

AMENDMENT NO. 5 TO C22416

Contract Start Date:	2/23/2015	Original Total Amount:	\$16,100.00
Original Completion Date:	n/a	As Previously Amended:	\$60,605.00
Completion Date as Amended:	10/31/2017	Current Amendment:	\$11,900.00
Amendment Completion Date:	6/30/2019	New Total Contract Amount:	\$72,505.00
Resolution:	19-0090R		

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 Foster Jacobs & Johnson, Inc. located at 345 Canal Park Drive, Suite 200, Duluth, MN 55802, hereinafter referred to as “Consultant”, for the purpose of rendering services to the City.

WHEREAS, on February 23, 2015, City and Consultant entered into an agreement bearing City of Duluth Contract No. 22416 for the preparation of a preliminary engineering design for the proposed Nordic Ski Trail System at Spirit Mountain, which Contract has been previously amended four times, 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. Section 1, Services to Be Performed, is modified to include the additional services as described in Exhibit A of this amendment.

Revision 2. The Fees described in Section II of the Contract are hereby amended as follows:

It is agreed between the parties that Consultant’s maximum fee for the Project and Services shall not exceed the sum of ~~Thirty Three Thousand, One Hundred Twenty Five and 00/100 Dollars (\$33,125.00)~~ ~~Sixty six Thousand Six Hundred Five and 00/100 Dollars (\$60,605.00)~~ Seventy-Two Thousand, Five Hundred Five and 00/100 Dollars (\$72,505.00) inclusive of all travel and other expenses associated with the Project, \$16,100 payable from Capital Improvements 450, Finance 030, Improvements Other than Buildings 5530; and ~~\$17,025~~ ~~\$44,505~~, \$56,405.00 payable from Tourism & Recreational Projects 452; Finance 030; Improvements Other than Buildings 5530; Project HANDHTAX-1506-Half & Half Tax Projects, Lower Spirit Nordic.

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

FOSTER JACOBS & JOHNSON, INC.

By:

By:

Mayor

Company Representative

Attest:

Its:

City Clerk

Title of Representative

Date Attested: _____

Date: _____

Countersigned:

City Auditor

Date

Approved as to form:

City Attorney

Date



6/21/2018

Jim Shoberg
City of Duluth

Project: Spirit Mountain Nordic Sky Trail

RE: Engineering Services

Dear Jim,

We are pleased to offer the following proposal for professional engineering services related to **Spirit Mountain Nordic Sky Trail**. This proposal is based upon our understanding of scope as follows:

Project Scope

- Provide ongoing support for the construction phase of the project:
 - FJJ (Foster, Jacobs & Johnson) - Provide electrical system support
 - TEE (Torrent Engineering and Equipment) - Provide snowmaking system support

Based upon the scope of work and listed deliverables we propose an hourly fee not to exceed \$11,900. This is based on the hourly schedule below.

If the limited is reached this contract will need to be renegotiated.

ONE Hourly

Senior Electrical Engineer \$ 135.00
Electrical Intern Engineer \$ 100.00
Electrical Designer \$ 110.00
Electrical Technician III \$ 95.00
Electrical Technician II \$ 85.00
Construction Inspector \$ 100.00
Expenses billed at cost + 10%

TEE Hourly

Sr. Engineer \$ 130.00
Jr. Engineer \$ 80.00
Drafting & Administration \$ 65.00
Site time \$1,200.00 USD per day + expenses
Travel time at 60% of standard rates + expenses

Thank you for your consideration. We look forward to helping you with a successful project.

Sincerely,

Foster, Jacobs & Johnson, Inc.

A handwritten signature in black ink, consisting of the letters 'NE' in a stylized, cursive font.

Nathan Eisenbarth

Accepted by:
