



**TASK ORDER No. 9 FOR  
ENGINEER-OWNER AGREEMENT**

This Task Order is entered into and authorized by Owner this \_\_\_\_ day of March, 2017, by and between City of Clinton, Oklahoma, (hereinafter called OWNER) and Burns & McDonnell Engineering Company, Inc. (hereinafter called ENGINEER).

The parties agree that the ENGINEER shall perform the following Services in accordance with the terms of the Engineer-Owner Agreement dated June 2, 2014:

**1. Scope of Services:**

Provide construction phase engineering services associated with the Proposed Water Treatment Plant (WTP) per Exhibit A attached.

**2. Compensation:**

The basis of compensation for the above Services shall be Hourly Rate per ENGINEER's Rate Sheet, attached hereto, subject to a Not-to-Exceed cap of \$756,680, without further authorization.

**3. Other Terms:**

- A. The terms of this Task Order supersede any contrary terms of the Engineer-Owner Agreement.
- B. ENGINEER will proceed with providing the services set forth herein immediately upon Task Order execution.
- C. Completing these services within the timeframe described above and in Exhibit A is contingent upon timely receipt of required information, approvals, reviews, etc.

IN WITNESS WHEREOF, the parties have made and executed this TASK ORDER as of the day and year first above written.

**OWNER: City of Clinton, Oklahoma**

**ENGINEER: Burns & McDonnell  
Engineering Company, Inc.**

By:

By:

Name: David Berrong

Name: Ron Coker, P.E.

Title: Mayor

Title: Senior Vice President



Exhibit A  
Clinton, Oklahoma  
Engineering Services  
for the  
Water Treatment Plant Construction Phase (Task Order #9)

Engineer shall provide the following services:

1. Construction Phase:
  - 1.1. Prepare and furnish to Owner unsigned conforming copies of the construction contract documents for execution by Owner and Contractor. Provide copies of the construction contract documents to the Owner for distribution with the Notice to Proceed to the successful bidder.
  - 1.2. Perform project administration services during the construction phase of the project.
  - 1.3. Conduct a pre-construction conference in Clinton, Oklahoma.
  - 1.4. Participate in the contractor's monthly progress meetings with Owner and Contractor to review the progress of the work and other matters concerning the project. Contractor will be responsible for preparation and distribution of meeting notes.
  - 1.5. Perform up to 15 discipline visits during construction including six (6) process, two (2) structural, one (1) architectural, one (1) mechanical, one (1) civil, and four (4) electrical.
  - 1.6. Interpret construction contract documents when requested by Owner or the Contractor and reply to requests for information.
  - 1.7. Review and process the Contractor's monthly payment requests, and forward to Owner if deemed appropriate.
  - 1.8. Review Contractor's documentation and administer the processing of change orders, including applications for extension of the Contract Time. Evaluate the cost and scheduling aspects of all change orders and, where necessary, negotiate with the Contractor to obtain a cost for the work.
  - 1.9. Upon completion of the project, revise the construction contract drawing to conform to the construction records. Submit two full-size black line copies for the revised drawings along with Contractor's record drawings to the Owner for review. Incorporate the



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Owner's comments and submit one set of full-size set of drawings and one electronic set of drawings in AutoCAD format and PDF for each project to the Owner.

- 1.10. Review reports from laboratory and field testing and sampling services, including testing laboratory services furnished by Owner, on field tests and test analyses of equipment and materials, including concrete, soil, soil compaction, and asphalt.
- 1.11. Upon substantial completion, inspect the construction work and prepare a list of the items to be completed or corrected before final completion of the project. Submit results of the inspection to Owner and the Contractor.
- 1.12. Upon completion or correction of the items of work on the list, conduct a final inspection to determine if the work is completed. Provide written recommendations to Owner concerning final payment, including a list of items, if any, to be completed prior to making such payment.
- 1.13. Receive and review the consent of surety to final payment furnished by the Contractor.
- 1.14. Provide project management during construction (up to 18 months).
2. Operational Guide for WTP and Source Selection:
  - 2.1. Work with Owner to develop an operational guide to determine which water sources and water treatment plants to operate based on the following:
    - 2.1.1. Raw Water – water demand, cost of raw water, take-or-pay considerations, minimum volumes, raw water quality, finished water blended quality, availability, and regulatory compliance.
    - 2.1.2. Water Treatment Plants - water demand, cost of treatment, minimum volumes, finished water blended quality, availability of plants and sources, and regulatory compliance.
3. Value Engineering - Modify Plans and Specification to Relocate WTP and Equipment Bid Alternate:
  - 3.1. Perform up to five (5) additional geotechnical borings.



