



## Fire Department

**DATE:** May 14, 2024

**FROM:** Joel Boespflug, Fire Chief

**ITEM:** EAPC Contract Change Order

**REQUEST:**

EAPC is requesting an increase to the design fee due to an increase in total project cost as well as a time extension to the contract.

**BACKGROUND INFORMATION:**

EAPC is requesting an increase to the design fee as the project came in higher than the original bid estimate. They are also requesting a time extension until May 31st. 2024.

**RECOMMENDED CITY COMMISSION ACTION:**

To grant changes in the contract amount and to add the needed days to the project.

**STAFF CONTACT INFORMATION:**

Chad Gee, Deputy Fire Chief, 701-355-1407, [cgee@bismarcknd.gov](mailto:cgee@bismarcknd.gov)

**ATTACHMENTS:**

1. EAPC Contract Change Order 2

# CONTRACT CHANGE ORDER FORM

**DEPARTMENT**

|                          |                                |                           |  |
|--------------------------|--------------------------------|---------------------------|--|
| City Department          | Fire                           |                           |  |
| Contractor               | EAPC                           |                           |  |
| Contract Number          | 2023-0026                      | Change Order Number       | 1  |
| Project Number           | see project desc               | Change Order Date         | 4/22/2024  |
| Project Description      | BLDCONST.BLDG.FIRESTAT1REMODEL |                           |  |
| Original Contract Amount | \$ 35,779.03                   | Approved Contract Budget  |  |
| Previous Contract Amount | \$ 76,518.90                   |                           |  |
| Change Order Amount      | \$ 9.44                        |                           | ACTION REQUIRED<br>(SEE BELOW)                   |
| Proposed Contract Amount | \$ 76,528.34                   |                           |  |
| Within Project Scope     | YES                            | Within Project Funding    | YES  |
| Completion Date          | 10/30/2023                     | Change in Completion Date | YES  |
| Revised Completion Date* | 5/31/2024                      | REV COMP<br>DATE REQ'D    | *If completion date changed on this Change Order |
| Type of Change Order     | Non Design-related             | Work Order No(s).         |  |

**Description:**

New design fee due to increase in total cost of project as well as a contract extension.

**Project Manager Signature (≤\$15,000)** \_\_\_\_\_

**SIGN HERE**

Send to Fiscal if change is ≤\$15,000, completion date ≤5 days, no scope change or no revised budget

Date

**Department Head Signature (≤\$25,000)** \_\_\_\_\_

Send to Fiscal if change is ≤\$25,000, completion date ≤15 days, no scope change or no revised budget

Date

**ADMINISTRATION**

**City Administrator Signature (≤\$50,000)** \_\_\_\_\_

Add to Commission Agenda

Date

**COMMISSION APPROVAL**

**Commission Approval Date** \_\_\_\_\_

Attach Commission approval memo and send to Fiscal

**COMMISSION APPROVAL  
REQUIRED**

**FISCAL**

Comments

\*If not within project scope or funding, attach revised description and/or revised Project Budget for Board Approval



|                      |   |             |           |
|----------------------|---|-------------|-----------|
| <b>Amendment No.</b> | 2 | <b>Date</b> | 4.22.2023 |
|----------------------|---|-------------|-----------|

|                             |                                  |          |
|-----------------------------|----------------------------------|----------|
| <b>Project Name   Job #</b> | Bismarck Fire Station #1 Remodel | 20222150 |
|-----------------------------|----------------------------------|----------|

|                  |   |
|------------------|---|
| <b>Reference</b> | AIA Document B101 – 2017 Standard Form of Agreement Between Owner & Architect |
|------------------|---|

|              |                                   |                  |  |
|--------------|-----------------------------------|------------------|--|
| <b>Owner</b> | City of Bismarck                  | <b>Architect</b> | Engineers-Architects, P.C. (herein known as EAPC Architects Engineers) |
|              | 601 South 26 <sup>th</sup> Street |                  | 116 W Main Avenue, Suite A   |
|              | Bismarck, ND 58506                |                  | Bismarck, ND 58501   |

This document amends and becomes part of the above referenced Contract.

