

**AMENDMENT NO: 6  
TO AGREEMENT  
BETWEEN  
CITY OF MINOT AND PROGRAM ADMINISTRATOR**

This Amendment No: 6 is made and entered into this 5th day of December, 2016 to the Agreement between CDM Smith Inc. (CDM Smith) ("Program Administrator") and City of Minot ("OWNER") dated May 6, 2013, ("the Agreement") This Amendment is effective October 30, 2016.

WHEREAS, PROGRAM ADMINISTRATOR and OWNER entered into the Agreement for Community Development Block Grant Disaster Recovery Management Services for Minot CDBG-DR Allocation #2, 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:

Buyout/Acquisition/Relocation activity project delivery services are increased to provide for continued services on the 29 properties shown in Attachment #3, and per Scope of Services provided in Attachment #1.

Demolition activity project delivery services are included to provide for demolition management during the 2017 demolition season for the 43 properties shown in Attachment #3, and per Scope of Services provided in Attachment #1.

Buyout/Acquisition/Relocation/Demolition activity project delivery services are included to provide services for an additional 45 properties Per Scope of Services provided in Attachment #1.

Administration services are continued for the extended contract period.

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

N/A.

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

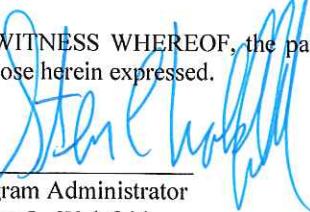
The contract end date is extended to December 31, 2017.

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

The current contract amount is \$7,111,705 and is hereby increased by \$1,870,000 to a new not to exceed contract upper limit of \$8,981,705 per Attachment #2.

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

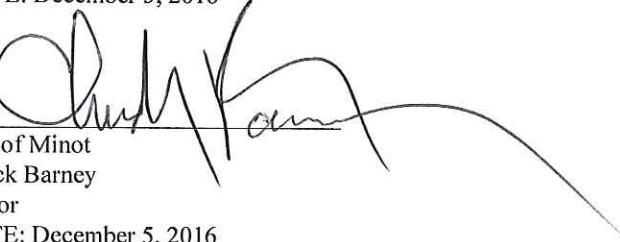
IN WITNESS WHEREOF, the parties hereto have executed this amendment on the date indicated above for the purpose herein expressed.

  
\_\_\_\_\_  
Program Administrator

Steven L. Wolsfeld

Vice President

DATE: December 5, 2016

  
\_\_\_\_\_  
City of Minot

Chuck Barney

Mayor

DATE: December 5, 2016

## **City of Minot, ND**

### **Community Development Block Grant Disaster Recovery Management Services-Allocation #2**

#### **Amendment No. 6 - Attachment No.1**

##### **Scope of Services**

**CDM Smith**

**December 5, 2016**

##### **Task 1: Administration**

CDM Smith will provide administrative services for invoicing, quarterly reporting, action plan updates and amendments, and assistance with cost and obligations tracking.

##### **Task 2: Acquisition/Buyout/Relocation Program Services**

CDM Smith will provide continued services to complete the remaining 29 properties for the current housing buyout program. Services include:

- community and applicant informational workshops
- application intake
- eligibility determination
- third-party verifications of other sources of funds
- assessment and verification of duplication of benefits
- environmental reviews
- file documentation
- appraisals
- title work
- property owner negotiations
- coordination and conducting of property closings
- award calculations and allocations
- assistance with the procurement of contractors for demolition
- payment processing
- development of RFP's for demolition contractors
- CDBG-DR program requirement related compliance oversight of the demolition contractors

##### **2.1 Relocation Services for Buyout Program**

Continued relocation services are to be provided in accordance with 49 CFR Part 24 Uniform Relocation Assistance and Real Property Act Acquisition for Federal and Federally-Assisted Programs Act also known as the Uniform Act.

###### **2.1.1 Residential Relocation Services**

Eligibility for relocation assistance shall begin on the date of a notice of intent to acquire or at the initiation of negotiations, whichever occurs first. Promptly after the initiation of

negotiations, those eligible for relocation assistance will be notified in writing of their eligibility for applicable relocation assistance.

For residential displacements, the notice shall include information on at least one and preferably three or more comparable replacement dwellings. These comparable dwellings will also be used in determining the maximum replacement housing payment for which the occupant may qualify.

Owner-occupants can receive up to four residential relocation benefits:

- \*Replacement Housing Payment
- \*Costs Incidental to the Purchase of a Replacement Property
- \*Interest Differential
- \*Moving Costs

Tenants can be eligible for the following relocation benefits:

- \*Rental Supplement Payment
- Or
- Down Payment and Costs Incident to Purchase
- \*Moving

The replacement housing payment or rental supplement payment will be determined for each dwelling unit. After obtaining the City's approval for the payment, the Relocation Specialist will meet in person with the occupants and present the payment in writing. At this meeting, the benefits, the eligibility requirements and the time frames will be explained.

