

**AMENDMENT NO. 1 TO L30869**

Contract Start Date:	8/21/2023	Original Total Amount:	\$45,000.00
Original Completion Date:	5/31/2024	As Previously Amended:	\$45,000.00
Amendment Completion Date:	5/31/2024	Current Amendment:	\$77,500.00
Resolution:	23-0967R	New Total Contract Amount:	\$122,500.00

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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 Stantec Consulting Services, Inc. located at 11 East Superior Street, Suite 230, Duluth, MN 55802, hereinafter referred to as “Consultant”, for the purpose of rendering services to the City.

WHEREAS, on August 21, 2023, City and Consultant entered into an agreement bearing City of Duluth Contract No. L30869 for an environmental assessment worksheet for Central High School site redevelopment, which Contract has not been previously amended, and which Contract is 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 Proposal described in the fourth paragraph of the Contract is hereby amended as follows:

WHEREAS, Consultant submitted a proposal to provide services for the Project (the “Proposal”), a copy of which is attached hereto as Exhibit A; and amended by an updated Proposal dated October 18, 2023 titled Central High School Redevelopment Site AUAR Assistance, RFP Number: 23-99564, Duluth Contract No. L 30869 (effective August 18, 2023), a copy of which is attached hereto as Exhibit B; and

**Revision 2.** The Fees described in Section II. of the Contract is hereby amended as follows:

It is agreed between the parties that Consultant’s maximum fee for the Project and Services shall not exceed the sum of ~~Forty Five Thousand and 00/100 Dollars (\$45,000.00)~~ One Hundred Twenty-Two Thousand, Five Hundred and 00/100 Dollars (\$122,500.00) inclusive of all travel and other expenses associated with the Project, payable from Fund 110-132-1301-5310, and from Fund 860-860-8640-5319.

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**

**STANTEC CONSULTING SERVICES, INC.**

By:

By:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Company Representative

Attest:

Its:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Title of Representative

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

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

Countersigned:

\_\_\_\_\_  
City Auditor

Approved as to form:

\_\_\_\_\_  
City Attorney



**Stantec Consulting Services Inc.**  
One Carlson Parkway North, Suite 100  
Plymouth MN 55447-4440

October 18, 2023

Project/File: 227706270

**Kyle Deming**

City of Duluth  
Department of Planning and Economic Development  
Planning and Development Division  
411 West First Street, Room 160  
Duluth, MN 55802

Dear Kyle Deming,

**Reference: Central High School Redevelopment Site AUAR Assistance, RFP Number: 23-99564, Duluth Contract No. L 30869 (effective August 18, 2023)**

Stantec Consulting Services Inc. (Stantec) was awarded a contract by the City of Duluth (City) in August 2023 for the preparation of an Environmental Assessment Worksheet (EAW) for the Central High School Development in response to the City of Duluth's RFP Number 23-99564 including Addendum 1. The RFP and the Addendum described the City of Duluth's conclusion that the proposed residential and commercial intensities would not exceed the threshold for an Environmental Impact Statement (EIS) per Minn. Stat. 4410, upon which Stantec also based their assumptions.

At the project kickoff meeting on August 30, 2023, the City of Duluth, the project proposer team, and the Stantec project team discussed the proposed Central High School Site Redevelopment Project. City staff and the proposer team worked together to determine the most effective pathway for completing state environmental review. Between August 30, 2023 and September 18, 2023, the City of Duluth, the project proposer and Stantec discussed options for allowing flexibility for both the City of Duluth and the project proposer. City staff, the proposer team, and Stantec met on September 15, 2023 to discuss environmental review options (e.g., EAW, EIS, or and AUAR). Following this discussion, it was concluded that the Alternative Urban Areawide Review (AUAR) process, specifically the Large Project would be the most appropriate method for completing State of Minnesota environmental review and may be the most advantageous for all parties.

It is recognized that the adopted 2035 Imagine Duluth Comprehensive Plan identifies the majority of the site as Business Park in the Future Land Use Map along with open space and residential areas. Per Minnesota Rules 4410.3610, Subp.3, at least one scenario is required to be consistent with the adopted Comprehensive Plan.

In discussions with the City of Duluth Planning and Development Division, it was determined that it would be best to advance two scenarios for the AUAR: 1) a scenario consistent with the City's adopted comprehensive plan and 2) a high-intensity mixed use scenario that captures the project proposer's plans. Additionally, elements of the previous adopted master plan for the site, including hotel uses, park/open space, and a future Lake Avenue connection would be assumed as part of the full buildout for this scenario.

