

AGREEMENT FOR PROFESSIONAL SERVICES  
CITY OF DULUTH  
MINNESOTA LAND TRUST  
FIRST AMENDMENT

THIS FIRST AMENDMENT, effective as of the date of attestation by the City Clerk, is by and between the CITY OF DULUTH, a municipal corporation under the laws of the State of Minnesota (the "City") and MINNESOTA LAND TRUST, a Minnesota non-profit corporation ("MLT").

WHEREAS, the parties entered into an agreement effective February 7, 2018, pursuant to which MLT agreed to provide services related to the identification and assessment of properties for potential inclusion in the St. Louis River Natural Area and development of a St. Louis River Natural Area nomination package and management plan (the "Agreement"); and

WHEREAS, the parties desire to amend the Agreement to extend the term of the Agreement, to modify the work plan to include the Hartley Natural Area management plan, and to increase the amount payable hereunder.

NOW, THEREFORE, the parties mutually agree as follows:

1. Section I, Services, is hereby amended to add those services highlighted in yellow on Exhibit C attached hereto and incorporated herein.
2. Section II, Fees, is hereby amended to increase the amount payable under the Agreement by Nineteen Thousand Three Hundred Eleven and no/100ths Dollars (\$19,311.00) for a total maximum amount up to One Hundred Ninety-nine Thousand Three Hundred Eleven and no/100ths Dollars (\$199,311.00), payable from Fund No. 205-130-1220-CM205-SLRNA-PHASE1 (Parks Fund, Community Resources, Parks Capital, Capital Maintenance Fund 205, St. Louis River Natural Area, Lake Superior Action and Management Plan).
3. Paragraph 5A of Section III, Term and Termination, is hereby amended to extend the term of the Agreement through December 31, 2019.
4. Except as provided in this amendment, all terms and conditions of the Agreement shall remain in force and effect.

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IN WITNESS WHEREOF, the parties have executed this amendment as of the date and year written below.

CITY OF DULUTH

MINNESOTA LAND TRUST

By:

By:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Company Representative

Attest:

Its:

\_\_\_\_\_

\_\_\_\_\_  
Title of Representative

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

Countersigned:

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

Approved as to form:

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

# **EXHIBIT C**

## **Professional Services**

### Scope of Work

The Minnesota Land Trust (Land Trust) will assist the City of Duluth (City) prepare and submit a Duluth Natural Areas Program (DNAP) nomination to City Council for selected properties along the St. Louis River within the City limits.

This work is a sub-award of grant funds from the Great Lakes Restoration Initiative administered through the U.S. Environmental Protection Agency's Great Lakes National Program Office (grant number 00E02202). The City will be point of contact for USEPA grant administrator and project officer and is responsible for all administration, reporting and submissions to USEPA.

The Land Trust will determine in consultation with Parks the combination of staff time, service contracts and professional service agreements to provide to Parks the following project deliverables:

1. Project Quality Assurance Program Plan (QAPP); using USEPA format completed prior to any field work.
2. Parcel assessments; shall include desktop and field evaluation and mapping for natural resources (native plant communities, invasive species, Species of Greatest Conservation Need), development suitability<sup>1</sup> and title reviews of all parcels included in the map depicted on Exhibit A to determine subject parcel eligibility for inclusion<sup>2</sup> in the St. Louis River Natural Area.
3. Initial and final nomination package; MS Word document following City of Duluth "Duluth Natural Areas Program Guidelines" dated 11-04-2002. Including analysis of alignment between Natural Area designation and other local, state, and federal policies, regulations, and plans.
4. Draft and final management plan for nominated parcels; MS Word document following City of Duluth "Duluth Natural Areas Program Guidelines" dated 11-04-2002. Including conceptual restoration plans and an outline for how properties may be utilized, improved, and managed
5. Selected Parcel Acquisition Plan for Phase II
6. Maps and Figures for Public Outreach

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<sup>1</sup> Utilizing DEDA's Development Suitability Analysis products developed by WSB Associates (2015).

<sup>2</sup> The Land Trust may provide statements of opinion. City retains sole discretion for inclusion of properties into the SLRNA nomination package.

7. Draft and final management plan for nominated parcels in the Hartley Natural Area; MS Word document following City of Duluth “Duluth Natural Areas Program Guidelines” dated 11-04-2002. Including conceptual restoration plans and an outline for how properties may be utilized, improved, and managed

In addition, Land Trust staff will participate in the overall management of the St. Louis River Natural Area nomination project by coordinating with:

- City interdepartmental project team
- Duluth Natural Areas Workgroup, a voluntary, interagency committee that has agreed to provide peer review and alignment with other natural resource plans and priorities for the St. Louis River Estuary. The Land Trust will create, convene, organize, and facilitate this group.
- City public review process

### Schedule

A general schedule is provided below, adjustments to the schedule may be made from time to time upon mutual agreement of Parks and Land Trust.

#### General Schedule

Date	Task 1	Task 2	Task 3	Task 4	Task 5
1Oct17- 15July19	-QAPP	-Desktop NR -Contract Title	-Draft Package - Nomination	-Plan Outline	As needed
1Apr18- 30Sep19	-Field NR -Title reviews			-Drafts for review	As needed
1Oct18- 31Dec19			-Final submission	-Final submission	As needed

### Budget

Budget Item	Allocated
Administration	\$9,000
Project Costs (staff, contract, prof services)	\$187,311
Supplies/Equipment	\$2,500
Travel	\$500
<b>Total</b>	<b>\$199,311</b>