

Exhibit A

**SECOND AMENDMENT TO
AGREEMENT FOR PROFESSIONAL SERVICES
BY AND BETWEEN
HKM, P.A. AND CITY OF DULUTH**

THIS SECOND AMENDMENT is made and entered into this 5th day of September, 2019, by and between the City of Duluth, hereinafter referred to as "City", and HKM, P.A., located at 30 East 7th Street, Suite 3200, St. Paul, MN 55101, hereinafter referred to as "Service Provider" for the purpose of rendering services to the City

WHEREAS, the City has an Agreement with the Service Provider identified as Agreement for Professional Services By and Between HKM, P.A. and City of Duluth with an effective date of December 7, 2018, and identified as City Contract #23598 (the "Agreement"); and

WHEREAS, a First Amendment to the Agreement was signed on April 16, 2019, authorizing an additional \$33,386 in expenditures for legal services; and

WHEREAS, City and Service Provider wish to amend Section II of the Agreement to authorize an additional \$13,925 in expenditures for legal services.

THEREFORE, the City and the Service Provider agree as follows:

In this Second Amendment to Agreement, the deleted terms will be struck out and the added terms will be underlined.

II. Fees

It is agreed between the parties that Service Provider's hourly rate for the term of this Agreement shall be as follows:

- For Peter Wanning, Attorney at Law (Sr. Shareholder) -- \$360 per hour
- For a Sr. Associate assisting Mr. Wanning -- \$275 per hour
- For Paralegal services -- \$175 per hour


plus mileage and out of pocket expenses and total cost to the City will not exceed the sum of ~~Forty Eight Thousand Two Hundred Eight Six dollars (\$48,286)~~ Sixty Two Thousand Two Hundred Eleven dollars (\$62,211), payable from City Fund 110, Department 110, Division 1104, and Object 5304. The Service Provider will not incur additional fees and expenses without prior written authorization from the City. All bills for services rendered shall be submitted monthly to the City Attorney. Such billings shall be accompanied by documentation as shall reasonably be requested by the City Attorney.

Except as amended herein, the terms and conditions of the Agreement remain in full force and effect.

CITY OF DULUTH

HKM, P.A.

By: _____
Mayor

By:  _____
Peter W. Wanning, Attorney at Law

Date: 9/5/2019

Attest: _____
City Clerk

Date: _____

Countersigned:

City Auditor

Approved as to form:

City Attorney