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- 3.2. Prepare plans and specifications to relocate the WTP to an adjacent property including civil, architectural, electrical, structural, process, mechanical and program management disciplines.
- 3.3. Prepare an opinion of probable cost for comparison to the site work cost at the existing site.
- 3.4. Coordinate with the Contractor on modifications to the project and the associated change order.
- 3.5. Revise contract documents to reflect a Base Bid during Bid Phase that includes two reverse osmosis skids and three Greensand Filter skids and associated piping, electrical and mechanical modifications. This configuration will have the capability to produce about 580 gpm on a firm basis and 1160 gpm total.
- 3.6. Revise contract documents during Bid Phase to reflect Alternate Bid No. 1 that includes five reverse osmosis skids and four Greensand Filter skids and associated piping, electrical and mechanical modifications. This configuration will have the capability to produce about 2320 gpm on a firm basis and 2900 gpm total.
4. Operational Assistance:
  - 4.1. Provide up to 240 hours of operational assistance to Owner during the first year of operation.
5. Project Management (15 months):
  - 5.1. Prepare and maintain a Project Execution Plan (PEP).
  - 5.2. Issue monthly reports detailing work completed over the past month and anticipated work to be completed over the next month.
  - 5.3. Coordinate with the Owner and team via phone, conference calls, email, and the above defined meetings.

OWNER'S RESPONSIBILITIES



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The Owner shall furnish, as required by the Services and not at the expense of the Engineer, the following items:

1. Existing property, boundary, easement, right-of-way, and utility surveys, and property descriptions when such information is required, unless acquired directly by the Engineer through subcontracted services.
2. All maps, drawings, reports, records, audits, annual reports, and other data that are available in the files of the Owner and which may be useful in the Services involved under this Agreement.
3. All of Owner's requirements for the Project, including but not limited to, schedule milestones; any financial constraints; and any Owner criteria, standards, design objectives or design constraints.
4. Assistance of the Owner's staff as required in performance of Engineer's services.
5. Obtain access to public and private property when required in performance of the Engineer's services.
6. Obtain required easements and rights-of-way including obtaining title reports and property appraisals with engineering assistance provided by the Engineer.
7. Royalties and fees for patented processes used in the work, except those required to be paid by construction contractors as part of the construction contract.
8. Shop, mill, or laboratory inspection of materials, laboratory and field testing, and field sampling services. The Engineer will review the reports furnished by such laboratories which are required for the construction contract.



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16.2. Specific services performed by the Resident Project Representative and assistants are as follows:

16.2.1. Site Observations and Liaison with Owner, Engineer, and Contractor(s)

16.2.1.1. Conduct onsite observations of the general progress of the work to assist Engineer in determining if the work is proceeding in accordance with the construction contract documents.

16.2.1.2. This will include measurement and recording of coating blast profiles, dry film thicknesses, substrate conditions, and recording of weather conditions during coating operations and advising Contractor when coating operations do not meet specification requirements.

16.2.1.3. Serve as Owner's and Engineer's liaison with Contractor, working principally through Contractor's superintendent, and assist Engineer in providing interpretation of the construction contract documents. Transmit Engineer's clarifications and interpretations of the construction contract documents to Contractor.

16.2.1.4. Assist Engineer in serving as Owner's liaison with Contractor when Contractor's operations affect Owner's onsite operation.

16.2.1.5. As requested by Engineer, assist in obtaining from Owner additional details or information when required at the jobsite for proper execution of the work.

