

AMENDMENT NO. 2 TO L31240

Contract Start Date:	06/11/2025	Original Total Amount:	\$199,975.00
Original Completion Date:	04/30/2026	As Previously Amended:	\$223,775.00
Amendment Completion Date:	05/15/2027	Current Amendment:	\$128,615.00
Resolution:	26-0339R	New Total Contract Amount:	\$352,390.00

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 Short Elliot Hendrickson, Inc., located at 418 West Superior Street, Suite 200, Duluth, MN 55802, hereinafter referred to as “Consultant”, for the purpose of rendering services to the City.

WHEREAS, on June 11, 2025, City and Consultant entered into an agreement bearing City of Duluth Contract No. L31240 for engineering design services for the 2026 Street Preservation Project – Lincoln Park, which Contract has been previously amended one time, 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. The inclusions and completion dates described in Section II.F. of the Contract is hereby amended as follows:

F. CONSTRUCTION SURVEY AND LAYOUT PHASE

Included in this Agreement

~~Not included in this Agreement~~

5) Completion Time

The Construction Survey & Layout Phase shall be completed by ~~N/A~~ May 15, 2027.

Revision 2. The inclusions and completion dates described in Section II.G. of the Contract is hereby amended as follows:

G. CONSTRUCTION ADMINISTRATION AND INSPECTION PHASE

Included in this Agreement

~~Not included in this Agreement~~

18) Completion Time

The Construction Administration and Inspection Phase shall be completed by ~~N/A~~ May 15, 2027.

Revision 3. The payments described in Section V.C. of the Contract is hereby amended as follows:

C. TOTAL NOT TO EXCEED

All payments under this Contract are not to exceed ~~One Hundred and Ninety-Nine Thousand, Nine Hundred Seventy-Five and 00/100 Dollars (\$199,975.00)~~ ~~Two Hundred Twenty-Three Thousand, Seven Hundred Seventy-Five and 00/100 Dollars (\$225,775.00)~~ Three Hundred Fifty-Two Thousand, Three Hundred Ninety and 00/100 Dollars (\$352,390.00).

Revision 4. The exhibits 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 Amendment 1 Proposal
- 4) Exhibit D, Engineer's Amendment 2 Proposal

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

SHORT ELLIOT HENDRICKSON, 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

EXHIBIT D



Building a Better World
for All of Us®

April 10, 2026

RE: 2026 Street Preservation
Project (Lincoln Park)
City Proj. 2317
SEH No. DULUT 186067

Mr. Patrick Loomis, PE
Project Engineer
City of Duluth
411 West 1st Street
Duluth, MN 55802

Dear Mr. Loomis:

We have enjoyed working with you on the design of the 2026 Lincoln Park Street Preservation Project. As our design nears completion, we are excited about the opportunity to continue assisting the City with the construction phase of the project.

During our design process, the scope of our design expanded to include extra work that was not included in our original contract. Additionally, the scope of our current design contract ends at construction bidding. SEH proposes to amend our agreement to cover the costs associated with the increased design effort and the City has requested a proposal for construction services. The additional work and proposed construction services outlined in this letter reflects a contract amendment of \$128,615. A detailed description of the additional work follows below.

Design Services:

Our design effort has increased on multiple streets to include work that was unforeseen and in addition to our original agreement. SEH attempted to provide these services within our original not-to-exceed limit but will need additional budget to cover the increase in scope. Below is a list of the additional design services provided:

- **Additional Survey and Design for West 13th Street and North 22nd Avenue West: \$15,950**
The work planned for a section of West 13th Street originally included spot repair of sidewalk and curb/gutter. However, the design effort has increased to include a complete replacement of all sidewalk and curb/gutter on this stretch of street. To produce a reliable design and verify drainage, SEH needed to collect additional topographic survey in winter conditions. Additionally, our design team produced a profile view plan sheet for the design. A similar effort was needed on North 22nd Avenue West where our design increased to include all new curb/gutter on a street that currently doesn't have any. Additional survey and design work was performed to create a profile and verify tie-in locations for alleys and driveways.
- **Additional Design to Alter the Typical Section of West 3rd Street: \$3,500**
The work planned for West 3rd Street originally included pavement repairs and spot infrastructure repair. After further consideration from the City, the street is being redesigned to narrow the pavement and add a drainage ditch with gravel shoulders. Extra design work was needed to run a

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 418 West Superior Street, Suite 200, Duluth, MN 55801-0229

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Contract No. L31240-02

corridor for the street, draft a new typical section, verify drainage, and detail the changes to the street.

Construction Services:

As requested by the City, the scope of our project will increase to include full-time construction assistance over the course of the project. Below is a list of services that will be provided as part of this contract amendment:

- **Continued Project Management and Coordination with the City: \$7,990**
SEH will continue to coordinate project progress with City through regular check-in meetings during construction. Continued internal coordination, quality control, and monthly invoicing are included in this scope.
- **Preconstruction Activities: \$9,600**
SEH will host and run a preconstruction meeting with the selected contractor. We will review all shop-drawings and submittals on behalf of the City.
- **Construction Administration: \$26,460**
SEH will provide engineering and management support through construction. We will respond to contractor questions and issue change orders if needed. We will attend weekly construction meetings with the contractor and provide minutes to the City for review.
- **Construction Staking: \$41,100**
SEH will provide construction staking for pedestrian ramps, extended curb replacements, extended storm sewer replacements, and sewer structure replacements. We will develop staking files and coordinate needs with our on-site representatives.
- **Project Closeout: \$24,015**
SEH will assist the City with construction close out items including punch list coordination. We will provide as-built survey of all new storm sewer and sewer structures. We will submit as-built drawings for the City's records.

Fee Breakdown:

We are requesting a contract amendment in the amount of \$128,615 for the additional work.

Our current contract and proposed amendments are summarized as follows:

Original Contract for Design:	\$199,975
Previously Approved Wadena St Amendment:	\$23,800
Additional Design Services:	\$19,450
Construction Services:	\$109,165
Total Amended SEH Contract:	\$352,390

Schedule Update:

We are prepared to provide these services during construction of the project.

Assumptions

The following assumptions were used when creating this amendment:

- All construction observation, daily construction records, quantity tracking, pay applications, and materials testing coordination will be completed by the City.
- Construction will commence in Mid-May and finish in October with total construction duration not exceeding 24 weeks
- The City will hire a materials testing firm that will provide all tests needed for the project.

- Construction staking must be requested in advance by the contractor.
- Construction stakes will not be damaged or require re-staking.
- As-built survey will only include new storm sewer and sewer structures

We look forward to continuing to work with you on this project. If you have any questions about this amendment, please contract me at **mbolf@sehinc.com** or **218.279.3025**.

Sincerely,

SHORT ELLIOTT HENDRICKSON INC.



Matt Bolf, PE
Project Manager
(Lic. MN, WI)



Matt Henderson, PE
Design Lead
(Lic. MN, WI)

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