

RESOLUTION NO. 11-736

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON
AUTHORIZING AMENDMENT NO. 1 WITH RH2
ENGINEERING FOR ON-CALL ENGINEERING
ASSISTANCE REGARDING MPD TECHNICAL SERVICES

WHEREAS, the City signed a contract with RH2 for MPD technical services and on-call engineering by Resolution 10-687; and

WHEREAS, the City of Black Diamond Public Works Department is limited in staff, and needs to be prepared for the greater infrastructure project details and financial issues associated with the Master Planned Developments; and

WHEREAS, City staff anticipates that the services being provided by RH2 pursuant to the contract will exceed the maximum contract price in the near future; and

WHEREAS, RH2 Engineering has demonstrated relevant Master Planned Development experience, responsive service and technically leading expertise in water and sewer systems; and

WHEREAS, the Master Planned Development process requires the applicant to fund the cost of technical assistance support as needed;

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

Section 1. The Mayor is hereby authorized to execute Amendment No. 1 with RH2 Engineering, Inc. for continuing MPD Technical Services and On-call Engineering Services.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 17TH DAY OF MARCH, 2011.

CITY OF BLACK DIAMOND:



Rebecca Olness, Mayor

Attest:



Brenda L. Martinez, City Clerk

Amendment #1 to Professional Services Agreement between RH2 Engineering, Inc and the City of Black Diamond

This Professional Services Agreement Amendment is dated February 17, 2011 and is entered into by and between:

CITY OF BLACK DIAMOND, WASHINGTON (the "City")
24301 Roberts Drive
Black Diamond, WA 98010
Contact: Seth Boettcher, Public Works Director
Phone: 360-886-2560 Fax : 360-886-2592

and

RH2 Engineering, Inc. ("Consultant")
12100 NE 195th Street, Suite 100
Bothell, WA 98011
Contact: Dan Ervin, P.E.
Phone: 425-951-5400 Fax: 425-398-2774

RECITALS:

WHEREAS, prior in June of 2010 the City and the Consultant entered into a Professional Services Agreement for Master Planned Developments – Engineering Assistance ("Agreement") for the Consultant to provide, on a time and materials as-needed basis, those services set forth in Exhibit A at the maximum contract price of \$150,000, and

WHEREAS, City staff anticipates that the services being provided by the Consultant pursuant to the Agreement will exceed the maximum contract price in the near future, and

WHEREAS, Ongoing assistance will be needed as the City moves forward with the Master Planned Developments and progresses into the initial phases, and

WHEREAS, the City and Consultant desire to amend the Agreement to increase the maximum contract price to \$300,000;

NOW THEREFORE, in consideration of the foregoing recitals, and the mutual promises and covenants contained herein, the parties hereby enter into this First Amendment, amending the Agreement, as follows:

Section 1. Amendment. Section 3 of the Agreement is amended by striking "\$150,000" and replacing it with "\$300,000" so that the total compensation for services rendered pursuant to the Agreement shall not exceed **three hundred thousand dollars**.

Section 2. Remainder Unaffected. All other terms and conditions of the Agreement shall remain the same and of full force and effect.

CITY OF BLACK DIAMOND

By: Rebecca Olness
Rebecca Olness

Its: Mayor

Date: 3-21-11

Attest:

By: Brenda L. Martinez
Brenda L. Martinez
City Clerk

RH2 Consulting Engineering, Inc.

By: [Signature]

Printed Name: DAN ERVINI

Its: VICE PRESIDENT

Date: 2-4-11