

# SULTAN CITY COUNCIL

## AGENDA ITEM COVER SHEET

---

**ITEM NO:** C- 7

**DATE:** February 22, 2007

**SUBJECT:** First Addendum to Lawrence's Construction Services Contract - Extension of construction observation and record keeping services contract. See attached copy of the addendum.

**CONTACT PERSON:** Rick Cisar, Director of Community Development  
Jon Stack, City Engineer

**SUMMARY:** This First Addendum extends the time of service through October 16, 2007 and provides for a budget of \$80,000. The service includes construction observation and record keeping and adds services in gathering field information regarding conditions of the existing sewer system, including flow records, all as part of a pending I&I (Inflow and Infiltration) Study which is proposed to be completed in-house.

This addendum is necessary because the first contract has expired and better weather will re-start construction activities on various plats and Mr. Lawrence's services are needed to ensure quality control.

**FISCAL IMPACT:** The majority of the proposed \$80,000 budget will be charged back to developers for construction observation services provided while contractors are installing utility and street improvements. In 2006, Lawrence's contract had a budget of \$50,000 for six months. \$46,685 was expended and billed to developers.

It is expected that the billing cycle will take 60 days for the City to collect for inspection services after they are performed. Staff will be making a future recommendation to add an administrative fee to ensure the City is compensated for its cost of money.

Under separate authorization and approval a proposed in-house I&I Study will utilize perhaps 25% of the proposed budget for Mr Lawrence's time. This will be funded out of the City's capital budget rather than the general fund.

**ALTERNATIVES:**

1. Authorize the Mayor to sign the First Addendum to Lawrence's Construction Services Contract to extend the construction observation and record keeping services contract.

Mr Lawrence is an excellent talent with extensive experience in all aspects of the construction industry. His services have an invaluable impact on the quality and longevity of the civil plat improvements that are being installed. In addition, his presence and expertise is aiding in the on-going training of the City's field staff.

2. Do not authorize the Mayor to sign the First Addendum to Lawrence's Construction Services Contract to extend the construction observation and record keeping services contract.

- The City does not have the manpower to provide an inspector for this critical position.
- Without inspection on all underground utilities it is doubtful that the requirements of the City's standards will be met.
- Any deficient work done by developer contractors will shorten the life of the City's water/sanitary sewer, storm drainage systems, thereby adding to the City's cost of maintenance of all systems in the future.

3. Do not authorize the Mayor to sign the First Addendum to Lawrence's Construction Services Contract to extend the construction observation and record keeping services contract and direct staff to areas of concern.

**STAFF**

**RECOMMENDATION:** Approval of the First Addendum as presented.

**RECOMMENDED MOTION:**

I MOVE THE CITY COUNCIL AUTHORIZE THE MAYOR TO TO SIGN THE FIRST ADDENDUM TO LAWRENCE'S CONSTRUCTION SERVICES CONTRACT TO EXTEND THE CONSTRUCTION OBSERVATION AND RECORD KEEPING SERVICES CONTRACT.

---

**COUNCIL ACTION:**

**DATE:**

**ATTACHMENTS:** First Addendum to Lawrence's contract.

**FIRST ADDENDUM  
BY AND BETWEEN THE CITY OF SULTAN AND  
LAWRENCE'S CONSTRUCTION SERVICES**

**THIS First ADDENDUM** is made by and between the City of Sultan (hereinafter referred to as "City"), a Washington Municipal corporation, and Lawrence's Construction Services (hereinafter referred to as "Service Provider") collectively the "Parties".

**WHEREAS**, on July 20, 2006, the Parties entered into that certain Agreement for Services ("Agreement") for the provision of construction observation and record keeping; and

**WHEREAS**, the Service Provider has successfully completed the assigned tasks; and

**WHEREAS**, the City desires to extend the services to include existing plat developments and new plat developments that are in the process of being approved through the City's administrative process; and

**WHEREAS**, the City desires the Service Provider to provide services in conjunction with a planned Inflow and Infiltration Study; **NOW THEREFORE**,

**IN CONSIDERATION OF** the mutual promises, terms and conditions set forth in the Agreement and contained herein, the Parties hereby agree as follows:

**Section 1. Amendment Project Title** of the Agreement. Project Title of the Agreement is hereby revised to provide in its entirety as follows:

Construction observation and record keeping for the following known projects: AJ's Condos, Denali Ridge, Twin Rivers, Vodnick Lane, Skoglund Estates, George Six-Plex, Cascade Breeze, Timber Ridge, and various other developments that may occur within the time of this agreement; inspection of the City's existing sanitary sewer system, including manholes and pipelines and assistance in installing and retrieving flow recording devices, general assistance in the preparation of a I&I study; assistance to the City in other areas as approved by the City Engineer.

**Section 2. Amendment of the time of service:**

The time of service for this agreement will be in effect from January 16, 2007 through October 13, 2007.

**Section 3. Amendment of Maximum Payable:**

The maximum payable under this extended agreement shall be \$80,000.

**Section 4. Effect of Addendum.** This 1st Addendum is in addition to the Agreement. Except as otherwise provided herein, the provisions of this 1<sup>st</sup> Addendum modify, but do not supersede the provisions of the Agreement. Except as otherwise provided herein, each provision of the Agreement shall continue in full force and effect as if this 1<sup>st</sup> Addendum did not exist. Except as otherwise provided herein, capitalized words and phrases shall have the meanings ascribed to them in the Agreement.

**IN WITNESS WHEREOF**, the parties have caused this Addendum to be signed and executed this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

**CITY OF SULTAN:**

By: \_\_\_\_\_  
City Administrator

**CONTRACTOR:**

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Taxpayer ID #: \_\_\_\_\_

**ATTEST/AUTHENTICATED:**

By: \_\_\_\_\_  
City Clerk

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Office of the City Attorney