

AMENDMENT NO. 1 TO L30228

Contract Start Date:	6/4/2019	Original Total Amount:	\$394,675.00
Original Completion Date:	12/31/2020	As Previously Amended:	0
Amendment Completion Date:	12/31/2020	Current Amendment:	\$85,800.00
Resolution:	20-0XXXR	New Total Contract Amount:	\$480,475.00

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 Kraus-Anderson Construction Company located at 3716 Oneota Street, Duluth, MN 55807, hereinafter referred to as "Construction Manager", for the purpose of rendering services to the City.

WHEREAS, on June 4, 2019, City and Construction Manager entered into an agreement bearing City of Duluth Contract No. L30228 for Construction Manager Services for the Zoo Bear Country Exhibit Renovation, which Contract has not been previously amended, 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 Reimbursable Expenses described in Section 11.6.2 of the Contract is hereby amended as follows:

For Reimbursable Expenses the compensation shall be the expenses incurred by the Construction Manager and the Construction Manager's consultants for a maximum not to exceed ~~One Hundred Fifty Six Thousand and no/100ths Dollars (\$156,000.00)~~ Two Hundred Forty-One Thousand Eight Hundred and no/100ths Dollars, based on a twenty-five (25) week construction schedule.

Revision 2. The Maximum Payment described in Section 11.8 of the Contract is hereby amended as follows:

Payments under this agreement for basic services, including the Construction Manager's fee in the amount of Sixty-Five Thousand and no/100ths Dollars (\$65,000), shall not exceed Two Hundred Thirty-Eight Thousand Six Hundred Seventy and no/100ths Dollars (\$238,675.00). Payments for reimbursable expenses are estimated, but shall not exceed ~~One Hundred Fifty Six Thousand and no/100ths Dollars (\$156,000.00)~~ Two Hundred Forty-One Thousand Eight Hundred and no/100ths Dollars. Total payments under this agreement shall not exceed ~~Three Hundred Ninety-Four Thousand Six Hundred Seventy-Five and no/100ths Dollars (\$394,675.00)~~ Four Hundred Eighty Thousand Four Hundred Seventy-Five and no/100ths Dollars (\$480,475.00),

based on a ~~twenty-five (25)~~ fifty-five (55) week construction schedule, payable from fund 452-030-5530; HANDHTAX - 1502.

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

KRAUS-ANDERSON CONSTRUCTION COMPANY

By:

By:

Mayor

Company Representative

Attest:

Its:

City Clerk

Title of Representative

Date Attested: _____

Date: _____

Countersigned:

City Auditor

Approved as to form:

City Attorney



Innovative Construction Solutions

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Duluth, MN 55807
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April 10, 2020

Mr. Erik Birkeland, Property & Facilities Manager
City of Duluth – Property & Facilities Management
1532 West Michigan Street
Duluth, MN 55806

Re: CM Site Services Fees – Lake Superior Zoo.

Hello Erik,

As we have discussed earlier, Kraus Anderson needs to request additional CM service fees, as we are running out of superintendent time and project coordinator time on the Zoo Project.

When we submitted our proposal for CM services to the city, we were the understanding that this was going to be one project that consisted of the renovating the old Polar Shores Exhibit.

As it turned out, a second project was included into our scope, the renovation Black Bear exhibit.

We were originally not concerned of having multiple projects, as the overall project was going to have the same budget, and we thought that both project would run simultaneously.

In reality the Black Bear project was ready to proceed quickly as the construction documents were substantially complete, while the Brown Bear project had yet to be fully designed and drawn.

The reason we have to request more money for additional CM services is it has taken substantially more time to run multiple projects, then we originally budgeted in our proposal to the city.

We started the Black Bear project at the end of August 2019 (31 weeks ago) and we still have 22 to 24 weeks left to complete the Brown Bear exhibit.

Our original CM proposal included a 25 week construction schedule, and 1000 hours of on-site superintendent time (see below).

With our current construction schedule of completing the Brown Bear exhibit in September, we are requesting:

- 20 weeks (800 hrs) of additional superintendent (Josh) time (\$80,800).
- 100 hrs of additional Project Coordinator (Sarah) time (\$5000)

We are not requesting any additional project manager time, or any additional Fee.

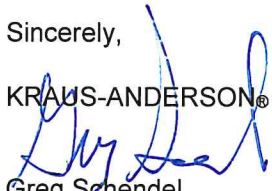
As in the Black Bear project, we are proposing that our Superintendent take care of all the carpentry work when he is on site (saving the cost of low bidder of WS #6A \$69,488).

We also feel, at this time, that we should enough general conditions money left to complete the project.

Please call me or email with your thoughts and questions.

Sincerely,

KRAUS-ANDERSON® CONSTRUCTION COMPANY



Greg Schendel
Project Manager

Enclosure