

AMENDMENT TO CONTRACT
City of Lincoln, Lancaster County and City of Lincoln-Lancaster
County Public Building Commission
Reassignment of Contracts
Bauer Underground, Inc. to Bauer Infrastructure, LLC

This Amendment is hereby entered into by and between Bauer Underground, Inc., 3101 NW 12th Street, Lincoln, NE 68521 (hereinafter "Bauer Underground, Inc.") and Bauer Infrastructure, LLC, 18570 SW 29th Street, Martell, NE 68404 (hereinafter "Bauer Infrastructure, LLC") and the City of Lincoln, Lancaster County, and City of Lincoln-Lancaster County Public Building Commission (hereinafter "Owners"), for the purpose of amending the following contracts listed below, which Contract are hereby incorporated herein by this reference:

<u>CONTRACT</u>	<u>EXECUTED DOCUMENT</u>	<u>DATE OF EXECUTION</u>
On-Call Street Cut Repair Services, Bid No. 19-089	EO 93223	05/29/2019
Snow Removal – Motor Grader Services for More Graders, Bid No. 18-169	EO 93869	12/19/2019
Unit Price – Pavement/Concrete Services, Bid No. 21-003	EO 95293/C-21-0117	02/23/2021

WHEREAS, Bauer Underground, Inc. hereby rescinds its rights and obligations to the above-mentioned Contracts and assigns its right and obligations under the Contract to Bauer Infrastructure, LLC beginning January 1, 2022 through the remaining term of the Contracts, as per Attachment A; and

WHEREAS, Bauer Infrastructure, LLC hereby accepts the assignment of Bauer Underground, Inc. rights and obligations under the Contract beginning January 1, 2022 through the remaining term of the Contracts, which is hereby incorporated herein by this reference; and

WHEREAS, the Owners hereby acknowledge and permit Bauer Underground, Inc. assignment of its rights and obligations under the Contracts to Bauer Infrastructure, LLC; and

NOW, THEREFORE, IN CONSIDERATION of the mutual covenants contained in the above listed Contracts, and stated herein the parties agree as follows:

- 1) Bauer Underground, Inc. hereby rescinds its rights and obligations to the above-mentioned Contracts and assigns its right and obligations under the Contract to Bauer Infrastructure, LLC beginning January 1, 2022 through the remaining term of the Contracts, as per Attachment A.
- 2) Bauer Infrastructure, LLC hereby accepts the assignment of Bauer Underground, Inc. rights and obligations under the Contract beginning January 1, 2022 through the remaining term of the Contracts, which is hereby incorporated herein by this reference.
- 3) The Owners hereby acknowledge and permit Bauer Underground, Inc. assignment of its rights and obligations under the Contracts to Bauer Infrastructure, LLC.
- 4) All other terms of the Contract, not in conflict with this Amendment, shall remain in full force and effect.

The Parties do hereby agree to all the terms and conditions of this Amendment. This Amendment shall be binding upon the parties, their heirs, administrators, executors, legal and personal representatives, successors, and assigns.

IN WITNESS WHEREOF, the Parties do hereby execute this Amendment upon completion of signatures on:

Vendor Signature Page

City of Lincoln Signature Page

Lancaster County Signature Page

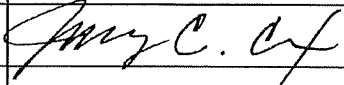
City of Lincoln-Lancaster County Public Building Commission Signature Page

Vendor Signature Page

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Please sign, date and return within 5 days of receipt.

