, at the rate of 1.5 times the normal hourly rate (but compensation for time spent in preparing to testify in any such litigation, arbitration, or proceeding will be on the basis provided in paragraph C4.03.A.1). Compensation for Engineer's Consultants for such services will be on the basis provided in paragraph C4.05.

#### C4.04 *Compensation For Reimbursable Expenses*

- A. Owner shall pay Engineer for all Reimbursable Expenses at the rates set forth in Appendix 1 to this Exhibit C.
- B. Reimbursable Expenses include the following categories: transportation and subsistence incidental thereto; obtaining bids or proposals from Contractor(s); providing and maintaining field office facilities including furnishings and utilities; reproduction of reports, Drawings,

Specifications, Bidding Documents, and similar Project-related items in addition to those required under Exhibit A. Expenses related to the Engineer's project support systems associated with telephone, fax equipment, computer equipment and related peripheral equipment shall be a reimbursable expense applied to the project as a Technology and Communications Charge rate per hour of project labor.

- C. The amounts payable to Engineer for Reimbursable Expenses will be the Project-related internal expenses actually incurred or allocated by Engineer, plus all invoiced external Reimbursable Expenses allocable to the Project, the latter multiplied by a factor of 1.00.
- D. The Reimbursable Expenses Schedule will be adjusted annually to reflect equitable changes in the compensation payable to Engineer.

#### C4.05 *Other Provisions Concerning Payment*

- A. Whenever Engineer is entitled to compensation for the charges of Engineer's Consultants, those charges shall be the amounts billed by Engineer's Consultants to Engineer times a factor of 1.10.
- B. Factors. The external Reimbursable Expenses and Engineer's Consultant's factors include Engineer's overhead and profit associated with Engineer's responsibility for the administration of such services and costs.
- C. Estimated Compensation Amounts
  - 1. Engineer's estimate of the amounts that will become payable for specified services are only estimates for planning purposes, are not binding on the parties, and are not the minimum or maximum amounts payable to Engineer under the Agreement.
  - 2. When estimated compensation amounts have been stated herein and it subsequently becomes apparent to Engineer that a compensation amount thus estimated will be exceeded, Engineer shall give Owner written notice thereof. Promptly thereafter Owner and Engineer shall review the matter of services remaining to be performed and compensation for such services. Owner shall either agree to such compensation exceeding said estimated amount or Owner and Engineer shall agree to a reduction in the remaining services to be rendered by Engineer, so that total compensation for such services will not exceed said estimated amount when such services are completed.
- D. To the extent necessary to verify Engineer's charges and upon Owner's timely request, Engineer shall make copies of such records available to Owner at cost.



This is **Appendix 1** to **EXHIBIT C**, consisting of 2 pages, referred to in and part of the **Agreement between Owner and Engineer for Professional Services** dated October 3, 2017.

## Reimbursable Expenses Schedule

Current agreements for engineering services stipulate that the Reimbursable Expenses are subject to review and adjustment per Exhibit C. Reimbursable expenses for services performed on the date of the Agreement are:

### EQUIPMENT RATES

|                                                  |                               |
|--------------------------------------------------|-------------------------------|
| Company Vehicle: highway miles - Pickups/SUV/4WD | \$ .69/mile                   |
| highway miles - Sedans                           | \$ .574/mile                  |
| on-site mileage                                  | \$ .574/mile plus \$5.00/hour |
| Private Vehicle                                  | \$ .535/mile                  |
| ATV/Snowmobile                                   | \$50.00/day                   |
| UTV                                              | \$100.00/day                  |
| GPS (1 Receiver)                                 | \$120.00/day                  |
| GPS (2 Receivers)                                | \$30.00/hour, \$240.00/day    |
| Total Station                                    | \$80.00/day                   |
| Robotic Total Station                            | \$240.00/day                  |
| FARO Focus 3D X 130 Laser Scanner                | \$50.00/hour, \$400.00/day    |
| Nuclear Density Meter                            | \$10.00/hour, \$35.00/day     |
| Airflow Balancing Hood                           | \$75.00/day                   |
| Core Drill                                       | \$10.00/hole                  |
| Digital Level                                    | \$50.00/day                   |
| Trimble V10 Image Rover                          | \$50.00/day                   |

