

**AMENDMENT NO. 5  
TO AGREEMENT  
BETWEEN  
CITY OF MINOT AND CDM SMITH INC.**

This Amendment No. 5 is made and entered into this 21st day of June 2021 to the Agreement between CDM Smith Inc. (CDM Smith) ("PROGRAM ADMINISTRATOR", now "PROJECT DELIVERY CONTRACTOR") and the City of Minot ("OWNER", now "GRANTEE") dated June 6, 2016 (the Agreement").

WHEREAS, PROJECT DELIVERY CONTRACTOR and GRANTEE entered into the Agreement for National Disaster Resilience Grant Administrative and Project Delivery Services, and

WHEREAS, the parties desire to amend the Agreement so as to amend the scope of work, time periods of performance and payment, and/or responsibilities of PROJECT DELIVERY CONTRACTOR; and

WHEREAS, the Agreement provides that any amendments shall be valid only when expressed in writing and signed by the parties.

NOW THEREFORE, in consideration of the mutual understandings and Agreements contained herein, the parties agree to amend the Agreement as follows:

1. The Basic Services of PROJECT DELIVERY CONTRACTOR as described in the Agreement are amended and supplemented as follows:

Continued project delivery services.

2. The responsibilities of GRANTEE as described in the Agreement are amended and supplemented as follows:

No change.

3. The time periods for the performance of PROJECT DELIVERY CONTRACTOR services as set forth in the Agreement are amended and supplemented as follows:

Extend contract end date to March 31, 2023

4. The payment for services rendered by PROJECT DELIVERY CONTRACTOR shall be as set forth below:

The overall contract upper limit of \$19,383,482 remains unchanged. Task budgets will be reallocated as necessary for provided project delivery services.

An annual increase to the blended billing rate effective July 1, 2021 will be as follows:

Billing rate increase of 3% to \$139/hour; July 1, 2021 – June 30, 2022

Billing rate increase of 3% to \$143/hour; July 1, 2022 – March 31, 2023

5. Except as herein modified, all terms and conditions of the Agreement shall remain in full force and effect. The effective date of this amendment shall be upon the date executed by both parties.

IN WITNESS WHEREOF, the parties hereto have executed this amendment on the date indicated above for the purpose herein expressed.



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CDM Smith, Inc.  
Steven L. Wolsfeld, P.E.  
Vice President  
DATE: June 21, 2021



City of Minot  
Shawn Sipma  
Mayor  
DATE: June 21, 2021