

AMENDMENT NO. 2 TO C22491

Contract Start Date: May 20, 2015	Original Total Amount:	\$ 37,800.00
Original Completion Date: June 30, 2016	As Previously Amended:	\$ 51,800.00
Amendment Completion Date: March 31, 2017	Current Amendment:	\$ 3,200.00
Resolution: 17-0036R	New Total Contract Amount:	\$ 55,000.00

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 Hoisington Kogler Group, Inc. located at 123 N. Third St., Suite 100, Minneapolis, MN 55401, hereinafter referred to as "Consultant", for the purpose of rendering services to the City.

WHEREAS, on May 20, 2015, City and Consultant entered into an agreement bearing City of Duluth Contract No. 22491 for professional services to prepare a master plan for the Cross City Trail from Sister Cities Park to Becks Road, which Contract has been previously amended one time, 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 Services described in Section I of the Contract are hereby amended as follows:

Consultant will provide ~~the following~~ services related to the Project as described in Consultant's Proposal (the "Services"), the additional services proposal dated August 4, 2015 for the first amendment, and the additional services proposal dated December 16, 2016 for the second amendment, attached as Exhibit A-2. Consultant agrees that it will provide its services at the direction of the Director of Public Administration ("Director"). In the event of a conflict between the Proposal and this Agreement, the terms and conditions of this Agreement shall be deemed controlling.

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 ~~Thirty Seven Thousand Eight Hundred and 00/100 Dollars (\$37,800.00)~~ ~~Fifty One Thousand Eight Hundred and 00/100 Dollars (\$51,800.00)~~ Fifty-Five Thousand and 00/100 Dollars (\$55,000.00) inclusive of all travel and other expenses associated with the Project,

payable as follows: \$37,800 Capital Improvements 450; Finance 030; Improvements Other than Buildings 5530; Project CP450-ccity-0676tr-Capital Projects-Other Fund Contributions, Cross City Trail folder, Cross City Trail – Phase IV 2015; and ~~\$14,000~~ \$17,200 Parks Fund 205; Community Resources 130; Parks Capital 1220; Improvements Other than Buildings 5530; Project: CM205-mstrpl Cap Mtce Fund 205, Master Plans. All invoices for services rendered shall be submitted monthly to the attention of Director. Payment of expenses is subject to the City's receipt of reasonable substantiation/back-up supporting such expenses.

Revision 2. The Agreement Period described in Section III, Paragraph 5, of the Contract is hereby amended as follows:

The term of this Agreement shall commence on the Effective Date and performance shall be completed by ~~June 30, 2016~~ March 31, 2017, unless terminated earlier as provided for herein.

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

IN WITNESS WHEREOF, the parties have hereunto set their hands as of the effective date thereof.

CITY OF DULUTH

HOISINGTON KOEGLER GROUP, INC.

By: _____
Mayor

By: _____

Attest:

Its: _____
Title of Representative

By: _____
City Clerk

Date: _____

Date: _____

Countersigned:

City Auditor

Approved as to form:

City Attorney

Exhibit A-2

Creating Places that Enrich Peoples Lives

Hoisington Koegler Group Inc.



December 16, 2016

Lisa Luokkala
Project Coordinator
Parks and Recreation Division
City of Duluth
411 W First Street
Duluth, MN 55802

Second
Re: ~~First~~ Amendment to an Agreement between the City of Duluth and Hoisington Koegler Group Inc. for services pertaining to the preparation of the Cross City Trail Master Plan dated March 20, 2015.

Dear Lisa:

Thank you for taking the time to outline the needed modifications, identify the shared roles between City Staff and HKGi, and review the remaining schedule to update the Cross City Trail Master Plan and complete the planning process. Hoisington Koegler Group Inc. (HKGi) has enjoyed working with the City of Duluth and we are committed to providing a high quality master plan for the Cross City Trail. In order to finalize the master plan document, we offer the following amendment to our original contract between the City of Duluth and Hoisington Koegler Group Inc. dated March 20, 2015.

The contract shall be amended to include additional fees in the amount of \$3,200.00 including expenses. These additional fees will include the following tasks:

- Provide general narrative edits to eliminate current language describing terminus at Becks Road and update narrative on phasing including phases already constructed, anticipated near-term construction and future phases.
- Update all mapping related to the route change to reflect the new terminus.
- Work with staff to develop new language for justification for Legacy "uniqueness" reflecting the new terminus of the trail.
- Update the budget based on new terminus working with new information from City Staff.
- Update the anticipated maintenance budget working with Parks Maintenance Staff based on the revised trail layout.
- Update funding and phasing based on the revised trail layout with narrative supplied by City Staff.
- Conducting additional edits on draft document after a public review period in January of 2017.
- Finalizing the document based on comments from the Parks and Recreation Commission meeting anticipated for February 2017.

The anticipated schedule for completion is as follows:

February 8, 2017	Parks & Recreation Commission Approval
February 1, 2017	Submit to Parks & Recreation Commission
January 27-February 1, 2017	HKGi to make final edits to Master Plan
Mid Jan, 2017 (date TBD)	Trails Committee Meeting to Review Draft Document
January 13-27, 2017	On-line Public Review of Draft Master Plan Document
January 6-13, 2017	HKGi to complete edits to revised document
January 6-13, 2017	Updated Maintenance Budget provided by Parks Maintenance Staff
January 3-6, 2017	All content to HKGi from City Staff

IN WITNESS WHEREOF, The CLIENT and the CONSULTANT have made and executed this ^{second}~~first~~ Amendment to the original March 20, 2015 Agreement for Professional Services,

This _____ day of _____, 2016

CITY OF DULUTH

Name:

Title

Name:

Title:

CONSULTANT
Hoisington Koegler Group Inc.



Bryan Harjes

Vice President