

AMENDMENT NO. 2 TO 23787

Contract Start Date:	01/01/2020	Original Annual Amount:	\$220,000.00
Original Completion Date:	12/31/2024	As Previously Amended:	\$230,000.00
Amendment Completion Date:	12/31/2024	Current Amendment:	\$6,000.00
Resolution:	23-0923R	New Annual Amount:	\$236,000.00

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 Downtown Duluth, a nonprofit Minnesota corporation (“Contractor”), for the purpose of rendering services to the City.

WHEREAS, on January 1, 2020, City and Contractor entered into an agreement bearing City of Duluth Contract No. 23787 for services to improve the safety, cleanliness, ad economic vitality of the Downtown Waterfront area, which Contract has been previously amended one time and which contract and amendments 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 Terms of Payment described in Section 2 of the Contract is hereby amended as follows:

City will pay Contractor \$220,000 annually in years 2020, 2021, and 2022 and 2024; ~~and~~ \$230,000 in year 2023; and \$236,000.00 in 2024, payable from Fund 258 (Tourism Taxes)-030 (Finance)-5436-10 (Tourism Tax Allocation Business Improvement District. Payment will be made in 12 equal monthly payments. With regard to the Service Charges, the City will act as a conduit; all Service Charges will flow through to Contractor in exchange for Contractor’s agreement to provide the Special Services. Service Charges will be in an amount anticipated to be \$405,746 for the year 2020 with a 3% increase in the following 4 years, payable from Fund 110 (General Fund)-700 (Transfers and Other Functions)-1411 (Business Improvement District)-5441 (Other Services and Charges.) Payments of Service Charges will be made by City to Contractor within 15 days of the date on which they are received by City from St. Louis County. Contractor will endeavor to solicit contributions from exempt organizations, to obtain grants, and to generate program income to find the remaining portions of the budget reflected in the Operating Plan.

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 date of attestation shown below:

CITY OF DULUTH

DOWNTOWN DULUTH

By:

By:

Mayor

Company Representative

Attest:

Its:

City Clerk

Title of Representative

Date Attested: _____

Date: _____

Countersigned:

City Auditor

Approved as to form:

City Attorney