

RESOLUTION NO. 10-669

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
BLACK DIAMOND, KING COUNTY, WASHINGTON  
AUTHORIZING SUPPLEMENT #4 TO THE EXISTING  
CONTRACT WITH HAMMOND COLLIER WADE  
LIVINGSTONE FOR ENGINEERING SERVICES ON THE  
RAILROAD AVENUE STREET IMPROVEMENT PROJECT

**WHEREAS**, Hammond Collier Wade Livingstone is under contract with the City for engineering services on the Railroad Avenue Street Improvement Project; and

**WHEREAS**, the design is complete, the project has been advertised, and the bid awarded to J.R. Hayes and Sons; and

**WHEREAS**, The City is in need of project management, engineering services, surveying and full time inspection from project start up to close out; and

**WHEREAS**, Hammond Collier Wade Livingstone has qualified staff available to fulfill these duties on behalf of the City;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, DOES RESOLVE AS FOLLOWS:**

**Section 1.** The Mayor is authorized to execute Supplement No. 4 with Hammond Collier Wade Livingstone in the amount of \$135,890.00 for construction management, inspections and engineering and surveying services during the construction of the Railroad Avenue Street Improvement Project.

**PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 4<sup>TH</sup> DAY OF FEBRUARY, 2010.**

CITY OF BLACK DIAMOND:

  
\_\_\_\_\_  
Rebecca Olness, Mayor

Attest:

  
\_\_\_\_\_  
Brenda L. Martinez, City Clerk

<b>Supplemental Agreement Number 4</b>	Organization and Address Phone: Hammond Collier Wade Livingstone 7502 Lakewood Dr. W. Suite D Lakewood, WA 98499 (253) 472-1992	
Original Agreement Number 07-20-011		
Project Number 07-20-011-07	Execution Date	Completion Date 06/30/10
Project Title Railroad Ave. Limited Construction Management Assistance, and Construction Survey Staking	New Maximum Amount Payable \$ 253,461.00	
Description of Work:  Provide construction management, inspection, as well as construction staking for the Railroad Avenue Project.		

The City of Black Diamond desires to amend the Professional Services Agreement entered into with Hammond Collier Wade Livingstone (Consultant) and dated February 19, 2008. The parties here by agree to the following amendments to the Agreement.

**I**

Consultant shall provide the additional services set forth in the attached Exhibit A, Supplement 4..

**II**

Compensation for the additional services added to the Agreement by this Supplement is based upon substantial completion of the Project occurring on or before May 27, 2010 and for final acceptance by the City to occur within eight business days thereafter. In the event final acceptance does not occur by such date and such delay is not caused by the acts or omissions of the Consultant, Consultant shall be compensated for additional work satisfactorily performed to the date of final acceptance on a time and materials basis at the rates set forth in Exhibit B hereto.

**III**

Consultant shall be compensated up to an additional \$135,890.00 as detailed in the attached Exhibit B for the additional work added to the Agreement by this Supplement. This Supplement, combined with the original contract amount of \$110,006.00 and supplements #1 and #3 (Supplement #2 has been voided) in the amount of \$7,565.00, brings the total contract amount to \$253,461.00.

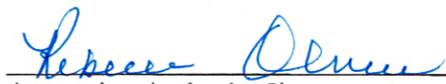
**IV**

All provisions in the Agreement remain unchanged except as expressly amended by this Supplement.

The parties hereby agree to the terms of this Supplement:

  
Consultant Signature *V.P.*

2/2/10  
Date

  
Approving Authority Signature

2/5/10  
Date