

# Exhibit A

## AMENDMENT NO. 1 TO C22618

Contract Start Date: September 1, 2015  
Original Completion Date: December 2016  
Amendment Completion Date: no change  
Resolution: 16-0214R

Original Total Amount: \$70,000.  
As Previously Amended: \$70,000.  
Current Amendment: \$2,500.  
New Total Contract Amount: \$72,500.

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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 TKDA located at 4560 Norway Pines Place, Duluth, MN, 55811, hereinafter referred to as "Consultant", for the purpose of rendering services to the City.

WHEREAS, on September 1, 2015, City and Consultant entered into an agreement bearing City of Duluth Contract No. 22618 for the design and preparation of construction documents, bid assistance and observation services for the Western Waterfront Trail Restoration, which Contract has been previously amended zero times, and which Contract and amendment 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 Payments described in Paragraph II of the Contract is hereby amended as follows:

Payments hereunder, in the estimated amount of ~~Seventy Thousand and 00/100 Dollars (\$70,000.00)~~ Seventy Two Thousand Five Hundred and 00/100 Dollars (\$72,500.00) shall be made from Tourism & Recreation Projects 452; Finance 030; Improvements Other than Buildings 5530; Project: HANDTAX-1501-01 – Half & Half Tax Projects, Western Waterfront Trail, Corridor Restoration; and Requisition No. 15-0520.

Revision 2. The Basis of Billing described in Section V.A. of the Contract is hereby amended as follows:

A) BASIS OF BILLING

City shall pay the Engineer for all services rendered under Section II Phases A through I an amount based on:

- X   1. Hourly rates, total not to exceed ~~\$70,000~~ \$72,500  
     2. Lump sum     n/a

For the purposes of this agreement, the principals and employees of the Engineer and their hourly rates are set forth in Exhibit A hereto.

# Exhibit A

Revision 3. The Standard Payment described in Section V.D. of the Contract is hereby amended as follows:

D) STANDARD PAYMENT

The Engineer shall complete all services described in Section II.A through G including all attachments to Section II for an amount including direct expenses not to exceed the amount shown hereunder:

<u>Section II</u>	<u>Description</u>	<u>Maximum Compensation</u>
A.	Study and Report Phase	\$
B.	Preliminary Survey Phase	\$
C.	Preliminary Design Phase	\$ 2,168.
D.	Final Design Phase	\$15,982.
E.	Bidding Phase	\$
F.	Construction Survey and Layout Phase	\$ <del>5,866.</del> <u>\$8,366.</u>
G.	Construction Inspection Phase	\$ 1,856.
H.	Additional Services	\$
I.	Reimbursable Expenses	\$44,128.
<b>TOTAL</b>		<del>\$70,000.00</del> <u>\$72,500.00</u>

The maximum compensation for all phases A through I shall not exceed:

~~Seventy Thousand and 00/100 Dollars.~~ **Seventy Two Thousand Five Hundred and 00/100 Dollars.**

Revision 4. The Total Not To Exceed described in Section V.F. of the Contract is hereby amended as follows:

F) TOTAL NOT TO EXCEED:

All payments under this Contract are not to exceed ~~\$70,000~~ \$72,500. Payable under 452-030-5530-HANDHTAX-1501.

In all other respects the contract, together with all of its terms, covenants and conditions, is hereby confirmed in its entirety.

# Exhibit A

IN WITNESS WHEREOF, the parties have hereunto set their hands as of the effective date thereof.

**CITY OF DULUTH**

**TKDA**

By: \_\_\_\_\_  
Mayor

By: \_\_\_\_\_

Attest:

Its: \_\_\_\_\_  
Title of Representative

By: \_\_\_\_\_  
City Clerk

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Countersigned:

\_\_\_\_\_  
City Auditor

Approved as to form:

\_\_\_\_\_  
City Attorney