

Amendment #3 for Grant Contract Agreement #LW27-01416

Grant Contract Start Date:	9/24/18	Total Contract Amount:	\$750,000.00
Original Contract Expiration Date:	12/31/2020	Original Contract Amount:	\$750,000.00
Current Contract Expiration Date:	12/31/2022	Previous Amendment(s) Total:	\$0
Requested Contract Expiration Date:	9/30/2023	This Amendment:	\$0

This amendment is by and between the State of Minnesota, through its Commissioner of Natural Resources ("State") and City of Duluth, 411 West 1st Street – Ground Floor, Duluth, MN 55802 ("Grantee").

Recitals

1. The State has a grant contract agreement with the Grantee identified as SWIFT Contract #: 148979, P.O. #: 3000142358 City of Duluth – Lincoln Park ("Original Grant Contract") to provide restore and improve Lincoln Park including the restoration of the WPA pavilion, restoration of the upper terrace including a new parking lot, ADA trail connections, resurfacing of multi-use sport field, relocation and construction of new playground, site lighting at WPA pavilion and playground, signage and wayfinding.
2. The Section 106 review with the State Historic Preservation Office (SHPO) took several years to complete. Thus, this agreement is being amended to give the grantee enough time to construct as planned.
3. The State and the Grantee are willing to amend the Original Grant Contract Agreement as stated below.

Grant Contract Agreement Amendment

REVISION 1. Clause 1. "**Term of Grant Contract Agreement**" is amended as follows:

1.1 Effective date

September 24, 2018, per MN Statue 16B.98, Subd. 5 and Subd. 7, this contract is not valid and no payments will be made to the Grantee until this grant contract is fully executed, however, eligible expenses may be incurred as of September 24, 2018.

1.2 Expiration date

~~December 31, 2020~~ September 30, 2023, or until all obligations have been satisfactorily fulfilled, whichever occurs first.

1.3 Survival of Terms

The following clauses survive the expiration or cancellation of this grant contract: 8. Liability; 9. State Audits; 10. Government Data Practices and Intellectual Property; 12. Publicity and Endorsement; 13. Governing Law, Jurisdiction, and Venue; 15. Data Disclosure; 20. Resource Management and Protection; 24. Land Retention and Deed Restriction, and 25. Program Requirements.

1. STATE ENCUMBRANCE VERIFICATION

Individual certifies that funds have been encumbered as required by Minn. Stat. 16A.15

Signed: _____

Date: _____

SWIFT Contract/PO No(s). _____

2. GRANTEE

The Grantee certifies that the appropriate person(s) have executed the grant contract on behalf of the Grantee as required by applicable articles, bylaws, resolutions, or ordinances.

By: _____

Emily Larson, Mayor

Attest By: _____

Ian B. Johnson, City Clerk

Date: _____

Countersigned: _____

Josh Bailey, City Auditor

Date: _____

Approved as to Form: _____

Rebecca St. George, City Attorney

Date: _____

3. STATE AGENCY

By: _____

Title: _____

Date: _____

Distribution:

Agency

Grantee

State's Authorized Representative