16.2.1.6. Report to Engineer, giving opinions and suggestions based on the Resident Project Representative's observations regarding defect or deficiencies in the



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Contractor's work and relating to compliance with drawings, specifications, and design concepts.

16.2.1.7. Monitor changes of apparent integrity of the site (such as differing subsurface and physical conditions, existing structures, and site-related utilities when such utilities are exposed) resulting from construction-related activities.

16.2.1.8. Observe pertinent site conditions when Contractor notifies Engineer that he feels that differing subsurface and physical conditions have been encountered, and document actual site conditions. Review Contractor's construction sequence for all work being undertaken.

16.2.1.9. Verify that Contractor has contacted utilities in the general construction area and advised them of Contractor's schedule. Assist in coordinating scheduling of utility activities to minimize conflicts with Owner's activities.

16.2.1.10. Visually assess materials, equipment, and supplies delivered to the worksite. Reject materials, equipment, and supplies which do not conform to the construction contract documents.

16.2.1.11. Assist with coordination of onsite materials testing services during construction. Copies of testing results will be forwarded to Owner and Contractor for review and information.

16.2.1.12. Observe field tests of equipment, structures, and piping, and review the resulting reports, commenting to Engineer, as appropriate.

16.2.2. Meetings, Reports, and Document Review and Maintenance



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- 16.2.2.1. Attend the preconstruction conference, and assist Engineer in explaining administrative procedures which will be followed during construction.
- 16.2.2.2. Attend monthly progress meetings, and other meetings with Owner and the Contractor when necessary, to review and discuss construction procedures and progress scheduling, Engineering management procedures, and other matters concerning the project.
- 16.2.2.3. Submit to Engineer, with a copy to Owner, weekly construction progress reports containing a summary of the Contractor's progress including photos, general condition of the work, problems, and resolutions or proposed resolutions to problems.
- 16.2.2.4. Review the progress schedule, schedule of shop drawings submissions, and schedule of values prepared by the Contractor and consult with Engineer concerning their acceptability.
- 16.2.2.5. Report to Engineer regarding work which is known to be defective, or which fails any required inspections, tests, or approvals, or has been damaged prior to final payment; and advise Engineer whether the work should be corrected or rejected or should be uncovered for observation, or requires special testing, inspection, or approval.
- 16.2.2.6. Review applications for payment with Contractor for compliance with the established procedure for their submission, and forward them with recommendations to Engineer, noting particularly their relationship with the schedule of values, work completed, and materials and equipment delivered at the site, but not incorporated into the work.



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- 16.2.2.7. Receive Samples which are furnished at the site by the Contractor, and notify Engineer of their availability for examination.
- 16.2.2.8. During course of the work, verify that specified certificates, operation and maintenance manuals, and other data required to be assembled and furnished by the Contractor are applicable to the items actually installed; and deliver this material to Engineer for his review and forwarding to Owner prior to final acceptance of the work.
- 16.2.2.9. Maintain a marked set of drawings and specifications at the jobsite based on data provided by the Contractor. This information will be combined with information from the record documents maintained by the Contractor, and a master set of documents conforming to construction records will be produced.
- 16.2.2.10. Review certificates of inspections, tests, and related approvals submitted by the Contractor as required by laws, rules, regulations, ordinances, codes, orders, or the Contract Documents (but only to determine that their content complies with the requirements of, and the results certified indicate compliance with, the construction contract documents). This service is limited to a review of items submitted by the Contractor and does not extend to a determination of whether the Contractor has complied with all legal requirements.

16.2.3. Maintain the following documents at the jobsite:

- 16.2.3.1. Correspondence files.
- 16.2.3.2. Reports of jobsite conferences, meetings, and discussions among the Engineer, Owner, and Contractor.
- 16.2.3.3. Copies of approved shop drawings, supplier O&M Manuals, and samples.



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- 16.2.3.4. Copies of construction contract documents.
- 16.2.3.5. Addenda.
- 16.2.3.6. Change orders.
- 16.2.3.7. Field orders.
- 16.2.3.8. Additional drawings issued subsequent to execution of the construction contract documents.
- 16.2.3.9. Progress reports.
- 16.2.3.10. Names, addresses, and telephone numbers of all contractors, subcontractors, and major suppliers of materials and equipment.
- 16.2.3.11. Maintain a daily diary or log book of events at the jobsite and provide a weekly summary report to Engineer, with copy to Owner, including the following information.
  - 16.2.3.11.1. Days the Contractor worked on the jobsite.
  - 16.2.3.11.2. Contractor and subcontractor personnel on jobsite.
  - 16.2.3.11.3. Construction equipment on the jobsite.
  - 16.2.3.11.4. Observed delays and causes.
  - 16.2.3.11.5. Weather conditions.
  - 16.2.3.11.6. Data relative to claims of extras or deductions.
  - 16.2.3.11.7. Daily activities.



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- 16.2.3.11.8. Observations pertaining to the progress of the work.
- 16.2.3.11.9. Materials received on jobsite.
- 16.2.3.11.10. Observation of field tests and procedures.
- 16.2.3.11.11. Observation of defects or deficiencies in Contractor's work.
- 16.2.3.11.12. Photos.
- 16.2.3.11.13. The diary or log book shall remain the property of the Engineer.  
However, a copy will be provided to Owner upon Substantial Completion of the project.
- 16.2.3.12. Assistance in Certification of Substantial Completion.
- 16.2.3.13. Before Engineer issues a Certificate of Substantial Completion, submit to Contractor a list of observed items requiring completion or correction.
- 16.2.3.14. Assist Engineer in conducting final review in the company of Owner and Contractor, and prepare a final list of items to be completed or corrected.
- 16.2.3.15. Verify that all items on the final list have been completed or corrected and make recommendations to Engineer concerning acceptance.

EXHIBIT A

SCOPE OF SERVICES

WATER TREATMENT PLANT - BID / CONSTRUCTION PHASE PROJECT BUDGET

CLINTON, OK

Total Labor-Hours											BMcD Labor Cost	Distributed Expense Cost	Total Item Cost
Assoc II	Assoc I	Senior II	Senior I	Staff II	Staff I	Asst. III	Detailing	Clerical 1	Clerical 2	Subtotal			
0	16	0	0	0	0	0	0	0	0	28	6,308	4,080	10,388
0	40	16	40	0	0	0	0	0	0	100	20,564	0	20,564
0	16	16	0	0	0	8	0	0	0	44	8,884	520	9,404
0	72	32	40	0	0	8	0	0	0	172	35,756	4,600	40,356
0	0	0	0	0	8	0	20	0	0	28	4,676	2,000	6,676
0	16	24	0	0	20	0	0	0	0	68	13,524	1,090	14,614
0	30	0	0	0	30	0	0	0	0	90	18,300	0	18,300
0	80	304	124	0	240	0	16	400	0	1,164	192,428	0	192,428
0	4	8	4	0	8	0	92	0	0	120	21,228	2,000	23,228
0	16	96	28	0	80	0	12	0	0	272	52,856	0	52,856
0	0	8	0	0	64	0	0	0	0	80	13,600	0	13,600
0	0	0	0	0	520	0	0	0	0	780	142,740	8,550	151,290
0	0	0	24	0	0	0	0	0	0	24	4,536	400	4,936
0	0	0	24	0	0	0	0	0	0	24	4,536	1,040	5,576
0	0	96	0	0	0	0	0	0	0	96	20,064	4,160	24,224
0	0	24	0	0	0	0	0	0	0	24	5,016	400	5,416
0	60	60	0	0	0	0	0	0	0	192	42,540	8,080	50,620
0	0	48	0	0	0	0	0	0	0	48	10,032	1,440	11,472
0	40	4	0	0	40	0	20	0	0	112	21,136	840	21,976
0	30	155	44	0	24	86	84	12	0	487	90,987	6,000	96,987
0	40	120	0	0	40	0	0	0	0	240	49,480	13,000	62,480
0	316	947	248	0	1,074	86	244	412	0	3,849	707,679	49,000	756,679