

This is **EXHIBIT K**, consisting of 2 pages, referred to in and part of the **Agreement between Owner and Engineer for Professional Services** dated January 4, 2021.

AMENDMENT TO OWNER-ENGINEER AGREEMENT
Amendment No. ONE

The Effective Date of this Amendment is: March 7, 2022.

Background Data

Effective Date of Owner-Engineer Agreement: January 4, 2021

Owner: CITY OF MITCHELL, SOUTH DAKOTA

Engineer: SCHMUCKER, PAUL, NOHR AND ASSOCIATES

Project: WEST WATER TOWER IMPROVEMENTS

Nature of Amendment: [Check those that are applicable and delete those that are inapplicable.]

- Additional Services to be performed by Engineer
- Modifications to services of Engineer
- Modifications to responsibilities of Owner
- Modifications of payment to Engineer
- Modifications to time(s) for rendering services
- Modifications to other terms and conditions of the Agreement

Description of Modifications:

The Preliminary Design Phase and Final Design Phase have been completed below the contract amount. The \$36,686.40 balance shall be removed from the contract amount.

The City of Mitchell has requested that the engineering services be amended to include Construction Phase Services. Section 1.05 Construction Phase in Exhibit A which was excluded in the original Agreement shall be added to the services to be performed by the Engineer according to the revised pages 7 to 16 of Exhibit A which are attached.

Section C2.01A.4.e shall be added to show an hourly rate compensation amount not to exceed \$73,000 for the Construction Phase.

The Standard Hourly Rates and Reimbursement Expenses provided in Appendices 1 and 2 to Exhibit C shall be adjusted according to Attachment A.

Resident Project Representative Services shall be added to the Agreement per the attached Exhibit D.

Notice of Acceptability of Work shall be added to the Agreement per the attached Exhibit E.

The amounts of compensation listed in C2.01 A.4 shall be modified as follows:

	Original Agreement	Amount of Change Increase/ (Decrease)	Amendment #1
b. Preliminary Design Phase	\$36,000.00	(\$17,348.90)	\$18,651.10
c. Final Design Phase	\$24,000.00	(\$19,337.50)	\$4,662.50
d. Bidding and Negotiating Phase	\$3,500.00		\$3,500.00
e. Construction Phase	\$0.00	\$73,000.00	\$73,000.00
f. Post-Construction Phase	\$0.00		\$0.00
TOTAL CONTRACT	\$63,500.00	\$36,313.60	\$99,813.60

Agreement Summary:

Original Agreement amount:	\$ <u>63,500.00</u>
Net change for prior Amendments:	\$ <u> </u>
This Amendment amount:	\$ <u>36,313.60</u>
Adjusted Agreement amount:	\$ <u>99,813.60</u>

Change in time for services (days or date, as applicable): **December 30, 2023**
(60 days after the Construction Contract date for Substantial Completion)

The foregoing Agreement Summary is for reference only and does not alter the terms of the Agreement, including those set forth in Exhibit C.

Owner and Engineer 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.

OWNER:

ENGINEER:

By: _____
 Print name: _____

By: _____
 Print name: _____

Title: _____

Title: _____

Date Signed: _____

Date Signed: _____