### HYDROLOGICAL EQUIPMENT

|                                |                                 |
|--------------------------------|---------------------------------|
| Conductivity Meter             | \$15.00/day                     |
| Disposable Bailers             | \$10.00/each                    |
| Dissolved Oxygen Meter         | \$20.00/day                     |
| PH Meter                       | \$15.00/day                     |
| PH/Temp/Conductivity Meter     | \$25.00/day                     |
| Water Sample Fee               | \$10.00/each                    |
| In Situ Level Troll 700        | \$63.00/day, \$250.00/week      |
| AquaCalc Pro                   | \$60.00/day, \$120.00/week      |
| Marsh McBimby 2000 Flowmeter   | \$60.00/day, \$120.00/week      |
| Global Water FP 111 Flowmeter  | \$25.00/day, \$75.00/week       |
| Submersible Pump (Redi Flo 2)  | \$155.00/day                    |
| Water Level Meter, 300 Ft.     | \$25.00/day, \$50.00/week       |
| Water Level Meter, 500 Ft.     | \$35.00/day, \$75.00/week       |
| Oil/Water Interface Well Probe | \$40.00/day, \$120.00/week      |
| Hach Flo-Dar (logger & sensor) | \$400.00/week, \$1,000.00/month |
| Rain Gauge Sensor              | \$15.00/week, \$60.00/month     |

## PRINTING EXPENSES

|                                       |                                         |
|---------------------------------------|-----------------------------------------|
| Black & White Copies                  | \$ 10/8.5x11, \$ 20/11x17, \$ 13/8.5x14 |
| Color Copies                          | \$ 20/8.5x11, \$ 40/11x17, \$ 20/8.5x14 |
| Binding                               | \$ .25/each                             |
| Lamination                            | \$1.00/each                             |
| Cover Stock                           | \$ .10/each                             |
| Acetate                               | \$ .30/each                             |
| Tab                                   | \$ .10/each                             |
| Oversize Print Black & White          | \$5.00/each                             |
| Oversize Print Color                  | \$8.00/each                             |
| Print & Basic Mount                   | \$12.00/each                            |
| Print & Machine Mount                 | \$20.00/each                            |
| Print, Machine & Laminate White Board | \$32.00/each                            |
| Print, Machine & Laminate Black Board | \$35.00/each                            |
| Foam Board                            | \$3.50/each                             |
| Small View Binder                     | \$5.00/each                             |
| Large View Binder                     | \$10.00/each                            |

## MISCELLANEOUS EXPENSE

|         |               |
|---------|---------------|
| Lodging | Current Rates |
| Meals   | \$40.00/day   |

Materials and other direct costs will be invoiced at current rates plus a 10% handling fee. Included as direct costs are the following:

- \* Approved employee meals, lodging, transportation
- \* Premium delivery service (UPS, Federal Express, etc.)
- \* Testing supplies
- \* Premiums for Special Insurance, Performance Bonds, etc.
- \* Other out-of-pocket expenses
- \* Consultants

The cost of professional liability insurance coverage is included in the hourly rates of personnel.

This is **Appendix 2 to EXHIBIT C**, consisting of 2 pages, referred to in and part of the **Agreement between Owner and Engineer for Professional Services** dated October 3, 2017.

## **Standard Hourly Rates Schedule**

### **A. Standard Hourly Rates**

1. Standard Hourly Rates are set forth in this Appendix 2 to this Exhibit C and include salaries and wages paid to personnel in each billing class plus the cost of customary and statutory benefits, general and administrative overhead, non-project operating costs, and operating margin or profit.
2. ~~The Standard Hourly Rates will be adjusted annually to reflect equitable changes in the compensation payable to Engineer.~~

### **B. Schedule**

Hourly rates for services performed on or after the date of the Agreement are:

|                       |                        |                               | Standard Rate | Overtime Rate |
|-----------------------|------------------------|-------------------------------|---------------|---------------|
| Professional Services | Principal              | Principal                     | 214.00        | 214.00        |
|                       |                        |                               |               |               |
|                       | Engineer               | Supervising Engineer III      | 202.00        | 202.00        |
|                       |                        | Supervising Engineer II       | 190.00        | 190.00        |
|                       |                        | Supervising Engineer I        | 180.00        | 180.00        |
|                       |                        | Senior Engineer II            | 166.00        | 166.00        |
|                       |                        | Senior Engineer I             | 152.00        | 152.00        |
|                       |                        | Design Engineer II            | 140.00        | 140.00        |
|                       |                        | Design Engineer I             | 129.00        | 129.00        |
|                       |                        | Engineer Intern II            | 115.00        | 115.00        |
|                       |                        | Engineer Intern I             | 104.00        | 104.00        |
|                       | Planner                | Supervising Senior Planner    | 194.00        | 194.00        |
|                       |                        | Senior Planner                | 156.00        | 156.00        |
|                       |                        | Planner III                   | 110.00        | 110.00        |
|                       | Scientist              | Environmental Scientist II    | 115.00        | 115.00        |
|                       |                        | Environmental Scientist I     | 105.00        | 105.00        |
|                       |                        | Senior Geologist              | 191.00        | 191.00        |
|                       |                        | Geologist III                 | 166.00        | 166.00        |
|                       |                        | Geologist I                   | 121.00        | 121.00        |
|                       | Engineering Technician | Senior Engineering Technician | 141.00        | 141.00        |
|                       |                        | Engineering Technician        | 104.00        | 104.00        |
|                       |                        | Cad Designer II               | 122.00        | 122.00        |
|                       |                        | Cad Designer I                | 111.00        | 167.00        |
|                       |                        | Cad Tech III                  | 104.00        | 156.00        |
|                       |                        | Cad Tech II                   | 98.00         | 147.00        |
|                       |                        | Cad Tech I                    | 86.00         | 129.00        |

|                    |                                                                                                                                                        |                                        |        |        |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|--------|--------|
|                    | Resident Project Representative                                                                                                                        | Senior Resident Project Representative | 146.00 | 146.00 |
|                    |                                                                                                                                                        | Resident Project Representative II     | 122.00 | 122.00 |
|                    |                                                                                                                                                        | Resident Project Representative I      | 106.00 | 159.00 |
|                    | Clerical, Graphics, and Reproduction                                                                                                                   | Administrative Manager                 | 106.00 | 106.00 |
|                    |                                                                                                                                                        | Administrative Coordinator III         | 98.00  | 98.00  |
|                    |                                                                                                                                                        | Administrative Coordinator II          | 92.00  | 92.00  |
|                    |                                                                                                                                                        | Administrative Coordinator I           | 76.00  | 114.00 |
|                    |                                                                                                                                                        | Project Coordinator III                | 98.00  | 147.00 |
|                    |                                                                                                                                                        | Project Coordinator II                 | 86.00  | 129.00 |
|                    |                                                                                                                                                        | Project Coordinator I                  | 76.00  | 114.00 |
|                    |                                                                                                                                                        | Technical Intern                       | 73.00  | 109.00 |
|                    |                                                                                                                                                        | Senior Communication Specialist        | 104.00 | 104.00 |
|                    |                                                                                                                                                        | Graphic Designer                       | 87.00  | 87.00  |
| Surveying Services | Survey                                                                                                                                                 | Senior Survey Manager                  | 174.00 | 174.00 |
|                    |                                                                                                                                                        | Land Surveyor IV                       | 145.00 | 145.00 |
|                    |                                                                                                                                                        | Land Surveyor III                      | 136.00 | 136.00 |
|                    |                                                                                                                                                        | Land Surveyor II                       | 122.00 | 122.00 |
|                    |                                                                                                                                                        | Land Surveyor I                        | 110.00 | 110.00 |
|                    |                                                                                                                                                        | Survey Technician IV                   | 104.00 | 156.00 |
|                    |                                                                                                                                                        | Survey Technician III                  | 97.00  | 145.00 |
|                    |                                                                                                                                                        | Survey Technician II                   | 84.00  | 126.00 |
|                    |                                                                                                                                                        | Survey Technician I                    | 72.00  | 108.00 |
| Expert Witness     | Recommended rate for expert witness services (depositions and/or time in court) is charged at an hourly rate of 150-200% of the standard billing rate. |                                        |        |        |

E-500 Exhibit C, Sept 2004