

## EXHIBIT A

### AMENDMENT NO. 1 TO C23155

Contract Start Date:	May 1, 2017	Original Total Amount:	\$175,950
Original Completion Date:	June 30, 2017	As Previously Amended:	\$175,950
Amendment Completion Date:	June 30, 2017	Current Amendment:	\$13,547
Resolution:	17-0416R	New Total Contract Amount:	\$189,497

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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 Prairie Restorations, Inc., located at Boreal Natives Office, PO Box 323, 110 E. Highway 61, Esko, MN 55733, hereinafter referred to as "Consultant", for the purpose of rendering services to the City.

WHEREAS, on May 1, 2017, City and Consultant entered into an agreement bearing City of Duluth Contract No. 23155 for DWP Site Restoration – Invasive Species Removal, Seeding and Planting, which Contract has not been previously amended, and which Contract and 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 services described in Paragraph 1 of the Contract is hereby amended as follows:

Service Provider shall provide the following Services:

DWP Site restoration, including invasive species removal, seeding and planting, described in more detail on the Response attached to this Agreement as Exhibit A and the addition and removal of services described in more detail in the proposals attached as Exhibit B and incorporated by reference.

Revision 2. The Rates/Price and Payment for Services described in Paragraph 2 of the Contract is hereby amended as follows:

The rates (the "Rates") for the Services are outlined in Exhibit A and have been value engineering to remain within current budget. The total amount payable under this agreement shall not exceed ~~one hundred seventy five thousand, nine hundred fifty and 00/100 dollars (\$175,950.00)~~ one hundred eighty-nine thousand, four hundred ninety-seven and 00/100 dollars (\$189,497.00) unless the contract is modified by formal amendment. Service Provide shall be paid for the Services within thirty (30) days of the City's receipt of an invoice. Notwithstanding the foregoing, Service Provider acknowledges that financial obligations of the City under this Agreement are subject to appropriation, budgeting and availability of funds to discharge such obligations.

Nothing in this Agreement shall be deemed to ledge the City's credit or faith, directly or indirectly, to the Service Provider.

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 effective date thereof.

**CITY OF DULUTH**

**PRAIRIE RESTORATIONS, INC.**

By: \_\_\_\_\_  
Mayor

By: \_\_\_\_\_

Attest:

Its: \_\_\_\_\_

Title of Representative

By: \_\_\_\_\_  
City Clerk

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

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

Countersigned:

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

Approved as to form:

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

EXHIBIT B

Prairie Restorations, Inc.

Boreal Natives Office  
PO Box 323  
110 E Highway 61  
Esko, MN 55733

**To:** Patti Stalvig

**From:** Jeff Stedman

**Direct Ph #:** 218-878-3369

**Cell Ph#** 612-708-9434

Hello Patti, I have listed the proposed items for the DWP projects extra \$20,347. Please let me know if you have any questions.

Thanks, Jeff

Additional invasive plant removal (3.87 acres @ \$4900 per acre)..... \$18,963  
Touch up seed and mulch of disturbed areas following invasive plant removal ..... \$1384

Total .....\$20,347

OK  
Jim S.  
5/22/17

Jeff Stedman  
Site Manager Boreal Natives

# Prairie Restorations, Inc.

Boreal Natives Office  
PO Box 323  
110 E Highway 61  
Esko, MN 55733

**To:** Patti Stalvig

**From:** Jeff Stedman

**Direct Ph #:** 218-878-3369

**Cell Ph#** 612-708-9434

Hello Patti, I have listed the proposed reduction item for the DWP project below.

Thanks, Jeff

Removal of herbicide application portion of Invasive Species Removal..... \$6800

Total .....\$6800

Jeff Stedman  
Site Manager Boreal Natives

**From:** [Alyssa Arntsen](#)  
**To:** [Patrice Stalvig](#)  
**Subject:** FW: DWP - Prairie Restoratoin  
**Date:** Tuesday, June 06, 2017 11:21:08 AM

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Patti:

Here is the e-mail thread re: reduction of the Prairie Restoration contract.

Alyssa

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**From:** Heidi Timm-Bijold  
**Sent:** Monday, June 5, 2017 9:04 AM  
**To:** 'SAS+Associates' <[mail@saslandarch.com](mailto:mail@saslandarch.com)>; Alyssa Arntsen <[aarntsen@DuluthMN.gov](mailto:aarntsen@DuluthMN.gov)>; Jim Shoberg <[jshoberg@DuluthMN.gov](mailto:jshoberg@DuluthMN.gov)>  
**Cc:** Jeff Stedman <[jstedman@prairieresto.com](mailto:jstedman@prairieresto.com)>  
**Subject:** RE: DWP - Prairie Restoratoin

In Jim Shoberg's absence: Proceed with Option 2.

Thanks much,  
H

**From:** SAS+Associates [<mailto:mail@saslandarch.com>]  
**Sent:** Monday, June 05, 2017 9:02 AM  
**To:** Alyssa Arntsen <[aarntsen@DuluthMN.gov](mailto:aarntsen@DuluthMN.gov)>; Heidi Timm-Bijold <[HTimmBijold@DuluthMN.gov](mailto:HTimmBijold@DuluthMN.gov)>; Jim Shoberg <[jshoberg@DuluthMN.gov](mailto:jshoberg@DuluthMN.gov)>  
**Cc:** Jeff Stedman <[jstedman@prairieresto.com](mailto:jstedman@prairieresto.com)>  
**Subject:** DWP - Prairie Restoratoin

Alysa, Heidi, Jim,

Jeff from Prairie Restoration gave us two options to reduce the budget by the \$6800 requested:

- 1) reduce the number of larger trees by 45
- 2) push the overspray of the buckthorn to next year, allowing time for the City to budget the \$6800. Jeff is thinking the juvenile plants may not need the spray this summer due to the size of the materials removed.

Hope this helps and please let me/us know the direction.

Thanks,  
Luke

:::: WE HAVE MOVED ::::

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