Reference: Central High School Redevelopment Site AUAR Assistance

## Traffic Impact Study

The City of Duluth's RFP 23-99564, Scope of Services, did not include a Traffic Study. The Stantec proposal recommended that our team coordinate with the City early to review the project and confirm whether a detailed traffic impact study would be necessary. Following the kickoff meeting discussion and a subsequent meeting with the Minnesota Department of Transportation (MnDOT) District 1, it was confirmed that a traffic impact study would be required for the project. We have prepared a scope and cost estimate for the traffic impact study based on discussions with MnDOT on their expectations and our understanding of traffic modeling information that would be provided by MnDOT District 1 and their consultant for the Trunk Highway (TH) 194/ Central Entrance Study, SRF Consulting Group. It is assumed that the following intersections would be included in the traffic impact study:

- Central Entrance (TH 194)/ Arlington Avenue
- Arlington Avenue/ Palm Street
- Central Entrance/ Blackman Avenue
- Blackman Avenue/ Palm Street/ Clearwood Drive
- Central Entrance/ Pecan Avenue
- Rice Lake Road/ Hickory Street/ Chinook Drive
- Rice Lake Road/ Pecan Avenue
- Central Entrance/ 13<sup>th</sup> Street
- Central Entrance/ Rice Lake Road
- Central Entrance/ Lake Avenue
- Central Entrance/ Skyline Parkway

Traffic volume data will be collected as needed to supplement data provided by MnDOT and SRF Consulting Group.

Our scope assumes that traffic will be evaluated for short-term (Year 2025, Phase I Development) and long-term (Year 2045, full buildout) scenarios. Mitigation measures will be identified for the short-term scenario. Given that the recommended alternative for Central Entrance will not be known until after this AUAR process is complete, per the schedule the involved parties provided, specific mitigation measures for the long-term scenario will not be identified as part of this AUAR. For the purposes of this traffic impact study, it is assumed for the full buildout scenario that Portia Johnson Drive would be converted to a public roadway and a future third access point via Lake Avenue would ultimately be constructed, providing a total of three future access points to the site.

## Cost Estimate

The City of Duluth Planning and Development Division requested Stantec outline the change in scope associated with the transition from an EAW to an AUAR and provide associated cost information. Table 1 outlines the updated and estimated costs for completing AUAR versus the previous EAW.

Reference: Central High School Redevelopment Site AUAR Assistance

**Table 1. EAW and AUAR Cost Comparison**

Task		Est. Hrs.	Est. Cost	Rate Range*	Comments
1	<b>Data Review</b>	12	\$2,500	Level 12-13	Increased for scenario building/ environmental review approach effort.
2	<b>Prepare Draft EAW</b> (2 in-person meetings)	176	\$31,200	Level 7-14	Applied to Scoping EAW
3	<b>Prepare Final EAW</b>	22	\$3,800	Levels 12-13	Applied to Final AUAR
4	<b>Planning Commission Public Hearing</b> (1 in-person meeting)	10	\$1,900	Levels 12-13	Moved to general meetings task
5	<b>Response to Comments, EIS Need Decision Materials &amp; Draft Record of Decision</b>	20	\$3,700	Levels 12-13	Applied to Revised AUAR/ Responses to Comments
6	<b>Planning Commission Meeting to Present Task 5.0 Materials</b> (1 in-person meeting)	10	\$1,900	Levels 12-13	Moved to general meetings task
<b>TOTAL</b>		<b>250</b>	<b>\$45,000</b>	-	

Table 2 summarizes the revised budget for a Large Project AUAR effort. The notes column describes how previously approved scope items were re-allocated to AUAR specific tasks. Please note, we understand that City Council approval will be required for this proposed scope change. We have prepared a conservative budget with the intent of minimizing the potential for future scope change requests. Our team will aim to work efficiently to reduce time and budget needs where possible.

