

**SECOND AMENDMENT TO
THE CONTRACT ASSIGNMENT AGREEMENT BETWEEN CITY OF MINOT
AND MATTSON CONSTRUCTION, LLC**

THIS SECOND AMENDMENT to the Contract Assignment Agreement between the City of Minot and Mattson Construction Company (Mattson Construction) effective as of 16 day of September, 2024 (the "Amendment Effective Date"), by and between the City of Minot and Mattson Construction (each a "Party" and collectively "the Parties").

WHEREAS, On 6 February 2024, City Council approved assuming the majority of Project Bee's rights and obligations under the Broadway Circle Construction Contract with Mattson Construction, hereinafter referred to as the "Broadway Circle Project"; and

WHEREAS, The Broadway Circle Project has a current substantial completion date of October 24, 2024; and

WHEREAS, Mattson Construction has requested the substantial completion date be extended/amended to December 16, 2024; and

WHEREAS, City Council finds amending the substantial completion date is acceptable.

WHEREAS, the Parties desire to now amend the Agreement in the manner reflected herein to amend the Substantial Completion date in Article 3.3;

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 date located on page 3 located in Article 3.3 "Substantial Completion" of the Broadway Circle Construction Contract is hereby deleted and replaced with the date of December 16, 2024.

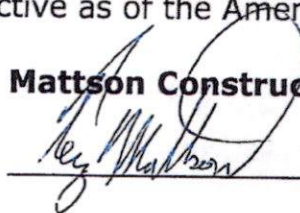
This Amendment may be executed in one or more facsimile, electronic or original counterparts, each of which shall be deemed an original and both of which together shall constitute the same instrument.

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 include the terms contained in the 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.

Mattson Construction Company

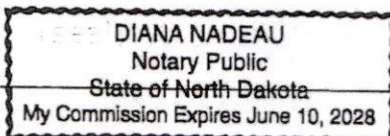


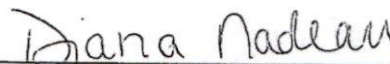
STATE OF NORTH DAKOTA)

) ss

COUNTY OF Ward)

On this 12th day of September, 2024 before me personally appeared Terry Mattson, 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.





Notary Public, Ward County,
North Dakota.

My Commission Expires: June 10, 2028

City of Minot



Tom Ross, Mayor

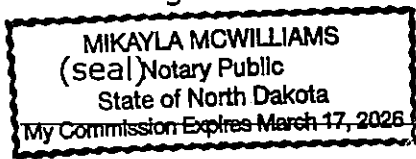
STATE OF NORTH DAKOTA)

) ss

COUNTY OF Ward)

On this 16th day of September, 2024 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.



Mikayla McWilliams
Notary Public, Ward County,
North Dakota.
My Commission Expires: March 17, 2026