

**AMENDMENT NO: 2
TO AGREEMENT
BETWEEN
OWNER AND ENGINEER**

This Amendment No: 1 is made and entered into this 18th day of March, 2021 to the Agreement between CDM Smith Inc. (CDM Smith) ("ENGINEER") and Racine Water Utility ("OWNER") dated January 27, 2020, ("the Agreement").

WHEREAS, ENGINEER and OWNER entered into the Agreement for the design-phase and bid-phase engineering services for the Low Lift Pump VFD Replacement Project (the "Project"), 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 ENGINEER as described in the Agreement are amended and supplemented as follows:

The ENGINEER will add the removal and replacement of the butterfly valve identified as "BFV No.3" and associated actuator to the Bid Documents of the Project.

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

Not applicable.

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

Not applicable. The schedule will follow Amendment No. 1.

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

Terms shall be per the Agreement dated January 27, 2020 and Amendment No. 1.

The Amendment No. 1 not-to-exceed fee was \$404,464.00.

This Amendment No. 2 adds \$8,501.22

The new total not-to-exceed fee shall be \$412,965.22

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.


ENGINEER

DATE:

12/27/2011

OWNER

DATE: