

## AMENDMENT NO. 2 TO L 30190

Contract Start Date:	4/23/2019	Original Total Amount:	\$120,943.00
Original Completion Date:	5/31/2020	As Previously Amended:	\$232,395.00
Amendment Completion Date:	12/31/2020	Current Amendment:	\$15,183.00
Resolution:	20-0837R	New Total Contract Amount:	\$247,578.00

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This amendment, effective as of the date of attestation by the City Clerk (the "Effective Date"), by and between the City of Duluth, hereinafter referred to as "City", and LHB, Inc., located at 21 W. Superior St., Ste. 500, Duluth, MN 55802 hereinafter referred to as "Engineer", for the purpose of rendering services to the City.

WHEREAS, on April 23, 2019, City and Engineer entered into an agreement bearing City of Duluth Contract No. L 30190 for Professional Services for Trunk Highway 53 and Interstate 35 Utility Relocations, which Contract has been previously amended once, and which Contract and Amendment are hereinafter referred to as the "Contract"; and

WHEREAS, both parties desire to amend the Contract.

NOW THEREFORE, in consideration of the mutual covenants and conditions hereinafter set forth, the parties hereto hereby agree as follows:

In this Amendment changes in the language of the Contract which delete language will be shown as stricken and language added to the contract language will be underlined.

Revision 1. The Payments described in the Contract are hereby amended as follows:

Wherever in the agreement the maximum compensation or total not to exceed is referenced, the amount shall be ~~two hundred thirty two thousand, three hundred ninety five and 00/100 dollars (\$232,395.00)~~ Two Hundred Forty-Seven Thousand Five Hundred Seventy-Eight and no/100ths Dollars (\$247,578.00).

Revision 3. The Special Provisions described in Section VI of the Contract are hereby amended as follows:

The following exhibits are attached to and made part of this agreement:

- 1) Exhibit A, Engineer's Cost Proposal w/Hourly Rates entitled RFP 19-07AA, Trunk Highway 53 & Interstate 35 Utility Relocations, dated April 5, 2019 and Engineer's Proposals entitled City of Duluth Project No. 1825 TH 53 and I-35 Utility Relocation Engineering Design Services, dated May 17, 2019, and August 26, 2020.

In all other respects the contract, together with all of its terms, covenants and conditions, is hereby confirmed in its entirety.

*[Remainder of page intentionally left blank. Signature page to follow.]*

IN WITNESS WHEREOF, the parties have hereunto set their hands as of the date of attestation shown below:

## CITY OF DULUTH

By:

Mayor

Attest:

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## City Clerk

Date Attested:

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City Auditor Date

Approved as to form:

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City Attorney Date

## LHB, INC.

By:

## Company Representative

Its:

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**Title of Representative**

Date: \_\_\_\_\_