



**AMENDMENT NO. 1
PROFESSIONAL SERVICES AGREEMENT**

This Amendment to Professional Services Agreement (“**Amendment**”) is effective as of the date of the Mayor’s signature below, and is between the City of Everett, a Washington municipal corporation (the “**City**”), and the person identified as the Service Provider below (“**Service Provider**”). The City and Service Provider are parties to the Professional Services Agreement described below, as may be previously amended (“**Agreement**”). In consideration of the covenants, terms and conditions set forth below, and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Service Provider agree to amend the Agreement as set forth below:

Service Provider	Osborn Consulting, Inc.
City Project Manager	Erik Emerson
	EEmerson@everettwa.gov
Original Agreement Date	6/10/2022

AMENDMENTS							
New Completion Date	<p>If this Amendment changes the Completion Date, enter the new Completion Date: <i>Enter new Completion Date, if any</i></p> <p>If no new date is entered, this Amendment does not change the Completion Date.</p>						
New Maximum Compensation Amount	<p>If this Amendment changes compensation, complete the following table. If the table is not completed, this Amendment does not change compensation.</p> <table border="1" style="width: 100%;"> <tr> <td>Maximum Compensation Amount Prior to this Amendment</td> <td align="right">\$196,000</td> </tr> <tr> <td>Compensation Added (or Subtracted) by this Amendment</td> <td align="right">\$62,640</td> </tr> <tr> <td>Maximum Compensation Amount After this Amendment</td> <td align="right">\$258,640</td> </tr> </table>	Maximum Compensation Amount Prior to this Amendment	\$196,000	Compensation Added (or Subtracted) by this Amendment	\$62,640	Maximum Compensation Amount After this Amendment	\$258,640
	Maximum Compensation Amount Prior to this Amendment	\$196,000					
	Compensation Added (or Subtracted) by this Amendment	\$62,640					
Maximum Compensation Amount After this Amendment	\$258,640						

<p>Changes to Scope of Work</p>	<p>Scope of Work is changed by ADDING the work in the attachment to this Amendment </p> <p>Leaving selection as “Click for Dropdown Menu” means no change to Scope of Work.</p>
<p>Other Amendments</p>	<p>Rate Adjustment for 2024 per Exhibit A-2</p>
<p>Standard Amendment Provisions</p>	<p>Regardless of the date(s) on which this Amendment is signed by the parties, and regardless of any Agreement completion date(s) that may have been in the Agreement prior to this Amendment, the parties agree that the Agreement is deemed continuously in effect since the Original Agreement Date.</p> <p>This Amendment may be signed in counterparts, each of which shall be deemed an original, and all of which, taken together, shall be deemed one and the same document. AdobeSign signatures are fully binding. Any ink, electronic, faxed, scanned, photocopied, or similarly reproduced signature on this Amendment will be deemed an original signature and will be fully enforceable as an original signature.</p> <p>All provisions in the Agreement shall remain in effect except as expressly modified by this Amendment. From and after the effective date of this Amendment, all references to the Agreement in the Agreement are deemed references to the Agreement as modified by this Amendment.</p>

SIGNATURES ON FOLLOWING PAGE

IN WITNESS WHEREOF, the City and Service Provider have executed this Amendment.

**CITY OF EVERETT
WASHINGTON**

OSBORN CONSULTING, INC.



Cassie Franklin, Mayor

Signature:  _____

Name of Signer: Robert Parish

Signer's Email Address: robertp@osbornconsulting.com

Title of Signer: Principal

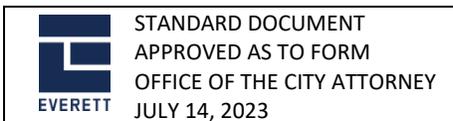
11/25/2024

Date

ATTEST



Office of the City Clerk



**SCOPE OF WORK
AMENDMENT NO. 1**

Project: Water Quality Treatment at 3rd Ave SE	
PRIME Consultant:	Osborn Consulting, Inc.
Contract No.:	

Background

The City of Everett (City) has identified a need to provide water quality treatment for stormwater runoff along 3rd Ave SE, north of South Everett Mall Way. Through partial funding with a Washington Department of Ecology (Ecology) grant, the City would like to provide treatment for approximately 45 acres of existing development that currently has no or outdated water quality treatment.

Osborn Consulting, Inc, (Consultant) has been selected to support the City with the design and development of construction documents for this proposed water quality treatment system on 3rd Ave SE.

This amendment provides additional services for the extension of project administration and design services summarized below. The amendment does not change the construction management and closeout, Task 4, from the original contract.

The scope of work amendment includes the following elements:

Task	Description	Original Contract Fees	Budget Remaining	Amendment 1 Fees	Revised Contract Fees
1	Project Administration	\$16,362	(\$1,715)	\$3,851	\$20,213
2	Cultural and Environmental Reviews, and Permitting	\$13,148	\$2,320	(\$2,320)	\$10,828
3	Preliminary Design and Data Collection	\$69,628	\$11,621	(\$11,621)	\$58,007
4	Design Plans and Specifications	\$66,442	(\$79,739)	\$80,072	\$146,514
5	Construction Management and Closeout	\$11,672	\$11,672	\$0	\$11,672
6	Management Reserve	\$18,749	\$7,350	(\$7,350)	\$11,399
	Total	\$196,000	(\$48,491)	\$ 62,640	\$258,640

Task 1 – Project Administration

Monitoring and communicating the status of the scope, schedule, and budget of this work assignment and providing monthly reporting to the City.