**Table 2. Revised Budget**

Task		Est. Hrs.	Est. Cost	Rate Range*	Comments
1	<b>Data Review</b>	30	\$5,000	Level 12-13	Increased Task 1 for additional AUAR data needs
2	<b>General Consultation/ Scenario Building</b>	50	\$10,000	Level 7-14	<ul style="list-style-type: none"> <li>• New scope item, includes:               <ul style="list-style-type: none"> <li>○ Consultation on the environmental review approach and decision-making.</li> <li>○ Scenario building development</li> </ul> </li> </ul>

Reference: Central High School Redevelopment Site AUAR Assistance

Task		Est. Hrs.	Est. Cost	Rate Range*	Comments
3	Scoping EAW	120	\$20,000	Levels 12-13	<ul style="list-style-type: none"> <li>New scope item</li> <li>Applied a portion of the Draft EAW scope task (previous Task 2)</li> </ul>
4	Prepare Draft AUAR	420	\$75,000	Levels 12-13	<ul style="list-style-type: none"> <li>New scope item</li> <li>Applied a portion of the Draft EAW scope task (previous Task 2)</li> </ul>
5	Prepare Final AUAR	30	\$5,000	Levels 12-13	<ul style="list-style-type: none"> <li>New scope item</li> <li>Applied a portion of the Response to Comments/ EIS Decision scope task (previous Task 5)</li> </ul>
6	Meetings (2 additional in-person meeting)	30	\$7,500	Levels 12-13	Includes: <ul style="list-style-type: none"> <li>4 EAW meetings (previous Tasks 4 and 6)</li> <li>2 MnDOT/SRF meetings</li> <li>6 Monthly check-in meetings (virtual, 30 mins)</li> <li>2 additional meetings to attend Council/Commission meetings for the Draft AUAR Order and AUAR adoption.</li> </ul>
<b>AUAR TOTAL</b>		<b>690</b>	<b>\$122,500</b>		
<b>Budget Change</b>		<b>+440</b>	<b>+77,500</b>		

## Assumptions

Please note, this proposal assumes the following:

- The AUAR would evaluate no more than two development scenarios.
- Wetland data will be based on delineation data provided by the Proposer. No additional wetland delineations are provided as part of this scope.
- No cultural resource investigations (Phase Ia literature review or Phase I field survey) are included in this scope.
- The scope does not include a Phase I Environmental Site Assessment (ESA).

## Schedule

We have prepared a revised schedule based on a Large Project AUAR process. We understand that it is desired to expedite the schedule to the extent possible. We have denoted review and revision timelines that may be flexible and provide opportunities to expedite the timeline in the schedule. Additionally, we have identified mandatory timelines associated with required comment periods.

**Reference:** Central High School Redevelopment Site AUAR Assistance

We welcome any questions that the City of Duluth may have in response to the following. Thank you for the opportunity to work with the City of Duluth on this redefined environmental review. We look forward to continuing to support the City of Duluth with the redevelopment of the former Central High School Site.

This proposal will remain valid for 60 days or until a contract is fully executed.

