

AMENDMENT NO. 1 TO L30703

Contract Start Date:	9/28/2022	Original Total Amount:	\$138,508.00
Original Completion Date:	3/15/2023	As Previously Amended:	\$138,508.00
Amendment Completion Date:	1/31/2024	Current Amendment:	\$127,237.00
Resolution:	23-0762R	New Total Contract Amount:	\$265,745.00

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 LHB, Inc. located at 21 West Superior Street, Suite 500, Duluth, MN 55802, hereinafter referred to as “Consultant”, for the purpose of rendering services to the City.

WHEREAS, on September 28, 2022, City and Consultant entered into an agreement bearing City of Duluth Contract No. L30703 for 2023 Lead Replacement Design, which Contract has not been previously amended, and which Contract is 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 Completion Time described in Section II. D. 8) of the Contract is hereby amended as follows:

The Final Design Phase shall be completed and contract documents submitted by ~~February 1, 2023~~ June 30, 2023.

Revision 2. The Completion Time described in Section II. E. 6) of the Contract is hereby amended as follows:

The bidding phase shall be completed by ~~March 15, 2023~~ January 31, 2024.

Revision 3. The Total Not to Exceed described in Section V. C. of the Contract is hereby amended as follows:

All payments under this Contract are not to exceed ~~One Hundred Thirty Eight Thousand, Five Hundred and Eight and 00/100 Dollars (\$138,508.00)~~ Two Hundred Sixty-Five Thousand, Seven Hundred Forty-Five and 00/100 Dollars.

Revision 4. The Special Provisions described in Section VI. of the Contract is hereby amended as follows:

The following exhibits are attached to and made part of this agreement:

- 1) Exhibit A, Engineer's Hourly Rates
- 2) Exhibit B, Engineer's Proposal
- 3) Exhibit C, Engineer's Proposal and Work Plan dated June 30, 2023 and titled 2023 Lead Water Service Replacement Phase 4 City Project 2082 | City Contract No. L30703

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

[Remainder of page intentionally left blank. Signature page to follow.]

IN WITNESS WHEREOF, the parties have hereunto set their hands as of the date of attestation shown below:

CITY OF DULUTH

LHB, INC.

By:

By:

Mayor

Company Representative

Attest:

Its:

City Clerk

Title of Representative

Date Attested: _____

Date: _____

Countersigned:

City Auditor

Approved as to form:

City Attorney



June 30, 2023

Tom Pfeffer, Chief Engineer of Utilities
 City of Duluth
 411 West First Street
 Duluth, MN 55802

2023 LEAD WATER SERVICE REPLACEMENT PHASE 4 CITY PROJECT 2082 | CITY CONTRACT NO. L30703

In accordance with our ongoing discussions and final design work on this project, we have prepared the enclosed work plan and cost proposal tabulating additional costs related to the contract.

At the time of contract negotiations, each of the consultants working on the project were given the same fee, based on trenchless replacement of water services. However, after contract award, and at the time of the project kickoff meeting, LHB's design scope was revised to include project areas that would require open cut installation for all of service connections due to the anticipated presence of bedrock.

This scope revision meant that street/yard impacts and restoration would need to be assessed and accounted for in the design. This required more intensive field investigation and data gathering as well as alternative design options to account for surface impacts such as the presence of bedrock and yard features. Additional project scope and design was also required for areas where water main extensions within City streets were required to accomplish the lead service replacement goals of the project.

A summary description of additional project services incorporated by this amendment follows:

A1.00 WATER MAIN EXTENSIONS

Water main extensions that included street and yard impacts were added to LHB's scope. The water main extensions in LHB's project area are to be installed by open cut installation which required additional site investigation and detailing. Additional design tasks were required to provide an appropriate level of detail for the open cut installation, including One-Call ticket, topographic field survey, mapping, utility investigation, plan and profile drawings, temporary water design, and additional / unique pay items and quantity tabulations.

A2.00 OPEN CUT INSTALLATION SCOPE

Additional inspection and design time was necessary to complete the design for the open cut scope. On average, an additional 30-45 minutes of time was necessary to complete field inspection of the exterior of the house and yard. LHB produced site sketches of each address and provided topographic survey of some of the more complex yards to ensure that all surface features were documented. In addition, the yard restoration of each address required additional drafting and design time so that they could be documented and properly restored to their preconstruction condition. Additional pay items and special provisions were required to capture the site restoration features.

