

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

Date: September 13, 2007

Agenda Item #: C-9

SUBJECT: Contract Addendum with Nelson Geotechnical Associates

CONTACT PERSONS: Director of Community Development Cisar 

SUMMARY STATEMENT: In order to adequately review and approve building plans that are submitted to be constructed in geologically challenged areas, a geotechnical/geological professional must be retained to provide assistance to the building department. Since the City has no capabilities in this area, an outside source is required. Staff has a working relationship with Nelson Geotechnical Associates, Inc., Woodinville, and recommends that their contract be revised to include on-call inspection services. Attached is a copy of proposed Addendum No. 1 describing the services provided.

FISCAL IMPACTS: The maximum amount payable under the proposed Nelson Geotechnical contract addendum is \$10,000.00 and payment for these services will be passed through to the builder/developer for reimbursement to the City.

RECOMMENDATION: Approve the consultant agreement Amendment so the Building Department can proceed with the work with review of plans currently submitted.

COUNCIL ACTION:

Action Date:

**FIRST ADDENDUM
BY AND BETWEEN THE CITY OF SULTAN AND
NELSON GEOTECHNICAL ASSOCIATES, INC.**

THIS First ADDENDUM is made by and between the City of Sultan (hereinafter referred to as "City"), a Washington Municipal corporation, and Nelson Geotechnical Associates, Inc. (hereinafter referred to as "Service Provider") collectively the "Parties".

WHEREAS, on March 22, 2006, the Parties entered into that certain Agreement for Services ("Agreement") for the provision of Geotechnical/Geological Services and

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

WHEREAS, the City desires to extend the services to include additional work of an geotechnical/geological nature; and

WHEREAS, the City desires the Service Provider to provide services in conjunction with future building projects, including review of grading and foundation plans and construction monitoring services during the earthwork phase of future buildings and other geotechnical services that may be required by the City; **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:

Geotechnical/Geological Services in conjunction with Developer/Builder housing projects and general 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 September 1, 2007 through August 31, 2008.

Section 3. Amendment of Maximum Payable:

The maximum payable under this extended agreement shall be \$10,000.

Section 4. Effect of Addendum. This 1st Addendum is in addition to the Agreement. Except as otherwise provided herein, the provisions of this 1st 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 1st 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: _____
Mayor

CONTRACTOR:

By: _____
Title: _____
Taxpayer I D Number: _____
Address: _____
Phone: _____

ATTEST/AUTHENTICATED:

By: _____
City Clerk

APPROVED AS TO FORM:

By: _____
Office of the City Attorney