

AMENDMENT NO. 3 TO CONTRACT NO. 21121

Contract Start Date: May 7, 2010	Original Total Amount: \$263,317.00
Original Completion Date: October 15, 2015	As Previously Amended: \$263,971.00
Amendment Completion Date: June 30, 2016	Current Amendment: \$29,500.00
	New Total Contract Amount: \$556,788.00

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 MSA Professional Engineering Services, Inc. located at 332 West Superior Street, Suite 600, Duluth, MN 55802, hereinafter referred to as "Consultant", for the purpose of rendering services to the City.

WHEREAS, on May 7, 2010, City and Consultant entered into an agreement bearing City of Duluth Contract No. 21121 for engineering services for design and construction of five sanitary sewer lift stations; LS #3, LS #8, LS # 9, LS #14 and LS # 23, which Contract has been previously amended two times, and which Contract and amendment(s) 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 compensation amount described in Section VI of the Contract is hereby amended as follows:

It is agreed between the parties that the Service Provider's maximum compensation for services provided herein shall not exceed Five Hundred Fifty Six Thousand Seven Hundred Eighty Eight and 00/100 dollars (\$556,788.00) payable from Fund 530, Department 500, Division 1905, Object 5533, (Sanitary Sewer Fund, Public Works & Utilities, Capital Improvements, Capital Improvements - Revenue)

Revision 2. The contract period described in Section II of the Contract is hereby amended as follows:

This agreement shall commence upon execution hereof and shall continue through June 30, 2016. Notwithstanding the above, the term of this Agreement may be extended upon written approval of the Project Manager.

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

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

CITY OF DULUTH

**MSA PROFESSIONAL ENGINEERING SERVICES,
INC.**

By: _____
Mayor

By: _____

Attest:

Its: _____

Title of Representative

By: _____
City Clerk

Date: _____

Date: _____

Countersigned:

City Auditor

Approved as to form:

City Attorney