

AMENDMENT TO ENGINEER-OWNER AGREEMENT
Amendment No. 1

Background Data

- a. Effective Date of Engineer-Owner Agreement: March 26, 2021
- b. Engineer: KLJ Engineering, LLC
- c. Owner: City of Minot, North Dakota
- d. Project: Paving District 499 - Family Rec Addition
- e. This Part of the Project: Easement and USACE Coordination

Nature of Amendment (check all that apply)

- Additional services to be performed by Engineer
- Modifications to services of Engineer
- Modifications to responsibilities of Owner
- Modifications to payment to Engineer
- Modifications to time(s) for rendering Services

Description of Modifications

A1.03 *Easement and USACE Coordination Phase*

A. Easement

1. Prepare legal description, exhibit, and draft easement use language for one (1) 33-foot wide access and utility easement along the west side of Sublot A of Outlot 15 (Doc #340523) of Section 16, Township 155 North, Range 83 West, Ward County, North Dakota
2. Upon completion of the documents above, the Engineer shall submit the documents to the Minot Park District's attorney for review and execution.

K. Permitting

c. Preparation of a USACE Nationwide Permit

- 1) Identify and quantify areas of temporary and permanent wetland impacts for earthen trail crossings through delineated wetlands.
- 2) Prepare a US Army Corps of Engineers (USACE) Nationwide 404 Permit Application for impacts to USACE jurisdictional wetlands on the proposed property that will remain under 0.5 acres. The 404 Permit Application will be submitted to the USACE by the Engineer for issuance of a permit.
- 3) Due to the minimal impacts, it is assumed the permit will be approved without additional requirements.
- 4) Engineer’s fee does not include any Legal testimony; A USFWS Right-of-Way or Conditional Use Permit for impacts to wetland basins under easement; Biological, botanical, or threatened and endangered species; National Environmental Policy Act (NEPA) documentation; or Mitigation site monitoring. Mitigated wetland site monitoring is available by the Engineer but not included in this scope.
- 5) Engineer’s fee does not include any meetings with the USACE.

Agreement Summary

a. Original agreement amount:	\$199,100.00
b. Net change for prior amendments:	\$ 0.00
c. This amendment amount:	\$ 5,400.00
d. Adjusted Agreement amount:	\$204,500.00

Engineer and Owner hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is April 29, 2021.

ENGINEER: KLJ Engineering, Inc.

OWNER: City of Minot

By: Mark Anderson, PE

By: Shaun Sipma

Title: Vice President

Title: Mayor

Date Signed: _____

Date Signed: _____