Change Article 11.3 Compensation Fee increased by \$9.44, to reflect 8% of total owner initiated Change Order costs and a \$37,830.91 final billing amount.

Final Billing amount \$37,830.91

Extend design services contract to May 31<sup>st</sup>, 2024.

This Agreement entered into as of the day and year first written above.

**OWNER**

**ARCHITECT**

\_\_\_\_\_  
Jason Tomanek, City Administrator

  
\_\_\_\_\_  
Alan Dostert AIA, President/CEO



3100 DeMers Avenue, Grand Forks, ND 58201 | TELE 701.775.3000

April 08, 2024  
 Invoice No: 56968  
 Due Date: May 08, 2024

Bismarck Fire & Inspections Department  
 1020 E Central Ave  
 Bismarck, ND 58501

Project 20222150 BSMK Fire Station 1 Remodel  
 Attn: Brooks Martin

Professional Services from February 25, 2024 to March 30, 2024  
**Fee**

|                             |                       |                      |                         |                  |
|-----------------------------|-----------------------|----------------------|-------------------------|------------------|
| Total Fee                   |                       | 72,868.90            |                         |                  |
| <b>Billing Phase</b>        | <b>Percent of Fee</b> | <b>Fee</b>           | <b>Percent Complete</b> | <b>Earned</b>    |
| Schematic Design            | 10.00                 | 7,286.89             | 100.00                  | 7,286.89         |
| Design Development          | 20.00                 | 14,573.78            | 100.00                  | 14,573.78        |
| Construction Documents      | 40.00                 | 29,147.56            | 100.00                  | 29,147.56        |
| Bidding / Award             | 5.00                  | 3,643.45             | 100.00                  | 3,643.45         |
| Construction Administration | 25.00                 | 18,217.23            | 100.00                  | 18,217.23        |
|                             |                       | <b>Total Earned</b>  |                         | <b>72,868.91</b> |
|                             |                       | Previous Fee Billing |                         | 27,000.00        |
|                             |                       | Current Fee Billing  |                         | 45,868.91        |

**Total Fee 45,868.91**

**Additional Fees**

|  |                  |                  |
|--|------------------|------------------|
| CO G08 50% Office Furniture Cost       | -7,187.57        |                  |
| CO G11 Door 121 Lockset                | -841.00          |                  |
| Reimbursable Overage Limit was \$1,150 | -2,509.43        |                  |
| Measured Drawings                      | 2,500.00         |                  |
| <b>Total Additional Fees</b>           | <b>-8,038.00</b> | <b>-8,038.00</b> |

**Total this Invoice \$37,830.91**

**Billings to Date**

|         |                      |                     |                     |                 |
|---------|----------------------|---------------------|---------------------|-----------------|
|         | <b>Current Month</b> | <b>Prior Months</b> | <b>Total Billed</b> | <b>Received</b> |
| Fee     | 45,868.91            | 27,000.00           | 72,868.91           |                 |
| Expense | 0.00                 | 3,659.43            | 3,659.43            |                 |

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

Please Remit to:

EAPC Architects Engineers  
 3100 DeMers Ave.  
 Grand Forks, ND 58201



| Project       | 20222150 | BSMK Fire Station 1 Remodel |                  |                  | Invoice          | 56968 |
|---------------|----------|-----------------------------|------------------|------------------|------------------|-------|
| Add-on        |          | -8,038.00                   | 0.00             | -8,038.00        |                  |       |
| <b>Totals</b> |          | <b>37,830.91</b>            | <b>30,659.43</b> | <b>68,490.34</b> | <b>30,659.43</b> |       |

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

Please Remit to:

EAPC Architects Engineers  
3100 DeMers Ave.  
Grand Forks, ND 58201