

#### AMENDMENT NO. 2 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	Jacobs Engineering Group Inc.
City Project	Candice Au-Yeung
Manager	cauyeung@everettwa.gov
Original Agreement Date	2/8/2021

	AMENDMENTS										
New Completion	If this Amendment changes the Comple Completion Date: N/A	etion Date, enter the new									
Date	If no new date is entered, this Amendment does not change the Completion Date.										
	If this Amendment changes compensation, complete the following table. If the table is not completed, this Amendment does not chan compensation.										
New Maximum Compensation	Maximum Compensation Amount Prior to this Amendment	\$2,814,996									
Amount	Compensation Added (or Subtracted) by this Amendment	\$309,641									
	Maximum Compensation Amount After this Amendment	\$3,124,637									

Changes to Scope of Work	Scope of Work is changed by ADDING the work in the attachment to this Amendment I Scope of Work is changed by ADDING the work in the attachment to this Amendment I Scope of Work.
Other Amendments	Enter other changes to the Agreement, if any.
	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.
Standard Amendment Provisions	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.
	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 and Service Provider have executed this Amendment.

#### CITY OF EVERETT WASHINGTON

#### JACOBS ENGINEERING GROUP INC.

Cassie Franklin, Mayor

Michael Reimbold
Signature:

Title of Signer: Manager of Projects

Name of Signer: Michael Reimbold Signer's Email Address: mike.reimbold@jacobs.com

01/27/2025

Date

ATTEST

Manil ,

Office of the City Clerk



STANDARD DOCUMENT APPROVED AS TO FORM OFFICE OF THE CITY ATTORNEY JULY 14, 2023 AMENDMENT NO. 2

**PROFESSIONAL SERVICES AGREEMENT** 

**BETWEEN THE CITY OF EVERETT** 

AND JACOBS ENGINEERING GROUP INC.

EXHIBIT A:

SCOPE OF SERVICES

#### Exhibit A-1

#### Amendment No. 2 Bid Document Closeout Services

### City of Everett SCOPE OF SERVICES CSO Storage at 36<sup>th</sup> ST, UP 3765

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Jacobs Engineering Group December 2024

#### **1. PROJECT UNDERSTANDING**

The City of Everett, Washington (City) is designing improvements to the City's combined sewer system to reduce combined sewer overflow (CSO) discharges at NPDES permitted outfalls SRO7 and SRO8. The improvements are part of a plan to comply with the Department of Ecology (DOE) requirement of no more than one CSO event per year per outfall averaged over a moving 20-year period. Jacobs Engineering Group (Consultant) performed conceptual design and sizing of a CSO storage facility at 36th Street, combined sewer pipe upgrades on Pacific Avenue, and modified diversion controls to storage and overflow facilities associated with SRO7 and SRO8. During the design phase, the City requested additional out of scope work be preformed in support of the project. To date, with prior City approval, Jacobs has completed these tasks (listed in Section 3 below) utilizing the existing project budgets. To complete the Issue for Bid (IFB) packages for the 36<sup>th</sup> Street CSO Storage Tank and Pacific Avenue Pipeline Improvements, the Consultant is requesting the additional budget outlined in this scope. Additionally, the City has requested that Jacobs prepare and obtain a Shoring Permit from BNSF as part of design and to perform a Storm Sensitivity Analysis based on updated storm series information that developed by the City. This Amendment No. 2 includes budgets to complete IFB packages and complete the BNSF shoring permit and Storm Sensitivity Analysis, as well as project management and final geotechnical data collection and report preparation.

#### 2. ASSUMPTIONS FOR AMENDMENT NO. 2

This scope of work is based on the following assumptions:

- This scope extends the budget for this project to complete the design phase services and provide support through bidding, with work occurring approximately between January 2025 through May 2025.
- Deliverables will be in electronic format.
- Meetings will be held virtually.

• The Consultant may shift budget between work tasks in order to adjust for differences in scope or level of effort – planned versus actual with approval of City's Project Manager. Consultant will discuss any proposed budget adjustments with the City in advance.

#### 3. WORK APPROVED BY CITY AND COMPLETED (NOT INCLUDED IN PREVIOUS AMENDMENTS)

As part of previous design efforts, the Consultant has completed the following tasks as approved by the City which where not included in the previous contract scope and budget:

- Geotechnical Evaluation Cost increases
- Pump testing, contaminated water testing
- Hydraulic Modeling Scope increases
- Landscape Drawings and Specifications

#### 4. SCOPE OF WORK (Estimate to Complete Issue for Bid Packages and incorporate new work items)

Completion of Bid Documents includes the following tasks:

#### Task 2000 – Project Management

The purpose of this task is to provide oversight and management of the work for all phases of the work, including contract administration, oversight of subconsultants, quality review and assurance, and periodic communication with the City.

#### Activities:

<u>Project Administration.</u> The following activities are included:

- The Consultant will manage the project according to the Scope, Schedule, and Budget included in this Scope of Work and its Exhibits.
- The project design schedule will be prepared using MS Project and will identify significant tasks and anticipated durations, significant milestones, and City reviews and approvals. (Note: Construction schedules will be prepared at design milestones in Task 2800).
- The Consultant will monitor the schedule and prepare updates quarterly during design.
- The Consultant will prepare a monthly progress report to accompany each monthly invoice. Progress reports will include a narrative of work completed, schedule adherence, budget adherence, Actions and Decisions logs, and anticipated work for the next period.
- The Consultant will retain and manage subconsultants. Management will include preparation of subcontracts, review of progress, review of monthly invoices, review of subconsultant QA/QC procedures and results, and safety coordination.

<u>Action/Decision Log.</u> The Consultant will develop and maintain an Action Item Log and a Decision Log throughout the project. Meeting agendas will include review of action items and significant decisions. Meeting Notes will include a copy of the current logs. Action items will include action, responsible party, and resolution date. The Decision Log will be a record of all significant project decisions and it will be used throughout the project. Monthly progress reports will include a copy of the current Decision Log.

<u>Periodic Communication.</u> The Consultant will maintain regular communication with the City's Project Manager in order to discuss and review information and issues that may affect the progress of the work. Communication may include telephonic, scheduled meetings, and/or digital communication. The Scope of Work includes weekly 1-hour project management meetings for the Consultant Project Manager (and up to 1 additional team member, if needed), including a standing agenda and ongoing meeting discussion notes. This Scope of Work includes an allowance of 4 labor hours per calendar month for periodic communication to support the City's Project Manager in completion of the work.

<u>Project Plan.</u> The Consultant will update the Project Plan that will describe project background and purpose, including the project scope, schedule, budget, and deliverable milestones, list relevant design standards, describe the project-specific QA/QC plan, and list team members, and project communication and administrative protocols.

#### **Deliverables:**

The following Deliverables are included in this Task.

- 1. Monthly Progress Report & Invoices electronic files (PDF).
- 2. Project Schedule and quarterly updates electronic files (PDF).
- 3. Action Item and Decision logs electronic files (PDF).
- 4. Periodic communications documentation, as requested electronic files (PDF).
- 5. Project Plan, Draft and Final electronic files (PDF).

#### Task 2100 – Technical Project Meetings

This task covers project technical coordination and review meetings with the City.

#### Assumptions:

• One additional technical meeting to be held with the City prior to or in support of the IFB deliverables package.

#### Activities:

<u>Client Meetings.</u> The Consultant will prepare for and attend technical coordination meetings with the City during the detailed design activities. The Consultant will prepare for and attend workshops to review the design progress, receive feedback, and provide responses. The Consultant will prepare and distribute meeting summaries. Budget for this task is based on two-hour meetings to discuss design issues and design review comments.

#### **Deliverables:**

1. Design Meeting agendas and meeting notes – electronic files (PDF).

#### Task 2300 - Geotechnical Investigation

Geotechnical information will be obtained to support the detailed design.

#### Assumptions:

• Traffic control will be provided by the City of Everett.

#### Activities:

- Provide final groundwater measurement for existing wells.
- Update Geotechnical Data Reports (Storage Tank Site and Pacific Avenue) and Geotechnical Engineering Report to include final groundwater measurements.

#### Deliverables (Storage Tank Site):

- 1. Update to Final *Geotechnical Data Report Storage Tank Site* electronic files (PDF).
- 2. Update to Final *Geotechnical Engineering Report Storage Tank Site* electronic files (PDF).
- 3. Update to Final *Geotechnical Data Report Pipeline Alignment* electronic files (PDF).

#### Task 2440 – Issue for Bid Documents

The Consultant will revise the previously prepared 100 percent design documents to the final stage of design completion, including incorporating the comments from previous design submittal.