A3.00 RETAINING WALL FIELD CONDITION ASSESSMENT AND REPAIR DESIGN

Once the initial design of the service connections was complete, it became apparent that impacts to some retaining walls would require additional assessment and would need to be taken into consideration as part of the design. LHB structural engineers did field condition assessments to document current conditions and establish restoration designs for each address with a retaining wall. Additional coordination meetings, design, and drafting time were necessary to develop wall details and restoration plans. Additional pay items and special provisions were required to capture these new design elements.

A detailed work plan and cost proposal is attached for your review.

We appreciate the opportunity to continue providing services for this important project. Upon review, if you have any questions concerning our proposal or would like to meet to discuss please do not hesitate to call.

LHB, INC.



ADAM F. BESSE, P.E.,
PROJECT MANAGER



JOSEPH D. LITMAN, P.E.,
CHIEF OPERATING OFFICER

Attachments: Work Plan and Cost Proposal – Amendment 01

c: Jon Maruska
LHB Project No. 220835

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Project Name: **2023 Lead Service Replacement** Project Number: **220835**
 Client: **City of Duluth** Date: **6/28/2023**
 Preparer: **AFB**

COST PROPOSAL

Work Task	Description	Project Principal	Project Manager	Structural Engineer	Senior Tech	Design Engineer	Land Surveyor	Survey Tech	Admin	TOTAL HOURS	TOTAL EXPENSE S	TOTAL COST PER TASK	TOTAL COST PER DELIVERABLE
A1.00	Water Main Extensions	3	28	0	120	52	9	45	0	257	\$ 250	\$ 29,855	\$ 30,105
A1.01	One-Call Ticket		1					9		10	\$ -	\$ 988	\$ 988
A1.02	Topographic Survey	1	1		36		9	36		83	\$ 250	\$ 8,871	\$ 9,121
A1.03	Plan & Profile Drawings (9 Sheets)	1	16		60	40				117	\$ -	\$ 14,170	\$ 14,170
A1.04	Temporary Water Design	1	2		8	4				15	\$ -	\$ 1,842	\$ 1,842
A1.05	SEQ, Charts and Estimate		8		16	8				32		\$ 3,984	\$ 3,984
A2.00	Open Cut Installation Scope	11	89	0	290	152	4	12	20	578	\$ 1,000	\$ 69,434	\$ 70,434
A2.01	Topographic Survey	1	1				4	12		18	\$ 250	\$ 2,094	\$ 2,344
A2.02	Lawn Inspection/Documentation	1	16		90	40			20	167	\$ 750	\$ 18,930	\$ 19,680
A2.03	Lawn Restoration Design	4	40		140	80				264	\$ -	\$ 32,040	\$ 32,040
A2.04	SEQ, Charts and Estimate	1	8		60	32				101	\$ -	\$ 11,850	\$ 11,850
A2.05	Special Provisions	4	24							28		\$ 4,520	\$ 4,520
A3.00	Retaining Wall Field Condition Assessment and Repair Design	6	16	72	16	48	4	16	16	194	\$ 250	\$ 26,448	\$ 26,698
A3.01	Field Inspection	1	4	16			4	16		41	\$ 250	\$ 2,942	\$ 3,192
A3.02	Condition Reports	1	4	16					16	37	\$ -	\$ 2,122	\$ 2,122
A3.03	Wall Repair Details and Specifications			16		40				56		\$ 5,200	\$ 5,200
A3.04	SEQ, Charts and Estimate		4	8	16	8				36		\$ 3,344	\$ 3,344
A3.05	Special Provisions	4	4	16						24		\$ 1,320	\$ 1,320
TOTAL HOURS		20	133	72	426	252	17	73	36	1029	SUMMARY		
COST PER HOUR		\$ 170	\$ 160	\$ 160	\$ 104	\$ 130	\$ 165	\$ 92	\$ 82		TOTAL LABOR	\$ 125,737	
TOTAL COST		\$ 3,400	\$ 21,280	\$ 11,520	\$ 44,304	\$ 32,760	\$ 2,805	\$ 6,716	\$ 2,952		TOTAL EXPENSES	\$ 1,500	
											TOTAL FEE	\$ 127,237	