#### AMENDMENT NO. 1 TO L30935

Contract Start Date:	12/20/2023	Original Total Amount:	\$196,110.00
Original Completion Date:	1/31/2025	As Previously Amended:	\$196,110.00
Amendment Completion Date:		Current Amendment:	\$48,776.00
Resolution:	24-0825R	New Total Contract Amount:	\$244,886.00

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 LHB, Inc, Inc. located at 21 West Superior Street, Suite 500, Duluth, MN 55802, hereinafter referred to as "Consultant", for the purpose of rendering services to the City.

WHEREAS, on December 20, 2023, City and Consultant entered into an agreement bearing City of Duluth Contract No. L30935 for engineering services for City-wide lead water service replacement for Lower-Lincoln Park, which Contract has not been previously amended, and which Contract and amendments 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 Total Not To Exceed described in Section V.C. of the Contract is hereby amended as follows:

All payments under this Contract are not to exceed <del>One Hundred Ninety-Six Thousand, One Hundred Ten and 00/100 Dollars (\$196,110.00)</del> Two Hundred Forty-Four Thousand, Eight Hundred Eighty-Six and 00/100 Dollars

**Revision 2.** The Special Provisions described in Section VI. of the Contract is hereby amended as follows:

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

- 1) Exhibit A, Engineer's Hourly Rates
- 2) Exhibit B, Engineer's Proposal
- 3) Exhibit C, Engineer's Proposal for Amendment 1

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	LHB, INC.						
Ву:	Ву:						
Mayor	Company Representative						
Attest:	Its:						
City Clerk	Title of Representative						
Date Attested:	Date:						
Countersigned:							
City Auditor							
Approved as to form:							
City Attorney							



July 16, 2024

Brad Scott, Senior Engineer City of Duluth 411 West First Street Duluth, MN 55802

# 2025 LEAD WATER SERVICE REPLACEMENT – LOWER LINCOLN PARK CITY PROJECT 2214 | CITY CONTRACT NO. L30935

In accordance with our ongoing discussions, we have prepared the enclosed work plan and cost proposal tabulating additional costs related to requested additional work.

As originally scoped in the RFP, the project was planned to replace approximately 250 lead services. However, in the course of completing the City's inventory, it was discovered that a significant number of lead services lines required potholing to verify the service material. A common occurrence in Duluth is for a lead service line to have had the public side of the service replaced at some time in the past AND for the homeowner to have previously replaced the portion of the lead service line from just outside the foundation wall into the basement. These services appear as copper in the basement, but subsequent investigation has shown that many of them are, in fact, lead between the curb stop and the house.

Since some potholed services will be confirmed lead and some will be confirmed non-lead, the City took the step of adding approximately 100 additional houses to the project to make certain that a minimum number of houses were included in the plan, ensuring the City would replace at least 200 lead service lines with the project.

Ultimately the City included approximately 240 services in the plan, of which approximately 150 are known lead and approximately 90 will need to be potholed. The approximate split between private and public services to be replaced on the project is 90% private only, and 10% full replacement (public and private).

In addition, based on experience with the projects currently under construction, it is necessary to provide additional space for the contractor to work, which is larger than the footprint shown in the standard details. The City has requested updates to the standard pay limit dimensioning shown in the Standard Details to allow for adequate space for the contractor. As such, some of the quantities will need to be recalculated based on these updated dimensions. LHB's cost to assist with the design for these additional services is included in our amendment summary.

Furthermore, the City has requested we provide a cost to update the Lincoln Park 1 drawing package and pay items to match the current design template. The original Lincoln Park 1 scope of work directed LHB to provide an open-trench construction method bid package be assembled, which specified that the Contractor shall use such methods, including the necessary removals and restoration items specified in the plans for the installation of the water services.

The current design template does not specifically direct the Contractor installation performance methodology (i.e. open trench or trenchless methods). The goal in the revised approach is to provide more flexibility in construction methods to reduce construction costs by reducing the surface restoration requirements.

### **Scope of Services:**

Based on our understanding of the request from the City, we will provide the following scope of services.

#### Task Description

- 1.00 Lincoln Park 3 82 Additional Addresses
  - Property Owner Outreach
    - Organize and verify property owner information.
    - Provide up to two mailings, attempting to contact each property owner.
    - Provide up to two door knock attempts for each property to perform inspection.
  - Perform home & business building inspections.
  - Organize and manage data collected from inspections.
  - Collect and organize City-Property Owner Agreements.

## Task Description

- 2.00 Lincoln Park 3 Plan Updates
  - Revise Standard Details to include a 4-foot clear distance from the curb.
  - Revise Quantities to reflect revision of Standard Details.

# Task Description

- 3.00 Lincoln Park 1 Plan Updates
  - Revise sheet numbering for added sheets.
  - Create Index Maps consistent with the current design template.
  - Revise SEQ to be consistent with the current design template.
  - Add Standard Details created during the development of Lincoln Park 3.
  - Revise LSR Site Plans to be consistent with the current design template.
  - Revise Special Provisions to be consistent with the current design template.

Attached you will find a detailed work plan and cost proposal for these additional services.

 We appreciate the opportunity to continue providing services for this important project. Upon review, if you have any questions concerning our proposal or would like to meet to discuss please do not hesitate to call.

LHB, INC.

ADAM F. BESSE, P.E.,

**CIVIL ENGINEERING MANAGER** 

MATT SETTEGREN, P.E.,

Matt for form

**VICE PRESIDENT** 

Attachments: LHB Work Plan and Cost Proposal dated July 16, 2024

c: Jon Maruska

LHB Project No. 230879

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# **WORK PLAN**

Project Name: 2025 Lead Water Service Replacement

Lower Lincoln Park - Amendment 01

Client: City of Duluth

Preparer: LHB

Project Number: 230879

Date: 7/16/2024

**COST PROPOSAL** 

	Preparer: LHB													
		Mat	t	Adam	Bella	Phil	Paul	Ethan	Kevin	Linda				
		Setterg	ren	Besse	Larson	Barden	Vogel	Eckloff	Kane	Nelson				TOTAL
													TOTAL	COST
Work	Description	Proje		Project	Project	GIS Specialist		Inspector /		A -l :	TOTAL	TOTAL	COST PER	PER
	Description LINCOLN PARK 3 - ADDITIONAL ADDRESSES	Princi	pai 2	Manager 42	Engineer	Sr. Technician	Survey Lead	Surveyor 56	Inspector 32	Admin	HOURS	\$ 750	TASK \$ 20,994.00	DELIVERABLE \$ 21,744.00
				20		U	U	56	32	54 24			·	· ·
I .	Homeowner Outreach			20				FG	20	1	44		·	
	Home & Business Building Inspections (82 each)			8				56	32		96		· ·	1
	Organize and Manage data collected from Inspections			5						20	25		\$ 2,930.00	
	Collect and Organize City-Homeowner Agreements			5						10	15	· ·	\$ 1,940.00	
1.05	Project Coordination		2	4							6	<b>5</b> -	\$ 1,180.00	\$ 1,180.00
2.00	LINCOLN PARK 3 - PLAN UPDATES		0	5		17	0	0	0	0	30	\$ -	\$ 3,752.00	\$ 3,752.00
2.01	Revise Standard Details			1		1					2	\$ -	\$ 312.00	\$ 312.00
2.02	Revise Quantities for Standard Details			4	8	16	;				28	\$ -	\$ 3,440.00	\$ 3,440.00
											0	\$ -	\$ -	-
3.00	LINCOLN PARK 1 - PLAN UPDATES		0	40	52	2 80	0	0	0	12	184	\$ -	\$ 23,280.00	\$ 23,280.00
3.01	Revise Sheet Numbering			1		2					3	\$ -	\$ 434.00	\$ 434.00
3.02	Create Index Maps Consistent with Current Plan Format			2	4	4 8					14	\$ -	\$ 1,720.00	\$ 1,720.00
3.03	Revise SEQ to match current pay item list			8	8	8 8				4	28	\$ -	\$ 3,620.00	\$ 3,620.00
3.04	Add Standard Details			1		2					3	\$ -	\$ 434.00	\$ 434.00
3.05	Revise LSR Site Plans Consistent with Current Plan Format			24	40	60					124	\$ -	\$ 15,520.00	\$ 15,520.00
3.06	Revise Special Provision			4						8	12	\$ -	\$ 1,552.00	\$ 1,552.00
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	TOTAL HOURS		2	87	60	97	0	56	32	66	400		SUMMARY	
	COST PER HOUR	\$	210 \$	190	\$ 91	\$ 122	\$ 180	\$ 82	\$ 83	\$ 99			TOTAL LABOR	\$ 48,026
												ר	OTAL EXPENSES	\$ 750
	TOTAL COST	\$	420   \$	16,530	\$ 5,460	\$ 11,834	\$ -	\$ 4,592	\$ 2,656	\$ 6,534			TOTAL FEE	\$ 48,776
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