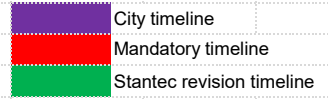
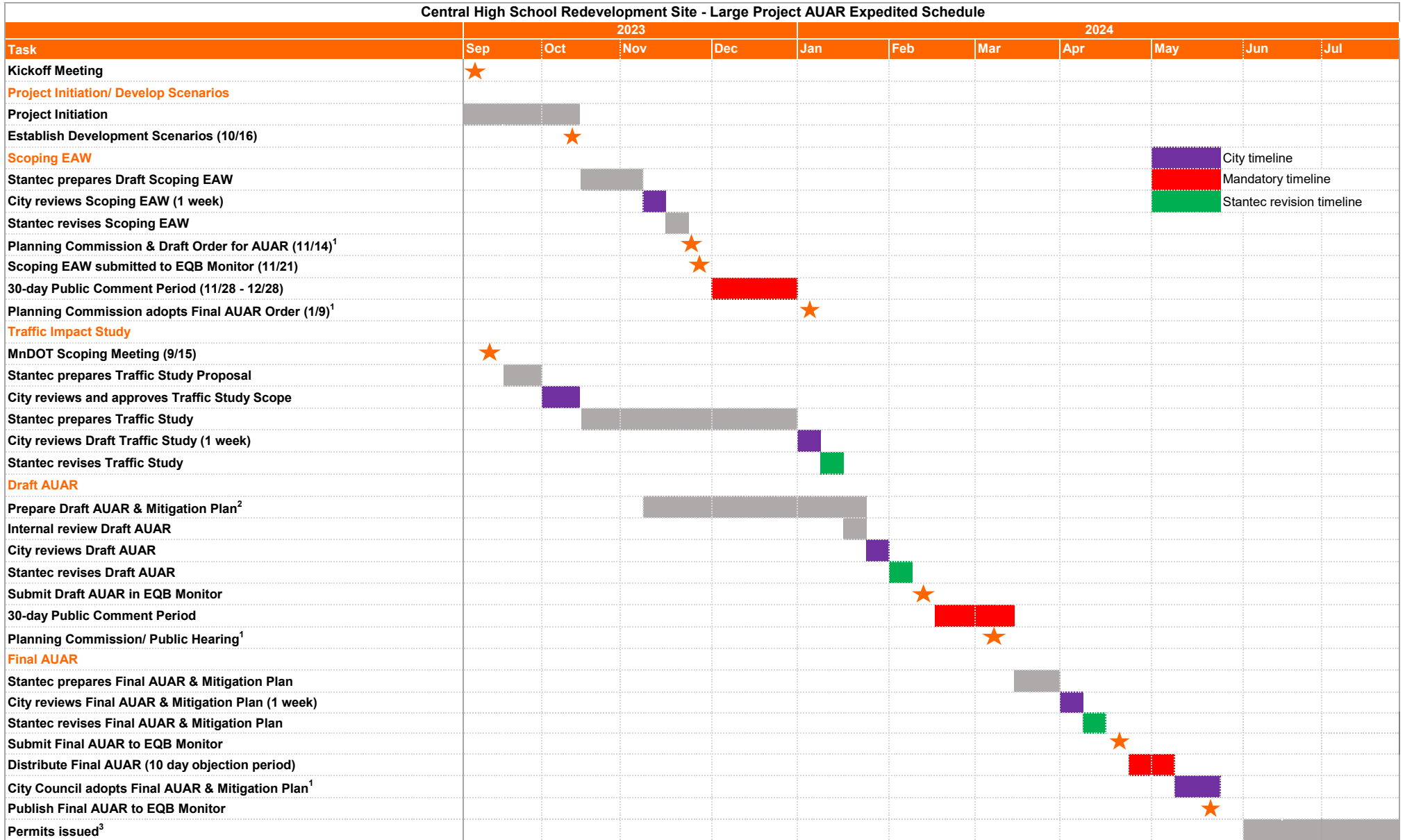
Thank you,

**STANTEC CONSULTING SERVICES INC.**



**Erin Sejkora** AICP  
Associate, Project Manager  
Phone: (763) 252-6802  
erin.sejkora@stantec.com

Attachment: Stantec Rate Table, preliminary schedule



<sup>1</sup> Planning Commission and City Council timeframes are estimated. Specific meeting times would be confirmed once the environmental approach is confirmed. It is assumed that special meetings may be scheduled if needed.

<sup>2</sup> To meet this schedule, it will be necessary to initiate preparation of the Draft AUAR concurrent with the Scoping EAW comment period. The Draft AUAR timeline assumes that comments received on the Scoping EAW would not substantially modify the proposed development scenarios, increase the number of scenarios evaluated, or require completing additional technical analyses outside of the current scope.

<sup>3</sup> Permits may be prepared concurrent with environmental review, but may not be issued until after the environmental review process is complete.





## ATTACHMENT – STANDARD RATE TABLE

BC2277\_2023-1

### HOURLY RATES

Stantec Billing Level	2023 Hourly Rate*
3	\$104
4	\$117
5	\$127
6	\$131
7	\$139
8	\$145
9	\$155
10	\$161
11	\$172
12	\$178
13	\$187
14	\$195
15	\$220
16	\$250
17	\$259
18	\$265
19	\$273
20	\$285
21	\$296

\*Rates subject to annual increase.

### OTHER EXPENSES / MATERIALS

Stantec's standard mark-up on expenses is 10%. Unless prescribed differently within the proposal or other contract paperwork, this mark-up is used in all areas as indicated below:

- **Sub-Consultants**
- **Subcontracted Commodity Services**  
e.g., analytical laboratory services, drilling contractors, etc.
- **Meals**  
May be billed at cost or daily per diem.
- **Lodging**
- **Mileage**  
Stantec uses the U.S. Internal Revenue Service standard mileage rate.
- **External Equipment and Supplies.**  
e.g., delivery charges, outside copying/reproduction, leased/rented field equipment, etc.

Company-owned equipment will be billed on unit rate basis (e.g., daily; weekly); the expense markup does not apply to these rates. A separate Stantec Equipment Rate Schedule\* is available upon request. If applicable, per diem rates will be those set by the U.S. General Services Administration (<https://www.gsa.gov>), unless prescribed differently in the proposal or contract terms and conditions.