The occupants will be assisted in locating replacement dwellings as well as filing claims for relocation benefits. In addition, the Relocation Specialist will provide Advisory Assistance including providing information on financing, pros and cons of buying versus renting and pitfalls of which they need to be aware.

### **2.1.2 Landlord Re-Establishment**

Persons who own real estate, being acquired for the project, which they lease to others, may be eligible to receive a payment not to exceed \$10,000 to assist them in re-establishing a replacement rental property.

Each owner who falls into the category will be met with to determine eligibility. If it is determined the real estate owner may qualify for the payment, detailed information will be provided, as to the requirements to receive the payment and assist the owner in claiming benefits.

### **2.1.3 Personal Property Move**

There may be certain instances where a person may not occupy the real estate but has personal property that needs to be moved due to the project. These persons are eligible for the payment of the actual, reasonable and necessary costs to move that personal property.

The Relocation Specialist will work the owner of the personal property to explain their potential eligibility, their responsibilities and time frames for completing the move.

#### **2.1.4 General Relocation Duties**

The Relocation Specialist will assist the occupants as needed in the completion of all paperwork necessary to claim relocation benefits and documentation necessary to support such claims.

When delivering an offer of relocation benefits, the Relocation Specialist will also deliver an advisory 90-day notice to vacate. This notice advises the occupant that they will have at least 90 days from that particular date before they are required to move from the acquired site. At the time the City acquires the site, the Relocation Specialist will send the occupants a final 30-day notice to vacate. This notice must give the occupants at least 30 additional days to remain in possession of the site. The final vacate date cannot be less than 90 days from the date the occupant received the original 90-day advisory notice.

The displacees have one year from the date they vacate the acquired property to meet the qualification criteria for receiving relocation benefits. Displaced persons are also allowed an additional six months to claim benefits beyond the one year qualification time frame. The Relocation Specialist will provide services as needed to ensure all displaced persons receive relocation advisory services throughout the 18-month period that extend beyond the vacate date.

Relocation claims will be reviewed by another Relocation Specialist or manager prior to submittal for payment. This is part of the QA/QC process on the project. When the relocation process is complete, the City will be provided a completed file containing all of the relocation contact logs, reports and claims.

Relocation activities shall be coordinated with project work and other displacement-causing activities to ensure that, to the extent feasible, persons displaced received consistent treatment and the duplication of functions is minimized.

#### **2.2 Acquisition Program Services**

CDM Smith will provide continued services to complete a comprehensive housing acquisition program. Services to be continued include:

- community and applicant informational workshop
- application intake
- eligibility determination
- third-party verifications of other sources of funds
- assessment and verification of duplication of benefits
- environmental reviews
- file documentation
- appraisals
- title work
- property owner negotiations
- coordination and conducting of property closings
- award calculations and allocations

- assistance with the procurement of contractors for demolition
- payment processing
- development of RFP's for demolition contractors
- CDBG-DR program requirement related compliance oversight of the demolition contractors

### **2.3 Relocation Services for Involuntary Acquisition Program**

All services are to be provided in accordance with 49 CFR Part 24 Uniform Relocation Assistance and Real Property Act Acquisition for Federal and Federally-Assisted Programs Act also known as the Uniform Act.

#### **2.3.1 Residential Relocation Services**

Eligibility for relocation assistance shall begin on the date of a notice of intent to acquire or at the initiation of negotiations, whichever occurs first. Promptly after the initiation of negotiations, those eligible for relocation assistance will be notified in writing of their eligibility for applicable relocation assistance.

For residential displacements, the notice shall include information on at least one and preferably three or more comparable replacement dwellings. These comparable dwellings will also be used in determining the maximum replacement housing payment for which the occupant may qualify.

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- Down Payment and Costs Incident to Purchase
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The replacement housing payment or rental supplement payment will be determined for each dwelling unit. After obtaining the City's approval for the payment, the Relocation Specialist will meet in person with the occupants and present the payment in writing. At this meeting, the benefits, the eligibility requirements and the time frames will be explained.

The occupants will be assisted in locating replacement dwellings as well as filing claims for relocation benefits. In addition, the Relocation Specialist will provide Advisory Assistance including providing information on financing, pros and cons of buying versus renting and pitfalls of which they need to be aware.

#### **2.3.2 Landlord Re-Establishment**

Persons who own real estate, being acquired for the project, which they lease to others, may be eligible to receive a payment not to exceed \$10,000 to assist them in re-establishing a replacement rental property.

Each owner who falls into the category will be met with to determine eligibility. If it is determined the real estate owner may qualify for the payment, detailed information will be provided, as to the requirements to receive the payment and assist the owner in claiming benefits.

