

THIRD AMENDMENT TO ENGINEERING SERVICES AGREEMENT

This Third Amendment to Engineering Services Agreement (this “Third Amendment”) is made effective on April 25, 2019 (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, as amended by the First Amendment to Engineering Services Agreement dated April 13, 2017 and the Second Amendment to Engineering Services Agreement dated March 13, 2018 (collectively, 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 to include the services of an additional staff engineer commencing on the Effective Date as set forth in this Third Amendment.

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

1. As of the Effective Date, the entirety of Section 4.A. of the Services Agreement is deleted and replaced by the following:

A. Fees for Services. The Provider will render the Requested Services to the Commission through the work of the Provider’s employees holding the position titles “Engineer I,” “Engineer II,” and “Assistant City Engineer.” As compensation for the Requested Services, the Commission agrees to pay the Provider a flat fee for each respective calendar year in an amount not to exceed the total amount stated in the table below (the “Annual Fee”).

<u>Period</u>	<u>Position</u>	<u>Annual Fee</u>
January 1 to December 31, 2018	Engineer I	\$78,320.00
	Assistant City Engineer	\$117,582.99
	<u>Total for 2018</u>	\$195,902.99
January 1 to December 31, 2019	Engineer I	\$80,689.06
	Assistant City Engineer	\$120,924.77
_____ to December 31, 2019	Engineer II	
	<u>Total for 2019</u>	

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

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

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

**SOUTH BEND BOARD OF
PUBLIC WORKS**

Gary Gilot, President

Genevieve Miller, Member

Therese Dorau, Member

Laura O’Sullivan, Member

Elizabeth Maradik, Member

ATTEST:

Linda Martin, Clerk

Date:

**SOUTH BEND REDEVELOPMENT
COMMISSION**

Marcia I. Jones, President

ATTEST:

Quentin Phillips, Secretary

Date: