



**AMENDMENT NO. 3
ASSIGNMENT AND ASSUMPTION
CONSENT TO ASSIGNMENT
PROFESSIONAL SERVICES AGREEMENT**

This Amendment to Professional Services Agreement ("***Amendment***") is effective as of January 31, 2025, and is between the City of Everett, a Washington municipal corporation (the "***City***"), the person identified below as the Original Service Provider below ("***Original Service Provider***"), and the person identified below as the New Service Provider below ("***New Service Provider***"). The City and Original Service Provider are parties to the Professional Services Agreement described below, as may have been previously amended ("***Agreement***"). New Service Provider has merged with or otherwise acquired Original Service Provider or has acquired Original Service Provider's assets. 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, Original Service Provider, and New Service Provider agree as set forth below:

Original Service Provider	Elcon Associates, Inc.
New Service Provider	David Evans and Associates, Inc.
City Project Manager	Brad Chenoweth
	Bchenoweth@everettwa.gov
Original Agreement Date	6/16/2022

ASSIGNMENT AND ASSUMPTION PROVISIONS	
Assignment	Original Service Provider assigns to New Service Provider all Original Service Provider's right, title and interest in the Agreement. New Service Provider has fully reviewed and understands the Agreement, including all amendments, and accepts this assignment.

Assumption	New Service Provider undertakes and agrees to assume, perform, and discharge Original Service Provider's liabilities, debts, and obligations under the Agreement in all respects as if New Service Provider were the original Service Provider signatory of the Agreement. New Service Provider is jointly and severally liable with Original Service Provider to the City for all liabilities, debts, and obligations under the Agreement.
Consent	The City consents to the assignment and assumption contained in this Amendment.
Other	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.
	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.

SIGNATURES ON FOLLOWING PAGE

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

**CITY OF EVERETT
WASHINGTON**

ATTEST



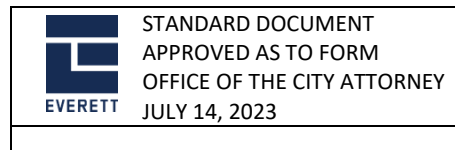
Cassie Franklin, Mayor



Office of the City Clerk

01/06/2025

Date



ORIGINAL SERVICE PROVIDER:

Elcon Associates, Inc.

Signature: Kinh Pham

Name of Signer: Kinh Pham

Title of Signer: Managing Principal

NEW SERVICE PROVIDER:

David Evans and Associates, Inc.

Signature: Tonya Finley

Name of Signer: Tonya Finley

Title of Signer: Associate Vice President











COE-ET-TRMILL-EMP-PSA AMEND#3_12.27.24_SD


Final Audit Report


2025-01-06


Created:	2024-12-31
By:	Marista Jorve (mjorve@everettwa.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAsl_oyL9eHTtIKCaKpDM_SacUmxbWIsD2


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-  Document created by Marista Jorve (mjorve@everettwa.gov)
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-  Document emailed to Bradley Chenoweth (bchenoweth@everettwa.gov) for approval
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-  Document approved by Bradley Chenoweth (bchenoweth@everettwa.gov)
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-  Signer kpham@elcon.com entered name at signing as Kinh Pham
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-  Document e-signed by Kinh Pham (kpham@elcon.com)
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-  Document emailed to tonya.finley@deainc.com for signature
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 Signer tonya.finley@deainc.com entered name at signing as Tonya Finley
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 Agreement completed.
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