

AMENDMENT NO. 2 TO L30037

Contract Start Date:	2/23/2018	Original Total Amount:	\$325,000.00
Original Completion Date:	12/31/2022	As Previously Amended:	\$75,000.00
Amendment Completion Date:	12/31/2022	Current Amendment:	\$100,000.00
Resolution:	20-0756R	New Total Contract Amount:	\$425,000.00

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 EPC Engineering & Testing located at 539 Garfield Avenue, Duluth, MN 55802, hereinafter referred to as "Consultant", for the purpose of rendering services to the City.

WHEREAS, on February 23, 2018, City and Consultant entered into an agreement bearing City of Duluth Contract No. L30037 for geotechnical and material testing services on a non-exclusive, project by project basis, which Contract has not been previously amended, 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 Fees described in Section II of the Contract are hereby amended as follows:

It is agreed between the parties that Consultant's maximum ~~annual fee for years 2018, 2019 and 2020 of this Agreement shall not exceed the sum of Seventy Five Thousand and no/100ths Dollars (\$75,000.00), and that Consultant's maximum annual fee for years 2021 and 2022 of this Agreement shall not exceed the sum of Fifty Thousand and no/100ths Dollars (\$50,000.00), for a total contract amount not to exceed of Three Hundred Twenty Five Thousand and no/100ths Dollars (\$325,000.00),~~ fee for the term of this contract shall not exceed Four Hundred Twenty-Five Thousand and no/100ths Dollars (\$425,000.00) payable from various appropriate funds, departments, agencies, and objects, Project 1722. Estimated annual amounts shall be as follows:

<u>2018</u>	<u>\$75,000</u>
<u>2019</u>	<u>\$75,000</u>
<u>2020</u>	<u>\$125,000</u>
<u>2021</u>	<u>\$100,000</u>
<u>2022</u>	<u>\$50,000</u>

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

By:

Mayor

Attest:

City Clerk

Date Attested: _____

Countersigned:

City Auditor

Date

Approved as to form:

City Attorney

Date

EPC ENGINEERING & TESTING

By:

Company Representative

Its:

Title of Representative

Date: _____