The Consultant performed hydraulic modeling to support design and controls development for the 36th Street Combined System Storage Facility for the City of Everett, Washington (City). Since the design of the facility, the City has amended their design storm series by ten years to include large historic storm events through 2020. The Consultant completed a follow up analysis to identify new storms from the period of record through 2020 with climate impacts (climate adjusted) that cause flooding at the 36<sup>th</sup> Street CSO Storage Facility and in the piping between the 36th Street Regulator and the Snohomish River Outfall 8 (SRO8). Four historic storm events were identified with extreme intensity of 0.7 inches or greater for the peak hour which cause potential CSOs at the 36<sup>th</sup> Street Regulator and 36<sup>th</sup> CSO Storage site. These "micro-burst" storms also cause flooding in the model upstream of the 36th Street Regulator. The City is now requesting that the Consultant perform a sensitivity analysis to help identify impacts of these "micro-burst" storms which often are not uniform across the system. The analysis will focus on eliminating CSOs at the 36<sup>th</sup> Street Regulator via passive and active control settings. These settings adjustments will not change the 100% design of the regulator structure.

#### Assumptions:

- See Subsection 2, "Assumptions for Amendment No. 2" in front of this document.
- Same drawings as at 100%.
- Only limited changes, consistent with previous comments and decisions and items noted at the 100% design workshop.

#### Activities:

• The Consultant will visually examine the project site to verify that site conditions have not

changed since the time of initial site survey and notify/discuss any significant findings which may have an impact on proposed improvements.

- The Consultant will prepare construction plans and specifications by completing final design and incorporating comments from previous design submittal.
- The Consultant will submit final documents for bidding.
- Storm Sensitivity Analysis:
  - Review available precipitation gage inventory for up to 8 precipitation gage locations and storms exceeding peak hour intensity of 0.5 inches per hour. The precipitation gage inventory includes the following sites available from the National Oceanic and Atmospheric Administration (NOAA) or other state and local sources including the Silver Lake Gage (US1WA SN0067), US1WA SN0020, US1WA SN0036, US1WA SN0027, US1WA SN0004, and COOP 452675. City gauges will also be used. The consultant will identify if additional sources are available. The City will provide any additional local historic precipitation data available from City-owned gages at Fire Station 4, Lift Station 2, Service Center and Lift Station 33. For representative storm events with high intensity, a climate impacted adjustment will be applied equal to the scaling methodology used for the precipitation record at the Silver Lake Gage.
  - Overlay historic storm events with peak hour intensity of 0.5 inches per hour or greater at each gage location to identify uniform and variable characteristics of micro-burst storm events. Select up to 10 storm events with high intensity to perform hydrologic and hydraulic modeling. Evaluate the storms that cause overflows at SRO4, SRO7, and SRO8 in the future (w/ climate adjustment) condition and see if the number of overflows is reduced with the sensitivity analysis.
  - Summarize flow and overflow characteristics by location for each of 10 storm events including flows near the 36th Street Regulator, Pacific Regulator, SR4, and the proposed Port Gardner Diversion locations.
  - Characterize impacts of the micro-burst storm on the 36th Street Regulator, Storage Facility, and downstream infrastructure based on the variable and uniform storm characteristics for high intensity events.
  - o Coordinate recommendations and summary with Port Gardner Diversion team.
  - Provide recommendations on 36th Street Regulator control refinements for micro-burst storms. The conclusion may include no change to recommended operational controls.
  - o Develop a draft and final technical memorandum summarizing the analysis.
  - Meet with the City and Port Gardner Diversion team virtually up to two (2) times to discuss the analysis and present results. Meetings are assumed to be one (1) hour duration each.

#### Deliverables:

Final Documents for bidding:

- 1. Draft and Final Storm Sensitivity Analysis Technical Memorandum electronic files (PDF).
- 2. Review Comment Responses electronic files (PDF).
- 3. Full-size Plans electronic files (PDF).
- 4. Project Manual Documents electronic files (PDF).

#### Subtask 2440P – Issue for Bid Documents - Pacific Avenue

#### Assumptions:

- See Subsection 2, "Assumptions for Amendment No. 2" in front of this document.
- Same drawings as at 100%.
- Only limited changes, consistent with previous comments and decisions and items noted at the 100% design workshop.
- BNSF Shoring Design and Permit:
  - The shoring design is to facilitate the SRI connection vault construction. The estimated interior shoring dimensions are 20' x 40'.
  - Three rounds of submittals:
    - 90% to City
    - Permit submittal to BNSF
    - Final permit submittal with BNSF comments incorporated.
  - Specifications will be based on the City's APWA and WSDOT format specifications.

#### Activities:

- The Consultant will visually examine the project site to verify that site conditions have not changed since the time of initial site survey and notify/discuss any significant findings which may have an impact on proposed improvements.
- The Consultant will prepare construction plans and specifications by completing final design and incorporating comments from previous design submittal.
- The Consultant will submit final documents for bidding.
- BNSF Shoring Design and Permit:
  - Review existing conditions and documents.
  - Prepare Geotechnical and Structural Design Recommendations for Shoring Design.
  - Provide shoring design to meet "BNSF UTILITY ACCOMMODATION POLICY" dated February 15, 2024.
  - Prepare and submit permit, draft and final including incorporation of BNSF comments.
    - Includes coordinating with BNSF during the permitting process at the City's direction.
  - Specification updates:
    - Modify Bid Item Description (Division B).
    - Modify Division 1 to add language requiring Contractor to take on schedule risk and permitting requirements related to any contractor initiated shoring changes that impact the BNSF permit.
    - Update special provisions related to shoring (Section 2-09 Structure Excavation).
    - Add Appendix for approved BNSF shoring permit.
  - Drawing updates:
    - Update C114 and C124 with additional shoring requirements.
    - Add two sheet for structural notes related to shoring.
    - Add sheet for shoring plan.
    - Add sheet for shoring details.

- Add sheet for section (to include BNSF required items).
- Additional construction support:
  - Geotechnical Engineer will need to be on site for duration of shoring construction and removal (assumed 10 days).
  - Shoring inspection as-needed while shoring remains installed (assume 1 day).
  - Review Contractor monitoring plan submittals for shoring and adjacent ground movement.

#### Deliverables:

#### Final Documents for bidding:

- 1. Review Comment Responses electronic files (PDF).
- 2. Review Comment Responses electronic files (PDF).
- 3. Full-size Plans electronic files (PDF).
- 4. Project Manual Documents electronic files (PDF).

#### **BNSF Shoring Design and Permit:**

- 1. Permit package (see page 43 of BNSF policy file).
- 2. Geotechnical Design Memorandum for Shoring Design.
- 3. Monitoring plan (if required for BNSF permit submittal).
- 4. Calculations.

#### Task 2500 – WSDOT Coordination

The Consultant will continue to support the completion of Utility and Franchise applications and provide the City with assistance in related coordination with WSDOT, as requested.

#### Assumptions:

• The Consultant has provided an allowance of 16 hours to provide assistance to the City to close out remaining WSDOT franchise documents.

#### Activities:

• Respond to questions and provide updates to submitted documents at the City's request.

#### Deliverables:

• As needed.

#### Task 2700 – Estimate of Probable Construction Cost and Construction Schedule

#### Assumptions:

- City, where available, shall provide Consultant with itemized bid tabulation of similar recent construction bids for use in developing project cost estimates.
- The Consultant will prepare its opinion of probable construction cost in accordance with the Association for the Advancement of Cost Engineering, International (AACEI), considering local

and climatic conditions. The Consultant will utilize available information to estimate potential inflation and escalation costs.

- The Consultant will prepare an estimated construction schedule in MS Project. Construction schedule shall cover construction activities from Notice to Proceed to Final completion, and be coordinated with the City's schedule for design completion, bidding, and contract award. The project schedule shall be developed based on the design-bid-build delivery method. The construction schedule shall include a high level, general list of construction activities for the project and provide an estimated contract duration and completion date.
- However, the Consultant cannot predict future market conditions, or the effect of bidding competition, on the project bid price and schedule. Therefore, the Consultant cannot warrant that bids or ultimate construction cost and schedules will not vary from cost estimates and construction schedules prepared under this task.

#### Activities:

Prepare 100% Final Estimate of Probably Construction Cost and Construction Schedule

The Consultant will prepare the final Engineer's Estimate to be used during bidding, by completing final design and incorporating comments from previous design submittal to update the estimate. The final construction cost contingency amount will be added as directed by the City. The Consultant will prepare a Class 1 OPCC (+15%/-10%) at 100% design in accordance with the AACEI recommended practices, and a construction schedule.

#### **Deliverables:**

1. <u>100%Final</u> OPCC Estimate and Construction Schedule – electronic files (PDF).

#### Task 2700P – Estimate of Probable Construction Cost and Construction Schedule – Pacific Avenue

#### Assumptions:

- City, where available, shall provide Consultant with itemized bid tabulation of similar recent construction bids for use in developing project cost estimates.
- The Consultant will prepare its opinion of probable construction cost in accordance with the Association for the Advancement of Cost Engineering, International (AACEI), considering local and climatic conditions. The Consultant will utilize available information to estimate potential inflation and escalation costs.
- The Consultant will prepare an estimated construction schedule.
- However, the Consultant cannot predict future market conditions, or the effect of bidding competition, on the project bid price and schedule. Therefore, the Consultant cannot warrant that bids or ultimate construction cost and schedules will not vary from cost estimates and construction schedules prepared under this task.

#### Activities:

<u>Prepare</u> <u>100%Final</u> Estimate of Probably Construction Cost and Construction Schedule The Consultant will prepare the final Engineer's Estimate (including new work items in this amendment) to be used during bidding, by completing final design and incorporating comments from previous design submittal to update the estimate. The final construction cost contingency amount will be added as directed by the City. The Consultant will prepare a Class 1 OPCC (+15%/-10%) at 100% design in accordance with the AACEI recommended practices, and a construction schedule.

#### **Deliverables:**

1. 100%-Final OPCC Estimate and Construction Schedule – electronic files (PDF).

END OF SCOPE OF WORK FOR AMENDMENT NO. 2 CITY OF EVERETT 36<sup>th</sup> ST CSO Storage December 2024

#### AMENDMENT NO. 2

#### **PROFESSIONAL SERVICES AGREEMENT**

#### **BETWEEN THE CITY OF EVERETT**

#### AND JACOBS ENGINEERING GROUP INC.

EXHIBIT B:

AMENDMENT NO. 2 LEVEL OF EFFORT COST

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Subtotal	601.00	116.00	70.00	0.00	12.00	10.00	30.00	12.00	32.00	114.00	32.00	34.00	26.00	4.00	8.00	24.00	4.00	24.00	4.00	7.00	0.00	0.00	0.00	1.00	23.00	0.00	0.00	7.00	2.00	1.00	0.00	4.00	0.00	0.00
2440P Bid Documents (100%) - Pacific Avenue																																		
Pacific Avenue - Drawings	106.00	20.00	30.00	40.00																													8.00	8.00
Pacific Avenue - Specs	77.00	20.00	30.00	12.00			15.00																											
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2500P WSDOT Coordination Draft Utility and Franchise Application Package	0.00																																	
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Subtotal	16.00	2.00	10.00	2.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.00	0.00
	10.00	2.00	10.00	2.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.00	0.00
2700 Estimate of Probable Construction Cost and Construction Schedule																																		
	39.00	2.00	4.00								1.00		1.00			1.00		1.00							1.00					20.00	8.00	4		
	9.50 48.50		2.00 6.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00	0.00	1.00	0.00	0.00	1.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	6.00 26.00	1.00 9.00	0.00	0.00	0.00
	10.00	2.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00	1.00	0.00	0.00		0.00		0.00	0.00	0.00	0.00	0.00	0.00	1.00	3.00	0.00	0.00	0.00	20.00	3.00	0.00	0.00	0.00
2700P Estimate of Probable Construction Cost and Construction Schedule - Pacific Ave																																		
IFB OPCC IFB Schedule	42.00 11.50	2.00	4.00	4.00	_		_		_	_	_														4.00	_	_		_	20.00	8.00	4	2.00	
	53.50			6.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4.00	0.00	0.00	0.00	0.00	4.00 24.00		0.00	2.00	0.00
TOTAL Jacobs Hours	1,615.00	303.00	242.00	100.00	12.00	16.00	45.00	18.00	36.00	114.00	35.00	36.00	29.00	4.00	8.00	27.00	4.00	27.00	4.00	7.00	96.00	16.00	71.00	10.00	172.00	40.00	17.00	7.00	2.00	53.00	18.00	8.00	22.00	16.00
				0000	e1 0101	39 \$129.7	75 \$102.5	58 \$230.4	12 \$240	05 \$140.3	0 \$237.07	\$1/2	\$161.93	\$180.25	\$101.00	\$1/0 77	\$738.75	\$171.95	\$86.95	\$236.00	\$104.40	0 \$185.20	\$166.72	\$252.5	0 \$221.5	6 \$79.0	\$242	0 \$246.9	6 \$1/2 G	3 \$167.0	03 \$263.90	\$175.66	\$220 54	1 \$105
Billing Rate																																		· · · · · · · · · · · · · · · · · · ·
Billing Rate Subtotal Cost, \$	\$ 309,64													\$ 757	\$ 808		\$ 955	\$ 4.624	\$ 347															
Subtotal Cost, \$	\$ 309,64 \$ 309,641	1 \$ 78,368													\$ 808	\$ 4,044	\$ 955	\$ 4,624	\$ 347	\$ 1,654		4 \$ 2,963						13 \$ 1,72			53 \$ 4,750			

# Jacobs Engineering Group Inc-CSO Storage at 36th Street-PSA-CA-SD

Final Audit Report

2025-01-27

Created:	2025-01-22
By:	Marista Jorve (mjorve@everettwa.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAH3a3tDJ0OjNIP6kX9iR7Hg5bTQPpFhVy

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