

AMENDMENT NO. 1 TO L31238

Contract Start Date:	06/16/2025	Original Total Amount:	\$93,612.00
Original Completion Date:	04/30/2026	As Previously Amended:	\$93,612.00
Amendment Completion Date:	05/15/2027	Current Amendment:	\$273,930.00
Resolution:	26-0333R	New Total Contract Amount:	\$367,542.00

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 MSA Professional Services, Inc., located at 332 West Superior Street, Suite 600, Duluth, MN 55802, hereinafter referred to as “Consultant”, for the purpose of rendering services to the City.

WHEREAS, on June 16, 2025, City and Consultant entered into an agreement bearing City of Duluth Contract No. L31238 for engineering design services for the 2026 Street Preservation Project – Gary/New Duluth, which Contract has been previously amended zero 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. 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 ~~Ninety Three Thousand, Six Hundred Twelve and 00/100 Dollars (\$93,612.00)~~ Three Hundred Sixty-Seven Thousand, Five Hundred Forty-Two and 00/100 Dollars (\$367,542.00).

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

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

MSA PROFESSIONAL SERVICES, 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 C



332 W. Superior Street
Suite 600
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P (218) 722-3915
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www.msa-ps.com

April 6, 2026

Patrick Loomis, Project Manager
City of Duluth
410 West 1st Street
Duluth, Minnesota 55802

Re: 2026 Street Preservation Project -- CP 2092
Amendment No. 1—Construction Services--**Revised**

Dear Mr. Loomis:

MSA Professional Services, Inc. (MSA) is pleased to submit this amendment proposal to provide construction observation, staking, and administration for the 2026 Street Preservation Project. Per your request, we have revised our scope of services for Construction Observation to one full-time inspector (from 1.5 full-time inspectors). The following items are in our revised scope of work for the project:

SCOPED A/E SERVICES TO BE PROVIDED BY MSA:

Per your recent request, MSA will complete the following items of work as additional scope to the scope and contract for this project:

A. Preconstruction Work

- Project Manager and Inspectors to attend the preconstruction meeting for the project
- Review project shop drawings and other submittals
- Overall project management for the team/coordination

B. Construction Administration

- Review quantities, pay applications, and enter in City's One Office system (estimate 8 pay applications)
- Review/prepare change orders as needed

C. Construction Observation—Onsite

The City has requested that MSA provide inspection services for this project assuming 50 hours per week for a 24-week construction period. Inspection time will be allocated to one inspector; we have identified a second inspector who can fill in/supplement if needed to provide flexibility for coverage on the project in case of changes in Contractor schedule or other temporary scheduling issues:

- Provide full-time construction observation using one (1) full-time inspector
- Onsite visits by Project Manager as required to review/resolve construction issues
- Project Manager to attend onsite weekly meetings (estimated 24 meetings)

D. Construction Staking

- Staking of site/survey control and time for creating staking files for project sites
- Staking for reclaim centerlines/offsets, curb and gutter, storm sewer improvements, and centerline culverts
- Staking for reconstruction of 13th Street—storm sewer, grade, curb and gutter

E. Project Closeout/Documentation

- Punch-list and walk-through meeting
- Final documentation for City including record drawings, photos diaries documenting the work completed on the project

Patrick Loomis, Project Manager
City of Duluth
April 6, 2026

PROPOSED FEE AND ASSUMPTIONS:

An exhibit showing the estimated hours, fees, and expenses is attached to this letter for your review. Several assumptions for our estimate are included in the bottom of this table.

The total estimated fee is \$273,930.00 time and expense (T&E) for Construction Services. Our proposal to proceed is based on time and material during these phases of the project.

We look forward to our continued work with you on the 2026 Street Preservation Project. If you have any questions about our proposal, please call me at (218) 390-9295.

Sincerely,
MSA Professional Services, Inc.



Jeff Goetzman, PE
Project Manager



Chuck Schwartz, PE
Operations Leader – Public Works