

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: C-9

DATE: August 28, 2008

SUBJECT: On-call Planning Services Contract
Addendum No. 2 with Perteet, Inc.

CONTACT PERSON: Deborah Knight, City Administrator *Deborah Knight*

ISSUE:

The issue before the City Council is to authorize the Mayor to sign Addendum No. 2 (Attachment A) with Perteet, Inc. The Addendum is need to provide an additional \$5,940.00 to work on the Comprehensive Plan revisions through the scheduled September 25, 2008, adoption date and the subsequent preparation for the Growth Management Hearings Board review during the months of October and November.

STAFF RECOMMENDATION:

Authorize the Mayor to sign Addendum No. 2 with Perteet, Inc. for on-call planning services.

SUMMARY:

The City has reached the \$120,000.00 not to exceed amount allowed under the on-call planning services contract with Perteet, Inc. approved by the City Council on January 10, 2008.

The City anticipated completing the scope of work by June 30, 2008. The term of the contract was extended beyond June 30, 2008 (Amendment No. 1), within the original budgeted amount. However, that budget amount has now been depleted by the continuing work on the Comprehensive Plan revisions toward compliance with the rulings of the Growth Management Hearings Board by September 30, 2008.

City staff recommends an additional contract amount not to exceed \$5,940.00 for the work on the Comprehensive Plan revisions through the scheduled September 25, 2008, adoption date and the subsequent preparation for the Growth Management Hearings Board review during the months of October and November. The budget will be divided evenly between the general fund, street fund and the water and sewer enterprise funds.

The following hours are projected:

Week of:

August 30, 2008 – initiation of final review and responses to public comments	6 hrs
September 1, 2008 – completion of responses to public comments	7 hrs
September 15, 2008 – completion of final review	6 hrs
September 22, 2008 – adoption of the revised Comprehensive Plan	6 hrs
October 20, 2008 – final submittal to Growth Management Hearings Board	6 hrs
August-October, 2008 – project management	<u>3 hrs</u>
Subtotal for Senior Project Manager hours	33 hrs

Budget Estimate:

Senior Project Manager 33 hrs @ \$160/hr	\$ 5,280.00
Travel Expenses (4-5 trips to Sultan, Seattle, etc)	<u>\$ 140.00</u>
Subtotal for Comprehensive Plan revision	\$ 5,320.00

Contingency for other unanticipated expenses such as continuances, etc.	\$ <u>620.00</u>
Total Contract Extension Amount (not to exceed)	\$ 5,940.00

Brad Collins, with Perteet will continue to provide comprehensive plan review services to the City.

BACKGROUND:

The City Council authorized the Mayor to a contract with Perteet, Inc. for on-call planning services on January 10, 2008 for an amount not to exceed \$120,000.00. The contract included:

- 1) **Project Management:** billings, progress reports, coordination, milestone meetings.
- 2) **Interim Community Development Director Services:** attending management team meetings, attending City Council meetings, attending Planning Board meetings, overseeing and providing peer review on the GMA compliance work being completed by another Service Provider, managing the City Engineer and Building Department; preparing for the future Community Development Director by July 2008.
- 3) **Current Planning Services:** planning review of development proposals, and temporary planning staff services.
- 4) **Comprehensive Planning and Code Amendment Services:** comprehensive plan amendments (not including GMA compliance work), code amendments, GIS mapping, graphics and other Comprehensive Plan tasks as needed.

Tasks 3 and 4 are complete. The request is to complete the GMA compliance work in Tasks 1 and 2.

ALTERNATIVES:

1. Authorize the Mayor to sign Addendum No. 2 with Perteet, Inc. for on-call planning services.

This alternative keeps Mr. Brad Collins engaged in the City's efforts to adopt a compliant comprehensive plan. In his current capacity Mr. Collins is in effect completing his work as the City's Interim Community Development Director. Since Bob Martin joined the City at the end of the revision effort he is only able to provide minimal review rather than leadership.

Mr. Collins would continue to review and respond to public comments received on the draft 2008 revision to the 2004 Comprehensive Plan and assist in preparing the plan for the Growth Management Hearings Board. Mr. Collins would also continue to oversee the work performed by Mr. Eric Irelan on the Transportation Plan and Mr. Dean Franz on the Stormwater Plan.

2. Do not authorize the Mayor to sign Addendum No. 2 with Perteet, Inc. for on-call planning services and direct staff to areas of concern.

A decision not to authorize the Mayor to sign Addendum No 1, would remove Mr. Collins from the final review process. Mr. Collins has provided important input and direction throughout the City's effort to adopt a compliant comprehensive plan. His input and recommendations would not be included in the final document.

FISCAL IMPACT:

City staff recommends dividing the \$5,930.00 contract cost between the General Fund, Street Fund and Water and Sewer Enterprise Funds – approximately \$1,482.50 per fund.

The costs can be incorporated into the budget amendment for Council approval in September.

RECOMMENDED ACTION:

Authorize the Mayor to sign Addendum No. 2 with Perteet, Inc. for on-call planning services.

