

Amendment # 1 for Grant 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, 2025</u>	Previous Amendment(s) Total:	<u>N/A</u>
Requested Grant Contract Agreement Expiration Date:	<u>June 30, 2026</u>	This Amendment:	<u>N/A</u>

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

Recitals

1. The State has a grant 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 Agreement is being amended because the incorrect end date was included on the original executed agreement.
3. The State and the Grantee are willing to amend the Original Grant Agreement as stated below.

Grant Contract Agreement Amendment

REVISION 1. Clause 1. “**Term of Grant 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, 2025~~ June 30, 2026
 - 1.2.1 The appropriation is available until ~~June 30, 2025~~ June 30, 2026 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, 2025~~ August 30, 2026.
- 1.3 **Survival of Terms**
The following clauses survive the expiration or cancellation of this grant contract agreement: 10 Liability; 11 State Audits; 12 Government Data Practices and Intellectual Property; 15 Acknowledgment and Endorsement; 16 Governing Law, Jurisdiction, and Venue; 18 Data Disclosure; 23 Monitoring; and 26 Program Requirements.
- 1.4 **Incur Expenses**
Notwithstanding Minnesota Statutes, section 16A.41, expenditures made on or after July 1, 2023, or the date the Work Plan is approved, whichever is later, are eligible for reimbursement unless otherwise provided in [M.L. 2023, Chapter 60, Article 2](#).

The Original Grant 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). Contract #: 163866/ PO #: 3-158107

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: _____

Date: _____

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

3. STATE AGENCY

By: _____

Title: _____

Date: _____

Distribution:
Agency
Grantee
State's Authorized Representative

