

## **FIRST AMENDMENT TO ENGINEERING SERVICES AGREEMENT**

This First Amendment To Engineering Services Agreement (this “First Amendment”) is made on April 13, 2017 (the “Effective Date”), by and between the South Bend Redevelopment Commission, the governing body of the City of South Bend Department of Redevelopment (the “Commission”), and the Civil City of South Bend, an Indiana municipal corporation, acting by and through the South Bend Board of Public Works (the “Provider”).

### RECITALS

A. The Commission and the Provider entered into that certain Engineering Services Agreement dated November 22, 2016 (the “Services Agreement”), for the provision of engineering services to the Commission in relation to the Commission’s Projects (as defined in the Services Agreement).

B. The Commission and the Provider wish to amend the Services Agreement as set forth in this First Amendment.

NOW, THEREFORE, in consideration of the mutual promises and obligations in this First Amendment and the Services Agreement, the adequacy of which consideration is hereby acknowledged, the Parties agree as follows:

1. The following is inserted after the table set forth in Section 4.A of the Services Agreement: “For any calendar year during the Term of this Agreement not specifically stated in the foregoing table, the Commission agrees to pay the Provider an Annual Fee in an amount not to exceed \$220,191.78.”

2. In Section 5 of the Services Agreement, the term “December 31, 2019” is deleted and replaced by the term “December 31, 2024.”

3. Unless expressly modified by this First Amendment, the terms and provisions of the Services Agreement remain in full force and effect.

4. Capitalized terms used in this First Amendment will have the meanings set forth in the Services Agreement unless otherwise stated herein.

[Signature page follows.]

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment To Engineering Services Agreement to be effective as of the Effective Date stated above.

**SOUTH BEND BOARD OF PUBLIC WORKS**

\_\_\_\_\_  
Gary Gilot, President

\_\_\_\_\_  
Therese Dorau, Member

\_\_\_\_\_  
Suzanna Fritzberg, Member

\_\_\_\_\_  
Elizabeth Maradik, Member

\_\_\_\_\_  
James Mueller, Member

**ATTEST:**

\_\_\_\_\_  
Linda Martin, Clerk

**SOUTH BEND REDEVELOPMENT COMMISSION**

\_\_\_\_\_  
David Varner, Vice President

**ATTEST:**

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Donald E. Inks, Secretary

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