

**SECOND AMENDMENT TO  
THE SUB-RECIPIENT AGREEMENT BETWEEN CITY OF MINOT (GRANTEE) AND  
PROJECT BEE (SUB-RECIPIENT)  
FOR THE CDBG-NATIONAL DISASTER RESILIENCE PROGRAM**

THIS SECOND AMENDMENT to the Subrecipient Agreement between the City of Minot (Grantee) and Project Bee (Subrecipient) for National Disaster Resilience Program funding to develop and construct seventeen (17) affordable rental units for low and moderate income (LMI) households is made and entered into effective as of 6 day of February, 2023 (the “Amendment Effective Date”), by and between the Grantee and Subrecipient (each a “Party” and collectively “the Parties”).

WHEREAS, the City and Subrecipient entered into a Subrecipient Agreement (the “Agreement”) to use National Disaster Resilience Program funding to develop and construct seventeen (17) affordable rental units for low and moderate income (LMI) households on November 23, 2021; and

WHEREAS, the Parties amended the Agreement on December 20, 2021 to designate the Grantee’s primary contract manager as The NDR Program Manager, and amend the Period of Performance, Performance Goals, and other Timelines under the Agreement; and

WHEREAS, the Parties desire to now amend the Agreement in the manner reflected herein to further amend the Period of Performance, Performance Goals, and other Timelines under the Agreement;

NOW, THEREFORE, in consideration of the mutual covenants and conditions herein, the Parties, intending to be legally bound, hereby agree as follows, effective as of the Amendment Effective Date first written above:

The paragraph on Page 5 of the Agreement regarding the “Period of Performance” and “Performance Goals and Timelines” are hereby deleted and replaced in their entirety with the following:

**E. Period of Performance**

The period of performance for all activities assisted and funded by this Agreement shall commence on the execution date of the initial Agreement by the Grantee and be completed by July 31, 2024 except for those activities required for closeout which shall be completed by September 15, 2024 and those activities required for compliance with the National Objective shall be completed by the end of the Affordability Period.

**F. Performance Goals and Timelines**

The Sub-recipient shall complete the activities required under this Agreement in accordance with the following timeframes and performance goals associated with each of the activities with dates to be adjusted as required through the environmental review process. If necessary, dates will automatically be adjusted based on the date of issuance by HUD of the RROF:

<b>TASK</b>	<b>TIMELINE</b>	<b>DELIVERABLE</b>
Development and Completion of Plans and Specification	January 1-31, 2022	Approved Plans and Specifications
Procure Bids	February 1 – March 15, 2022	Bid Opening
Selection of Contractor	March 15 – March 31, 2022	Contract Award
Notice to Proceed	September 16, 2022	Notice to Proceed Letter

Completion of Construction	July 31, 2024	Punch List and Final Payment
Construction Project Close-out	September 15, 2024	Completed Close Out Documents
Compliance with National Objective	Affordability Period	Quarterly Reports

Additionally, the Subrecipient must attend a mandatory kick-off meeting with the Grantee within 28 days of the signed contract.

This Amendment may be executed in one or more facsimile, electronic or original counterparts, each of which shall be deemed an original and both of which together shall constitute the same instrument.

All terms and provisions of the Agreement not amended hereby, either expressly or by necessary implication, shall remain in full force and effect. From and after the date of this Amendment, all references to the term "Agreement" in this Amendment or the original Agreement shall also include the terms contained in the First and Second Amendments to the original Agreement. To the extent there should be any conflict between the terms of the Agreement and the Amendments to the agreement, the terms and provisions of the most recent Amendment shall govern and control.

IN WITNESS WHEREOF, the Parties hereto have executed this Second Amendment to the Agreement effective as of the Amendment Effective Date.

**PROJECT BEE**

SIGNED: [Signature]

NAME: Elizabeth Larsen

TITLE: Executive Director

STATE OF NORTH DAKOTA )  
 ) ss  
 COUNTY OF Ward )

On this 2nd day of February, 2023 before me personally appeared Elizabeth Larsen, known to me to be the person who is described in, and who executed the within and foregoing instrument and who acknowledged to me that he executed the same.

(seal)  
**JESSICA LUCY BIEL**  
 Notary Public  
 State of North Dakota  
 My Commission Expires October 20, 2024

Jessica Lucy Biel  
Jessica Lucy Biel  
 Notary Public, Ward County,  
 North Dakota.  
 My Commission Expires: 10-20-2024

CITY OF MINOT

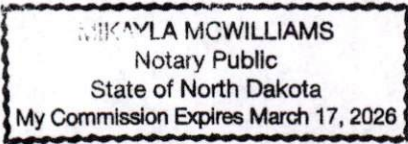
*Thomas Ross*

Thomas Ross, Mayor

STATE OF NORTH DAKOTA )  
COUNTY OF Ward ) ss

On this 10th day of February, 2023 before me personally appeared Thomas Ross, known to me to be the person who is described in, and who executed the within and foregoing instrument and who acknowledged to me that he executed the same.

(seal)



Mikayla McWilliams

Notary Public, Ward County,  
North Dakota.

My Commission Expires: March 17, 2026