

**AMENDMENT NO: 1  
TO AGREEMENT  
BETWEEN  
CITY OF MINOT AND PROGRAM ADMINISTRATOR**

This Amendment No: 1 is made and entered into this 6th day of June, 2016 to the Agreement between CDM Smith Inc. (CDM Smith) ("Program Administrator") and City of Minot ("OWNER") dated June 6, 2016, ("the Agreement").

WHEREAS, PROGRAM ADMINISTRATOR and OWNER 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 OWNER; 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 PROGRAM ADMINISTRATOR as described in the Agreement are amended and supplemented as follows:

In Exhibit A - CDM Smith Scope of Services, Activity 1.1 Strategic Buy-outs and Relocation Services, Task 1.1.2 Relocation Services for Involuntary Buyout Program; delete 1.1.2.1 Relocation Plan and replace with the following:

**1.1.2.1 Relocation plan**

The City's Anti-Displacement and Relocation Plan, if necessary, will be revised to recognize potential problems associated with the displacement of those affected by the project and to provide solutions to minimize the adverse impacts of the displacement. An update to the Affordable Housing Study will provide information that will be useful in determining if there are unique problems associated with the displacement of those residences affected by the project. The study will include the following:

- An estimate of the number of households to be displaced in the buyout areas;
- An estimate of the number of comparable available dwellings that are expected to be available to fill the needs of the households to be displaced;
- An estimate of the availability of suitable replacement sites;
- Available affordable rental properties including multifamily rentals of four or more units, general housing condition and quality based on the age of the property, and the current monthly rental rates; and
- Available affordable residential properties available for purchase including housing type, general housing condition and quality based on the age and valuation of the property, and current sales price of listed properties.

A public meeting will be held to discuss the acquisition program. Residents of the area will be provided information on the program and relocation benefits associated with relocation. Information will be gathered from the residents on any potential problems foreseen by them. Each owner and occupant will

be contacted after the public hearing. During this initial contact, an interview will be conducted to determine the occupant's relocation needs and to identify potential relocation issues. At the time of the interview a relocation questionnaire is completed and important data is gathered for use in determining eligibility and computing relocation benefits.

At this meeting the Relocation Specialist also provides the occupants with a written general information notice on the relocation process, including potential benefits and eligibility requirements (49 CFR 24.203(a) General information notice). This notice will include at least the following:

- (1) Informs the person that he or she may be displaced for the project and generally describes the relocation payment(s) for which the person may be eligible, the basic conditions of eligibility, and the procedures for obtaining the payment(s);
- (2) Informs the displaced person that he or she will be given reasonable relocation advisory services, including referrals to replacement properties, help in filing payment claims, and other necessary assistance to help the displaced person successfully relocate;
- (3) Informs the displaced person that he or she will not be required to move without at least 90 days' advance written notice, and informs any person to be displaced from a dwelling that he or she cannot be required to move permanently unless at least one comparable replacement dwelling has been made available;
- (4) Informs the displaced person that any person who is an alien not lawfully present in the United States is ineligible for relocation advisory services and relocation payments, unless such ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child, as defined in §24.208(h); and
- (5) Describes the displaced person's right to appeal the Agency's determination as to a person's application for assistance for which a person may be eligible under this part.

Using the data gathered from the questionnaires, research will then be conducted to address the needs of those being displaced. A major issue that will be addressed is that adequate replacement properties are available for those being displaced. This information will assist in the coordination of the neighborhood development activity on the size and affordability of the homes to be developed.

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

No Change

3. The time periods for the performance of PROGRAM ADMINISTRATOR's services as set forth in the Agreement are amended and supplemented as follows:

No Change

4. The payment for services rendered by PROGRAM ADMINISTRATOR shall be as set forth below:

The overall contract upper limit of \$19,383,482 remain unchanged.

There are no changes to the overall program blended billing rate of \$135, with the following exceptions:

Additional billing rates categories for the following tasks will be added:

- 1.4 Souris River Decision Tool
- 4.1 Minot Detailed Market Study for Affordable Housing
- 4.2 Economic Development Strategic Plan for Minot and Ward County
- 4.3 Affordable Housing Neighborhood Master Plans Site Study
- 4.4 Vulnerable Populations Action Plan
- 4.5 Benefit Cost Analysis Tool Component for DST
- 4.6 Developing Funding and Financing Plan for targeted NDRC non-funded projects

Additional billing rates, for the above tasks only, are included as follows:

- \$170 Planner/Scientist
- \$205 Sr. Planner/Manager
- \$215 Sr. Technical Advisor/Planner

5. Except as herein modified, all terms and conditions of the Agreement shall remain in full force and effect.

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

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Program Administrator

Steven L. Wolsfeld

Vice President

DATE: June 6, 2016

6/3/2016

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City of Minot  
Chuck Barney

Mayor

DATE: June 6, 2016

10/3/2016 \*

\* see Council Action