ATTACHMENT

A – Addendum No. 2 to Perteet, Inc. on-call planning services contract

**SECOND ADDENDUM
BY AND BETWEEN THE CITY OF SULTAN AND
PERTEET ENGINEERING**

THIS SECOND ADDENDUM is made by and between the City of Sultan (hereinafter referred to as “City”), a Washington Municipal corporation, and Perteet Engineering **Error! Reference source not found.**(hereinafter referred to as “Service Provider”), doing business at 2707 Colby Avenue, Suite 900, Everett, WA 98201.

WHEREAS, on January 1, 2008, the Parties entered into that certain Agreement for Services (“Agreement”) for the provision of on-call planning services for:

- 1) **Project Management:** billings, progress reports, coordination, milestone meetings.
- 2) **Interim Community Development Director Services:** attending management team meetings, attending City Council meetings, attending Planning Board meetings, overseeing and providing peer review on the GMA compliance work being completed by another Service Provider, managing the City Engineer and Building Department; preparing for the future Community Development Director by July 2008.
- 3) **Current Planning Services:** planning review of development proposals, and temporary planning staff services.
- 4) **Comprehensive Planning and Code Amendment Services:** comprehensive plan amendments (not including GMA compliance work), code amendments, GIS mapping, graphics and other Comprehensive Plan tasks as needed.

; and

WHEREAS, on July 1, 2008 the City and the Service Provider amended the contract to extend the termination date to December 31, 2008; and

WHEREAS, the Service Provider has completed assigned tasks for current planning services and comprehensive planning and code amendment services; and

WHEREAS, the City desires to contract with the service provider to assist with public involvement and the City’s 2008 revision of the 2004 comprehensive plan; **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 of Section 1 Description of Work of the Agreement. Section 1 of the Agreement is hereby revised to provide in its entirety as follows:

Service Provider shall perform the additional work as described in Attachment A.1, Scope of Work, which is attached hereto and incorporated herein by this reference, according to the existing standard of

care for such services. Service Provider shall not perform any additional services without the expressed permission of the City.

Section 2. Amendment of Section 2 Payment of the Agreement. Section 2 of the Agreement is hereby revised to provide in its entirety as follows:

- A. The City shall pay Service Provider at the hourly rate set forth in Attachment A.1, but not more than a total of one hundred and twenty six thousand (\$126,000) for the services described in this Agreement. This is the maximum amount to be paid under this Agreement, and shall not be exceeded without prior written authorization from the City in the form of a negotiated and executed supplemental agreement.
- B. Service Provider shall submit monthly payment invoices to the City after such services have been performed, and the City shall make payment within four (4) weeks after the submittal of each approved invoice. Such invoice shall detail the hours worked, a description of the tasks performed. Charges for travel time described in Attachment A.1 must be listed separately. No other reimbursable expenses will be allowed.
- C. If the City objects to all or any portion of any invoice, it shall so notify Service Provider of the same within fourteen (14) days from the date of receipt and shall pay that portion of the invoice not in dispute. The parties shall immediately make every effort to settle the disputed portion.

Section 3. Effect of Addendum. This First Addendum is in addition to the Agreement. Except as otherwise provided herein, the provisions of this First 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 First 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 30th day of August, 2008.

CITY OF SULTAN:

CONTRACTOR:

By: _____
Mayor Carolyn Eslick

By: _____
Title: _____
Taxpayer ID #: _____

ATTEST/AUTHENTICATED:

APPROVED AS TO FORM:

By: _____
City Clerk

By: _____
Office of the City Attorney



MEMORANDUM

Perteet Inc.

TO: Deborah Knight, City Administrator, City of Sultan
 FROM: Brad Collins, Perteet Senior Project Manager
 DATE: August 20, 2008
 RE: Sultan On-Call Services Contract Extension

Per our discussion, please review and approve an extension of the Perteet On-Call Services Contract to complete the peer review work on the City of Sultan Comprehensive Plan revisions. The original contract amount was \$120,000 and was expected to be completed on June 30, 2008. The term of the contract was extended beyond June 30, 2008, within the original budgeted amount. However, that budget amount has now been depleted by the continuing work on the Comprehensive Plan revisions toward compliance with the rulings of the Growth Management Hearings Board by September 30, 2008.

Please authorize an additional contract amount not to exceed \$5,940 for the work on the Comprehensive Plan revisions through the scheduled September 25, 2008, adoption date and the subsequent preparation for the Growth Management Hearings Board review during the months of October and November. The following hours are projected:

Week of:

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Subtotal for Senior Project Manager hours.....	33 hrs

Budget Estimate:

Senior Project Manager 33 hrs @ \$160/hr.....	\$5,280
Travel Expenses (4-5 trips to Sultan, Seattle, etc.).....	<u>\$ 140</u>
Subtotal for Comprehensive Plan revision.....	\$5,320
Contingency for other unanticipated expenses such as continuances, etc...	<u>\$ 620</u>
Total Contract Extension Amount (not to exceed).....	\$5,940