### **2.3.3 Personal Property Move**

There may be certain instances where a person may not occupy the real estate but has personal property that needs to be moved due to the project. These persons are eligible for the payment of the actual, reasonable and necessary costs to move that personal property.

The Relocation Specialist will work the owner of the personal property to explain their potential eligibility, their responsibilities and time frames for completing the move.

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Relocation activities shall be coordinated with project work and other displacement-causing activities to ensure that, to the extent feasible, persons displaced received consistent treatment and the duplication of functions is minimized.

### **Task 3: Acquisition/Buyout/Relocation Program Services**

CDM Smith will provide services to complete a comprehensive housing buyout program for up to 45 additional properties. Services include:

- community and applicant informational workshops
- application intake
- eligibility determination
- third-party verifications of other sources of funds
- assessment and verification of duplication of benefits
- environmental reviews
- file documentation
- appraisals
- title work
- property owner negotiations
- coordination and conducting of property closings
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- assistance with the procurement of contractors for demolition
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- development of RFP's for demolition contractors
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#### **3.1 Relocation Services for Buyout Program**

Relocation services are to be provided in accordance with 49 CFR Part 24 Uniform Relocation Assistance and Real Property Act Acquisition for Federal and Federally-Assisted Programs Act also known as the Uniform Act.

##### **3.1.1 Residential Relocation Services**

Eligibility for relocation assistance shall begin on the date of a notice of intent to acquire or at the initiation of negotiations, whichever occurs first. Promptly after the initiation of negotiations, those eligible for relocation assistance will be notified in writing of their eligibility for applicable relocation assistance.

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The replacement housing payment or rental supplement payment will be determined for each dwelling unit. After obtaining the City's approval for the payment, the Relocation Specialist will meet in person with the occupants and present the payment in writing. At this meeting, the benefits, the eligibility requirements and the time frames will be explained.

The occupants will be assisted in locating replacement dwellings as well as filing claims for relocation benefits. In addition, the Relocation Specialist will provide Advisory Assistance including providing information on financing, pros and cons of buying versus renting and pitfalls of which they need to be aware.

**3.1.2 Landlord Re-Establishment**

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### **3.2 Acquisition Program Services**

CDM Smith will provide continued services to complete a comprehensive housing acquisition program. Services to be continued include:

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- application intake
- eligibility determination
- third-party verifications of other sources of funds
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### **3.3 Relocation Services for Involuntary Acquisition Program**

All services are to be provided in accordance with 49 CFR Part 24 Uniform Relocation Assistance and Real Property Act Acquisition for Federal and Federally-Assisted Programs Act also known as the Uniform Act.

#### **3.3.1 Residential Relocation Services**

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Relocation claims will be reviewed by another Relocation Specialist or manager prior to submittal for payment. This is part of the QA/QC process on the project. When the relocation process is complete, the City will be provided a completed file containing all of the relocation contact logs, reports and claims.

Relocation activities shall be coordinated with project work and other displacement-causing activities to ensure that, to the extent feasible, persons displaced received consistent treatment and the duplication of functions is minimized.

#### **Task 4: Demolition Management Services**

CDM Smith will provide demolition management services including: asbestos inspectors, field monitoring for data collection and recordation, data compilation and administration, environmental coordination, bidding services, contractor management, and project management for the remaining 43 properties in the Buyout/Acquisition/Relocation Program (as summarized in Attachment #3).

#### **Task 5: Demolition Management Services**

CDM Smith will provide demolition management services including: asbestos inspectors, field monitoring for data collection and recordation, data compilation and administration, environmental coordination, bidding services, contractor management, and project management for 45 additional properties in the Buyout/Acquisition/Relocation Program.

#### **Estimate of Fees**

Provided as Attachment No. 2

**Remaining Properties to Purchase/Demo**  
Provided as Attachment No. 3

## Amendment No. 6 - Attachment No. 2

City of Minot  
CDBG DR Program Allocation #2Estimate of Fees  
12/5/2016

Task #	Task Description	Blended Rate	Principal/ Technical Experts	Project Manager	Acquisition Specialist	Financial Specialist	Case Manager	Demo Monitor	Admin.	Total Hours	S&W	OR Colon	Haltran	Cost
Task 1	Project Management, Admin, QPR	\$ 125				120			80	200				\$ 25,000
Task 2	Acquisition/Buyout/Relocation (complete 29 properties)	\$ 125	140	140	400		100		76	856	\$ 50,000	\$ 35,000		\$ 192,000
Task 3	Acquisition/Buyout/Relocation (additional 45 properties)	\$ 125	420	640	2400		850		280	4,600	\$ 300,000	\$ 250,000		\$ 1,125,000
Task 4	Demolition Services (complete 43 demolitions)	\$ 125	100	144				500	80	824				\$ 155,000 \$ 258,000
Task 5	Demolition Services (additional 45 properties)	\$ 125	100	160				520	100	880				\$ 150,000 \$ 270,000
	Total		760	1,084	2,800	120	960		616	7,350				\$ 1,870,000

