IOWA DEPARTMENT OF NATURAL RESOURCES

Amendment Number 1 to
CONTRACT NUMBER 20CRDLWBMBALM-0008

Between

IOWA DEPARTMENT OF NATURAL RESOURCES
And
THE CITY OF COUNCIL BLUFFS, IOWA

IN WITNESS THEREOF, the parties hereto have executed this Contract Amendment on the day and year last specified below.

DEPARTMENT OF NATURAL RESOURCES

By: _____ Date: _____

Kayla Lyon, Director

CITY OF COUNCIL BLUFFS

By: _____ Date: _____

Matt Walsh, Mayor

This Contract Amendment shall not begin until it has been either (1) signed by both parties or (2) the Contract Amendment start date has occurred, whichever is later.

For DNR use only:
The DNR Contract Manager should retain a signed copy of the Contract in the project file and send a hardcopy with the 1st invoice to Budget & Finance.

This Contract Amendment is entered is between the Iowa Department of Natural Resources (DNR) and The City of Council Bluffs (Contractor). The parties agree as follows:

Section 1 Statement of Purpose

1.1 Purpose. The purpose of the Contract Amendment is to amend the tasks to the Original Contract for additional money without extending the time of performance previously allowed.

Section 2 Duration of Contract Amendment

2.1 Term of Contract Amendment. The term of this Contract Amendment shall be from November 20, 2020, through December 31, 2023, unless terminated earlier in accordance with the Termination section of the Original Contract. However, this Contract Amendment shall not begin until it has been signed by both parties.

2.2 Approval of Contract Amendment. If the amount of compensation to be paid by DNR according to the terms of the Original Contract together with this Contract Amendment is greater than $25,000.00 and the Contract was never approved by the Natural Resource Commission (Commission); or if this Contract Amendment increases the value of the Contract by more than $25,000.00 or by more than 10% of the previous Contract approved by the Commission, whichever is greater, then performance shall not commence unless by November 20, 2020, this Contract Amendment has been approved by the Commission.

Section 3 Contract Amendment Statement of Work

3.1 Statement of Work. As part of this Contract Amendment, Contractor shall perform the following Tasks by the Task Milestone Dates set out below.

Deliverable	Task Milestone Date	Amount of compensation allotted to Task	Invoice Due No Later Than
Original Task 1 is revised as follows: **Task 1:** Reimbursement for dredging and stockpiling of Material **Description of Revision:** The City shall reimburse DNR for all removal of sediment from Lake Manawa and the stockpiling of that sediment on state property consistent with subsection 7.3 of the Original Contract. The maximum amount of sediment to be eligible for reimbursement shall be 519,805 cubic yards. Detailed plans for this Task are attached as Exhibit B and Exhibit C of the Original Contract.	No later than December 31, 2020	City's Contribution: $1,559,415.00	January 31, 2021
Original Task 2 is revised as follows: **Task 2:** Material removal **Description of Revision:** Between the dates of November 15, 2020 and December 31, 2023, the City shall remove all stockpiled material from state property up to 519,805 cubic yards. The City shall be responsible for securing all necessary permits, certificates, and licenses required to transport the material from state land to point of use and restore the site as nearly as possible to its original condition.	No later than December 31, 2023		December 31, 2023
		$1,559,415.00	

Section 4 COMPENSATION

4.1 Reserved

4.2 Not-to-exceed total amount of contract. Payment by the City for work performed by the DNR according to the terms of this Contract Amendment, shall not exceed $1,559,415.00.

Amount of Original Contract (City's Contribution)	$1,500,000.00
Amount of Current Amendment	$59,415.00
Total	$1,559,415.00*

* Contribution by the City shall not exceed a value of $3.00 per cubic yard ($1,559,415.00) of material stockpiled under Task 1 activities.

Task	Amount of compensation in Original Contract	Amount of compensation CURRENT CONTRACT AMENDMENT	Grand Total (City's Contribution)
Task 1: Reimbursement for dredging and stockpiling material	Not to exceed $1,500,000.00	Not to exceed $59,415.00	Not to exceed $1,559,415.00
Task 2: Material removal	Not to exceed $0.00	Not to exceed $0.00	Not to exceed $0.00
Total	Not to exceed $1,500,000.00	Not to exceed $59,415.00	Not to exceed $1,599,415.00

An original invoice shall be submitted to DNR in accordance with Section 3 of this Contract Amendment, if applicable, or Section 7.4 of the Original Contract. All other provisions of Section 7.4 of the Original Contract shall remain in full force.

Section 5 OTHER AMENDMENT PROVISIONS

Reserved.

Section 6 EFFECT OF AMENDMENT ON ORIGINAL AGREEMENT PROVISIONS

All provisions of the Original Contract shall remain in full force and effect unless specifically changed by this Contract Amendment.