Mail to: City/County Purchasing
 Attn: Brianne Crooks
 440 So. 8th St., Ste. 200
 Lincoln, NE 68508
 Or email to: bcrooks@lincoln.ne.gov

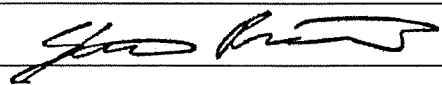
Company Name:	Bauer Underground, Inc.
By: (Please Sign)	
By: (Please Print)	JIMMY C. COX
Title:	Chief Operating Officer
Company Address:	3700 W. NORFOLK AVE, P.O. BOX 39 NORFOLK, NE 68702
Company Phone & Fax:	PH: (402) 379-2070 FAX: (402) 379-3789
E-Mail Address:	JIM@BAUERUNDERGROUND.COM
Date:	2/7/2022
Contact Person for Service or Orders	JIMMY COX
Contact Phone Number	402-379-2070

Vendor Signature Page

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 Lincoln, NE 68508
 Or email to: bcrooks@lincoln.ne.gov

Company Name:	Bauer Infrastructure, LLC
By: (Please Sign)	
By: (Please Print)	Stu Bauer
Title:	Managing Member
Company Address:	18570 SW 29th St., Martell, NE 68404
Company Phone & Fax:	402-430 402-477-0792 402-477-0785
E-Mail Address:	stu@bauerunderground.com
Date:	2-7-2022
Contact Person for Service or Orders	Gordon Ruzicka
Contact Phone Number	308-390-1755

City of Lincoln Signature Page



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EXECUTION BY THE CITY OF LINCOLN, NEBRASKA

ATTEST:

City Clerk

CITY OF LINCOLN, NEBRASKA

Finance Director

Approved by Directorial Order No. _____

dated _____

Lancaster County Signature Page

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EXECUTION BY LANCASTER COUNTY, NEBRASKA

Contract Approved as to Form:

The Board of County Commissioners of
Lancaster, Nebraska

Deputy Lancaster County Attorney

dated _____

**City of Lincoln-Lancaster County Public Building Commission
Signature Page**

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EXECUTION BY LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION

ATTEST:

Public Building Commission Attorney

Chairperson, Public Building Commission

dated _____



Bauer Underground, Inc.
 3700 W Norfolk Ave. PO Box 39
 Norfolk, NE 68701

January 28, 2022

Ms. Brianne Crooks
 City of Lincoln / Lancaster County Purchasing
 440 South 8th Street, Suite 200
 Lincoln, Nebraska 68508

Dear Ms. Crooks,

Bauer Infrastructure, LLC, has formed as a separate company from Bauer Underground, Inc. Please continue to use Bauer Underground for all boring, fiber, and telecommunication needs. Bauer Underground proposes to assign the following City of Lincoln Contracts to Bauer Infrastructure:

Bid Number	Description
19-089	On-Call Street Cut Repair Services (Re-bid)
21-003	Pavement/Concrete Services - Level 3
19-274	Snow Removal – Motor Grader Services for More Graders
21-242	South Haymarket Project 413562 6th to 7th Street Under Rosa Parks Way
21-228	Paving Project 700665 Holdrege at 104th
21-118	Paving Project 700663 S. Folsom from Old Cheney to Palm Canyon
21-035	(Paving Project 700164 in Rokeby Road from Friedman to South 84th Street (LTU - Eng. Services
21-036	700635 LOTM Pavement Rehab Project in South 9th Street from A to R Street (LTU - Eng. Services)
21-074	Paving Project 700664 in Holdrege from 87th Street to Cedar Cove (LTU - Eng. Services

Bauer Infrastructure has already submitted an acceptable certificate of insurance naming the City of Lincoln as additional insured. Bauer Infrastructure is setup and approved as supplier for City.

Bauer Underground has notified our surety office of the requested contract assignment. Mr. Jim King of Gene Lilly is included on the distribution list of this letter. Please feel free to contact his office at 402 475 7700, with any questions you may have about the payment and performance bonds associated with above mentioned projects.

Respectfully Requested,

JDAL for Stu Bauer

Stu Bauer
Bauer Underground, Inc.

CC: Jim King - Gene Lilly, Jim Cox – Bauer Underground, JD Adam – Bauer Infrastructure.