

STATE OF MONTANA
Department of Transportation

AGREEMENT

Consultant: **Kittelson & Associates, Inc.**

MDT Contract Number	110591	
Project Designation/Name	Exposition Dr & 1 st Ave N - Billings	
Project ID	NH 16-1(53)0	
Uniform Project Number	7908000	
Agreement Termination Date	June 30, 2023	
Total Compensation Amount	Charge Account	7908053000 PE
	Contracted Ceiling	\$949,567
	Fixed Fee	\$46,637

This AGREEMENT is made and entered into on the date last signed by the State of Montana Department of Transportation, 2701 Prospect, Helena, Montana, [hereinafter "MDT"] and the above-named Consultant. In consideration of the mutual covenants contained herein, MDT and the Consultant agree the Consultant will furnish services for the above-referenced Project; and the Consultant agrees to provide such services in accordance with the conditions provided and to carry out all the duties and obligations imposed by this Agreement. MDT and the Consultant may agree to extend this Agreement by mutual written agreement. The parties hereto agree to comply with the terms and conditions contained herein, and with the terms and conditions of the following attachments which are by this reference made a part of the Agreement:

- Attachment 1 – General Terms and Conditions (Rev. 10/2018)
- Attachment 2 – MDT Nondiscrimination and Disability Accommodation Notice (Rev. 01/2020)
- Attachment 3 – Consultant's Proposed Scope of Services
- Attachment 4 – Consultant's Cost Proposal
- Attachment 5 – Project Schedule

In witness whereof, on the dates indicated, MDT's authorized representative has hereunto signed on behalf of the State of Montana, the Consultant's authorized representative has hereunto signed on behalf of the Consultant, and both parties have executed this Agreement.

MDT	Consultant
<div><div>X</div><div>Dated:</div><div>MDT Consultant Design Engineer</div><div>Approved for Legal Content</div><div>X</div><div>Dated:</div><div>MDT Legal Counsel</div><div>Approved for Civil Rights</div><div>X</div><div>Dated:</div><div>MDT Office of Civil Rights</div></div>	<div><div>X</div><div>Dated:</div><div>Consultant Signature</div></div>

IDENTIFICATION OF LIAISONS

	MDT Liaison	Consultant's Liaison
Name	Ryan Dahlke	Andrew Daleiden
Title	Consultant Design Engineer	Principal Engineer
Address	Montana Department of Transportation Consultant Design Bureau 2701 Prospect Helena, MT 59620-1001	Kittelsohn & Associates, Inc. 101 South Capital Boulevard, Suite 600 Boise, ID 83702
Telephone	406-444-7292	208-338-2683
Email	rdahlke@mt.gov	adaleiden@kittelsohn.com

Election of Consultant IDC rate:

- ☐ Consultant's IDC rate will remain fixed through the term of this Agreement.
- ☐ Consultant's IDC rate will be submitted annually, within the Grace period.

Compensation Limits

The Consultant acknowledges and agrees that no compensation payment will exceed the following percentages of the Total Compensation until the Consultant has submitted, and MDT has accepted the following Deliverables:

30%	Completion of Activity #
60%	Completion of Activity #
90%	Completion of Activity #
100%	Completion of all work according to this agreement

Special Terms and Conditions

The following Terms and Conditions shall supersede the terms of this agreement:

(Enter "None", or describe in detail)

Add for TA Projects: "The Consultant shall perform all survey, aerial mapping, design, earthwork, and plan work utilizing CADD software of choice. Plan sheet submittals shall be in PDF format. If the Consultant has Microstation® and Geopak® or Microstation GEOPAK SS4 with OpenRoads Technology available, this is the preferred CADD platform, but it is not required."

Disadvantaged Business Enterprises

Through September 30, 2022, MDT's agency-wide FHWA-approved DBE race-neutral goal is 6.5%. The aspirational goal for use of DBE's on this contract is 0 %.