

**RESOLUTION 15D-16**

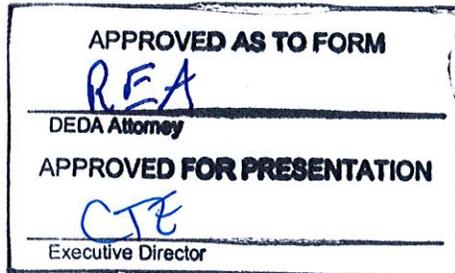
**RESOLUTION AMENDING A CONTAMINATION CLEANUP GRANT AGREEMENT  
WITH THE STATE OF MINNESOTA WITH PIER B HOLDING, LLC**

RESOLVED, that the proper DEDA officials are hereby authorized to amend a contamination cleanup grant agreement, substantially in the form of that on file as Public Document No. 12 860 683<sup>1</sup>, with the State of Minnesota acting through the Department of Employment and Economic Development ("DEED") in the amount of \$999,000 payable into Fund 860 related to the Pier B Holding, LLC ("Pier B") Project subject to provision of the local matching amount, as required by DEED, by Pier B in an amount no less than \$333,000.

Approved by the Duluth Economic Development Authority this 22nd day of April, 2015.

ATTEST:

\_\_\_\_\_  
Executive Director



STATEMENT OF PURPOSE: The purpose of this resolution is to amend some line items and amounts in the contamination cleanup grant agreement with the State of Minnesota for Pier B. The amount of the grant and the termination date remain unchanged.

Contract #CCGP-12-0006-Z-FY12  
Amendment #1

Contract Start Date: June 20, 2012  
Original Contract Expiration Date: June 30, 2015  
Current Contract Expiration Date: June 30, 2015  
Requested Contract Expiration Date: N/A

Total Contract Amount: \$999,000.00  
Original Contract: \$999,000.00  
Previous Amendment(s) Total: \$ 0.00  
This Amendment: \$0

This amendment is by and between the State of Minnesota, through the Department of Employment and Economic Development "Grantor" and the Duluth Economic Development Authority (DEDA) "Grantee."

**Recitals**

1. The Grantor has a contract with the Grantee identified as CCGP-12-0006-Z-FY12 for the cleanup of contamination at the Pier B Bayfront Development "site".
2. The Grantee has requested changes to the project budget.
3. The Grantor and Grantee are willing to amend the Original Contract as stated below.

**Contract Amendment**

In this Amendment deleted contract terms will be **struck out** and the added contract terms will be underlined.

**REVISION 1. "SPECIAL CONDITIONS"** is amended as follows:

**Approved Budget for the Project: Pier B Bayfront Development**

<u>Approved Project Costs</u>	<u>Amount</u>
Additional Investigation & Analytical	<del>\$154,000.00</del> <u>\$111,000.00</u>
Mobilization/Demobilization	<del>\$140,000.00</del> <u>\$110,000.00</u>
Site Preparation & Sheet Pile Installation	<del>\$132,000.00*</del>
<u>Site Preparation</u>	<u>\$34,000.00*</u>
<u>Sheet Pile Installation</u>	<u>\$680,000.00</u>
Soil Management	<del>\$460,000.00</del> <u>\$182,000.00**</u>
<u>Soil Capping</u>	<del>\$322,000.00*</del>
<u>Construct Parking Lot with Clean Soil Cover</u>	<u>\$78,000.00</u>
<u>Construct Asphalt Cap for Parking Lot</u>	<u>\$24,000.00*</u>
Engineering & Regulatory Review	<del>\$245,000.00</del> <u>\$205,000.00</u>
 Total	 <del>\$1,453,000.00</del> <u>\$1,424,000.00</u>

DEED Grant: \$999,000.00  
Local Match: ~~\$454,000.00~~ \$425,000.00\*\*\*

\* Denotes match only cost

\*\* Note that building pilings have not been included in this line item as grant eligible.

\*\*\* DEED prefers that the remainder of the required local match be used to cover the cost of sheet pile installation.

Except as amended herein, the terms and conditions of the Original Contract and all previous amendments remain in full force and effect.

**GRANTEE:** The Grantee certifies that the appropriate person(s) have executed the grant contract on behalf of the Grantee as required by applicable articles, bylaws, resolutions, or ordinances.

By \_\_\_\_\_  
DEDA President

Date \_\_\_\_\_

By \_\_\_\_\_  
DEDA Secretary

Date \_\_\_\_\_

**STATE OF MINNESOTA** by and through the Department of Employment and Economic Development

By

\_\_\_\_\_  
Deputy Commissioner

Date

\_\_\_\_\_

**ENCUMBERED:**

Department of Employment and Economic Development

By \_\_\_\_\_

Date Encumbered

\_\_\_\_\_

Individual certifies that funds have been encumbered as required by Minn. Stat. 16A.15 and 16C.05.