

**Amendment #2 for Grant Contract Agreement - Contract #235885/PO #3000239637**

Grant Contract Agreement Start Date	<u>July 1, 2023</u>	Total Grant Contract Agreement Amount:	<u>\$1,375,000</u>
Original Grant Contract Agreement Expiration Date:	<u>June 30, 2025</u>	Original Grant Contract Agreement Amount:	<u>\$1,375,000</u>
Current Grant Contract Agreement Expiration Date:	<u>June 30, 2026</u>	Previous Amendment(s) Total:	<u>N/A</u>
Requested Grant Contract Agreement Expiration Date:	<u>September 30, 2027</u>	This Amendment:	<u>N/A</u>

This amendment is by and between the State of Minnesota, acting through its Commissioner of Natural Resources (“State”) and City of Duluth, 411 First St W, Duluth, MN, 55802 ("Grantee").

**Recitals**

1. The State has a grant contract agreement with the Grantee identified as Contract Number 235885, Purchase Order Number 3000239637 (“original Grant Contract”) to undertake the St. Louis River Re-Connect Phase II project.
2. This Grant Contract Agreement is being amended to extend the original contract expiration date to match the deadline of secured federal funding as approved by the LCCMR and allowed under M.L. 2023, Chp. 60, Art. 2, Sec. 2, Subd. 11 – Availability of appropriations.
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:** July 1, 2023  
Per Minnesota Statutes Section 16B.98, subdivision 7, no payments will be made to the Grantee until this grant agreement is fully executed
- 1.2 **Expiration date:** ~~June 30, 2026~~ September 30, 2027
  - 1.2.1 The appropriation is available until ~~June 30, 2026~~ September 30, 2027 by which time the project must be completed and final products delivered. For acquisition of real property, the appropriation is available for an additional fiscal year if a binding contract for acquisition of the real property is entered into before the expiration date of the appropriation. If a project receives a federal award, the period of the appropriation is extended to equal the federal award period to a maximum trust fund appropriation length of six years.
  - 1.2.2 In the event this grant contract agreement is continued by way of amendment or new agreement, the date the amendment or new agreement is fully executed, is the end date. Notwithstanding the foregoing, in the event an amendment or new agreement is not fully executed within 60 calendar days of the stated expiration date, this grant agreement will expire on ~~August 30, 2026~~ November 30, 2027.

The Original Grant Contract Agreement and any previous amendments are incorporated into this amendment by reference.

**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). 233588 / 3000237292

**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: \_\_\_\_\_

Title: City Administrator, per delegated authority

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

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

Title: City Clerk

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

Countersigned: \_\_\_\_\_

Title: City Auditor

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

Approved as to form: \_\_\_\_\_

Title: City Attorney

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

**3. STATE AGENCY**

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

Title: \_\_\_\_\_

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

Distribution:  
Agency  
Grantee  
State's Authorized Representative