## Amendment No. 6 - Attachment No. 3

Cindy of Minot  
CDBG-DR Program Allocation #2

29 Properties to Purchase/43 Properties to Demo  
12/5/2016

File Number	PO Last Name	Address	Buyout Percent	Estimated Buyout	Estimated Demo
			Complete	Cost-to-complete	Cost-to-complete
2351	Wood	Parking Lot	100%	\$ -	\$ 6,000.00
2361	Feist Trust	300 Maples Street	100%	\$ -	\$ 6,000.00
2365	Mattson	211 4th Ave NE	60%	\$ 8,000.00	\$ 6,000.00
2366	Open Gate	400 Main St N	70%	\$ 6,000.00	\$ 6,000.00
2368	Bostow	1304 3rd Ave SW	95%	\$ 1,000.00	\$ 6,000.00
2369	Debertin	1308 3rd Ave SW	60%	\$ 8,000.00	\$ 6,000.00
2370	Cook	1400 3rd Ave SW	100%	\$ -	\$ 6,000.00
2370	Cook	1404 3rd Ave SW	100%	\$ -	\$ 6,000.00
2371	Blake	324 1st Ave NW	60%	\$ 8,000.00	\$ 6,000.00
2372	Douglas Creek	1401 3rd Ave SW	100%	\$ -	\$ 6,000.00
2374	Folk	610 Forest Road	100%	\$ -	\$ 6,000.00
2375	Carton	1205 5th Ave SW	75%	\$ 5,000.00	\$ 6,000.00
2384	Dakutak	417 2nd Ave NW	100%	\$ -	\$ 6,000.00
2386	Nordin	428 1st Ave NW	60%	\$ 8,000.00	\$ 6,000.00
2388	Dalin	419 1st Ave NW	60%	\$ 8,000.00	\$ 6,000.00
2390	J&K Properties	1 6th St SW	95%	\$ 1,000.00	\$ 6,000.00
2392	Keeneland	7 6th St SW	100%	\$ -	\$ 6,000.00
2393	Keeneland	9 6th St SW	100%	\$ -	\$ 6,000.00
2396	HUD	11 5th St NW	100%	\$ -	\$ 6,000.00
2397	Peskey	1603 7th Ave SW	70%	\$ 6,000.00	\$ 6,000.00
2398	Foltz	1601 7th Ave SW	100%	\$ -	\$ 6,000.00
2399	Blake	332 1st Ave SW	60%	\$ 8,000.00	\$ 6,000.00
2400	Green	119 15th St SE	80%	\$ 4,000.00	\$ 6,000.00
2406	Dalin	423 1st Ave NW	60%	\$ 8,000.00	\$ 6,000.00
2409	Steele	1434 1st Ave SE	100%	\$ -	\$ 6,000.00
2411	Five Star	501 3rd St NE	100%	\$ -	\$ 6,000.00
2417	Keeneland	509 1/2 Central Ave W	100%	\$ -	\$ 6,000.00
2420	Burtch	110 6th St NE	60%	\$ 8,000.00	\$ 6,000.00
2430	Ness	111 4th St NW	70%	\$ 6,000.00	\$ 6,000.00
2431	Smith	325 3rd St NW	60%	\$ 8,000.00	\$ 6,000.00
2432	Star Rentals	319 3rd St NW	60%	\$ 8,000.00	\$ 6,000.00
2433	Star Rentals	315 3rd St NW	60%	\$ 8,000.00	\$ 6,000.00
2434	XGP	309 3rd St NW	85%	\$ 3,000.00	\$ 6,000.00
2435	Star Rentals	305 3rd St NW	60%	\$ 8,000.00	\$ 6,000.00
2436	Flemming	400 3rd St NE	60%	\$ 8,000.00	\$ 6,000.00
2437	Parker Properties	16 Vacant Lots	60%	\$ 8,000.00	\$ 6,000.00
2438	Hummel	1800 Burdick EXPY	75%	\$ 5,000.00	\$ 6,000.00
2439	Ballantyne	1830 Burdick EXPY W	60%	\$ 8,000.00	\$ 6,000.00
2440	Home Sweet Home	103 4th Ave NW	60%	\$ 8,000.00	\$ 6,000.00
2441	Hoffer	10 5th St NW	60%	\$ 8,000.00	\$ 6,000.00
2442	Wynne	704 2nd Ave NE	70%	\$ 6,000.00	\$ 6,000.00
2443	Chell	500 12th St SW	75%	\$ 5,000.00	\$ 6,000.00
2444	Hamnes	200 Maple St	60%	\$ 8,000.00	\$ 6,000.00
				\$ 192,000.00	\$ 258,000.00