- Project design duration extended 18 months to 29 months (mid-July 2022 through December 2024).
- Project schedule, update to be provided with monthly status reports.
- Issue Log and Risk Register to be provided at each deliverable.
- Bi-weekly check-in (as necessary and determined by City Project Manager prior to each meeting).
- Monthly status reports.

Task 2 – Cultural and Environmental Reviews, and Permitting

No remaining services for this task.

Task 3 – Preliminary Design and Data Collection

No remaining services for this task.

Task 4 – Design Plans and Specifications

The Consultant will develop the selected water quality treatment construction documents consisting of Plan, Specification and Cost Estimate (PSE) through Final (Bid Ready) stages, including Design Report submittals to Ecology. Constructability and Quality Management review will be completed at each stage prior to submittal.

Additional Design Services:

- Custom water quality treatment system design to account for site complexities and shallow conveyance system including walls, pretreatment hydraulics and water quality facility conveyance details.
 - The original contract listed “the water quality treatment will be provided at a single end of pipe solution based on standard propriety systems. A custom treatment facility will not be required.”
- Water quality and pretreatment details added to the plans set for unique design elements.
 - The original contract listed “standard details will be included as an appendix to the specifications.”
- Utility pothole coordination and contracting with vendor.
 - Original contract listed “utility potholed to be provided by the City crews.”
- Additional utility owner coordination including evaluation of relocation options with Snohomish County Public Utility District (SnoPUD) for buried electrical conduits with site visit to review setback distances
 - Original contract included limited utility owner coordination.
- Specifications added to include relocation of water line and hydrant crosses as part of construction improvements
 - Original contract listed “utility relocation design will be completed by the utility owners.”
- Contract special provision updates after 90% submittal per City’s new template files provide in 6/2024.
 - Original contract listed edits to the City’s Special Provisions will be based on WSDOT Standard Specifications, 2021 Edition.
- Design of grading details for three ADA ramps due to drainage improvements impacts require two additional detail sheets
 - Pedestrian improvements were excluded from original contract with total sheets estimated at up to 8 sheets
- Design revision after 90% submittal for one additional ADA sidewalk and ramp layouts, profile revisions for AWWD 30-in water main conflicts, system hydraulic updates, and revised Ecology Report

- Original contract listed “only be minor changes to the project design after the 90% submittal.”
- Revised 100% Design plans was required for modification due to AWWD water main elevations followed by a Bid-Ready submittal review.
 - Original contract only included 50%, 90% and Final Bid-Ready submittals
- Evaluation of existing drainage easement and creation of a temporary and permanent property easement exhibit at water quality facility location.
 - Exhibits for easements were excluded from original contract.
- Evaluated drainage system hydraulics using PCSMWM with custom orifice design for Vortechs systems due shallow conveyance system and limited backwater allowance to upstream flow splitter.
 - Original scope listed “conveyance capacity of proposed pipes and downstream connection pipe will be evaluated using Rational Method and Manning’s flow-flow analysis. Backwater analysis using SWMM will not be required.
- Additional site visits for pothole coordination and design coordination with maintenance crews to review upstream flow splitter and downstream connections
 - Original scope listed “Pothole locations will be incorporated into the plans based on field reference measurements provided by the City.

Task 5 –Construction Support

No change in services from the original contract.

Task 6 – Management Reserve – Contingency Fund

Available management reserve from the original contract applied to budge adjustments.

- \$12,237 was authorized to provide utility potholes through a subconsultant on 10/12/23.

**Everett Water Quality at 3rd Ave SE Project
Rates (Effective Jan 1, 2024 - December 31, 2024)**

Negotiated Hourly Rates - Fully Burdened

Classification	2022 Hourly Rate	2023 Hourly Rate	2024 Hourly Rate
Principal II			\$ 282.00
Principal I / Sr. Technical Advisor	\$ 224.00	\$ 233.00	\$ 246.00
Sr. Project Manager			\$ 240.00
Project Manager	\$ 199.00	\$ 207.00	\$ 215.00
Senior Landscape Architect	\$ 208.00	\$ 217.00	\$ 217.00
CADD Manager	\$ 155.00	\$ 162.00	\$ 186.00
Senior Engineer	\$ 175.00	\$ 182.00	\$ 195.00
Senior Biologist			\$ 165.00
Project Landscape Architect	\$ 160.00	\$ 167.00	\$ 167.00
Project Engineer	\$ 152.00	\$ 159.00	\$ 171.00
Design Engineer	\$ 123.00	\$ 128.00	\$ 140.00
Landscape Designer	\$ 89.00	\$ 93.00	\$ 110.00
CADD	\$ 119.00	\$ 124.00	\$ 135.00
Graphic Designer	\$ 126.00	\$ 132.00	\$ 135.00
Sr. Administrative			\$ 145.00
Administrative	\$ 113.00	\$ 118.00	\$ 124.00
Accounting / Project Controls	\$ 145.00	\$ 151.00	\$ 155.00

Osborn Consulting-3rd Ave WQ Facility- Amendment No. 1-EE-SD

Final Audit Report

2024-11-25

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 Agreement completed.

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