



Minnesota Department of Transportation

State Aid Division

395 John Ireland Boulevard, MS 500
Saint Paul, MN 55155

June 13, 2016

Cindy Voigt
City of Duluth
Room 211 City Hall
411 West 1st Street
Duluth, MN 55802

In reply refer:

Grant from Minnesota State Transportation Fund, Acct 266 - Flood
SP 118-103-006 MnDOT Agreement # 1003172

Agreement Amendment – Revised Funding

Dear Ms. Voigt:

Your funding amount previously approved for a state transportation fund grant for costs associated with the repairs 63rd Ave due to extensive flood damage has been increased by an additional \$41,275.93 due to funding becoming available in the flood bond appropriation. Please prepare an amendment to the existing grant agreement 1003172 for \$41,275.93 and submit 2 original copies to my office for approval. The total grant amount for this project is now \$103,361.41

Flood Bond Acct 266	\$ 62,085.48	\$ 103,361.41
Local funds	<u>58,708.16</u>	<u>17,432.23</u>
Total	\$120,793.64	\$ 120,793.64

Sincerely,

Patt. Loken

State Aid Programs Engineer

cc: John McDonald, D1 State Aid Engineer

An Equal Opportunity Employer



**AMENDMENT # 1 TO MnDOT LOCAL ROAD AND BRIDGE DISASTER RELIEF GRANT
AGREEMENT NO. 1003172**

Current Amendment Amount from Bond Account 266:	<u>\$103,361.41</u>
Current Amendment Amount from Matching Funds:	<u>\$17,432.23</u>
Prev. Amendment(s) Total::	<u>\$0.00</u>
Current Contract Total	<u>\$120,793.64</u>

Overlay 63rd Avenue West from Grand Avenue and Cody Street after impacts by the 2012 Flood.

Project Identification :

State Aid Project (SAP):	<u>118-103-006</u>	Old Bridge #:	<u>N/A</u>
Federal Project #	<u>N/A</u>	New Bridge #:	<u>N/A</u>

This amendment is by and between the State of Minnesota, through its Commissioner of Transportation ("MnDOT") and the city of Duluth ("City").

Recitals

1. MnDOT has an Agreement with the City identified as MnDOT Agreement Number 1003172 ("Original Agreement"), SP 118-103-006 to allow MnDOT to act as agent for the City in accepting Local Road and Bridge Disaster Relief funds for engineering and construction for the above mentioned project.
2. The funding awarded for this project from Bond Account #266 construction increased due to the availability of funding in Account #266.
3. The agreement is being amended to extend the term of the contract.
4. MnDOT and the City are willing to amend the Original Agreement as stated below.

Agreement Amendment

In this Amendment deleted contract terms will be ~~struck out~~ and the added contract terms will be underlined, unless stated otherwise.

REVISION 1. Article 3 "Project(s)" is deleted in its entirety and replaced as:

Name of Project (See Exhibit C for location)	Amount of LBRP Funds	Amount of Required Matching Funds	Completion Date
SP 118-103- 006 63 rd Avenue West	\$103,361.41	\$17,432.23	Dec. 31, 2016

REVISION 2. Article 5 is amended as follows:

Exhibit A	Complete Sources and Uses of Funds
<u>Exhibit A-1</u>	<u>Complete Sources and Uses of Funds</u>
Exhibit B	Project Completion Schedule
Exhibit C	General Fund Financed Property Certification
Exhibit D	Grant Application
Exhibit E	Grantee Resolution Approving Grant
Exhibit F	General Terms and Conditions

REVISION 3. Exhibit F Section 4.01 **The Advances** (second paragraph) is amended as follows:

Advances shall only be for expenses that (i) are for those items of a capital nature delineated in Source and Use of Funds that is attached as ~~Exhibit A~~ Exhibit A-1, (ii) accrued no earlier than the effective date of the legislation that appropriated the funds that are used to fund the LRBDR Grant, or (iii) have otherwise been consented to, in writing, by the Commissioner.

REVISION 4. Exhibit F Section 5.14 **Sources and Uses of Funds** is amended as follows:

The Public Entity represents to MnDOT and the Commissioner that the Sources and Uses of Funds Schedule attached as ~~Exhibit A~~ Exhibit A-1 accurately shows the total cost of the Project and all of the funds that are available for the completion of the Project. The Public Entity will supply any other information and documentation that MnDOT or the Commissioner may request to support or explain any of the information contained in the Sources and Uses of Funds Schedule. If any of the funds shown in the Sources and uses of Funds Schedule have conditions precedent to the release of such funds, the Public Entity must provide MnDOT a detailed description of such conditions and what is being done to satisfy such conditions.

The terms of the Original Agreement are expressly reaffirmed and are incorporated by reference. Except as amended herein, the terms and conditions of the Original Agreement and all previous amendments remain in full force and effect.

CITY OF DULUTH

The City certifies that the appropriate person(s) have executed the agreement on behalf of the City as required by applicable articles, by laws, resolutions, or ordinances.

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

DEPARTMENT OF TRANSPORTATION

By: _____
(With delegated authority)

Title: _____

Date: _____

COMMISSIONER OF ADMINISTRATION

By: _____

Date: _____

EXHIBIT A-1 SAP 118-170-003**SOURCES AND USES OF FUNDS SCHEDULE****SOURCES OF FUNDS**

Entity Supplying Funds	Amount
State Funds:	
LRBDR Grant	\$103,361.41
(Flood Bond Acct 266)	
Subtotal	\$103,361.41
Public Entity Funds:	
SA Disaster	\$17,432.23
	\$ 0.00
Subtotal	\$120,793.64
TOTAL FUNDS	\$120,793.64

USES OF FUNDS

Expenses	Amount
State Funds:	
LRBDR Grant	
Construction	\$103,361.41
Engineering	\$ 0.00
Subtotal	\$103,361.41
Public Entity Funds:	
	\$17,432.23
	\$ 0.00
Subtotal	\$120,793.64
= TOTAL PROJECT COSTS	\$120,793.64