



**AMENDMENT NO. 1**  
**TO AGREEMENT NO. WQC-2024-EverPW-00027**  
**BETWEEN**  
**THE STATE OF WASHINGTON DEPARTMENT OF ECOLOGY**  
**AND**  
**City of Everett**

PURPOSE: To amend the above-referenced agreement (AGREEMENT) between the state of Washington Department of Ecology (ECOLOGY) and City of Everett (RECIPIENT) for the City of Everett Port Gardner Water Quality Program – Phase 1 Design (PROJECT).

This amendment will modify the PROJECT scope of work to expedite the design process and prepare for construction at an earlier date than the RECIPIENT originally expected. Scope modifications include adding sub tasks and deliverables to Task 3, Design Plans and Specifications. The budget and expiration date remain the same.

The following language is added to Task 3:

C. The RECIPIENT will submit a Final Bid Package to ECOLOGY for review and acceptance prior to advertising the project. The Final Bid Package includes project plans, specifications, engineer’s opinion of cost including a schedule of eligible costs, and project construction schedule. Allow 15 calendar days for ECOLOGY review.

The RECIPIENT agrees to respond to ECOLOGY comments. The RECIPIENT must receive an Ecology Final Bid Package Acceptance Letter prior to advertising the project.

D. The RECIPIENT will submit a detailed Construction Quality Assurance Plan (CQAP) to ECOLOGY for review and acceptance before the start of construction. This plan must describe how the RECIPIENT will perform adequate and competent construction oversight. Guidance for CQAP development is located in the Stormwater Deliverables Guidance document available on the ECOLOGY website. Allow 15 calendar days for ECOLOGY review.

E. The RECIPIENT will conduct a pre-construction conference meeting and invite ECOLOGY to attend.

F. The RECIPIENT will submit a project schedule prior to the start of construction and whenever major changes occur.

The following deliverables are added to Task 3:

- 3.8 - Final Bid Package.
- 3.9 - Responses to ECOLOGY Final Bid Package comments.
- 3.10 - Ecology Final Bid Package Acceptance Letter.
- 3.11 - Bid Documents (e.g. bid announcement, bid tabulations, and bid award).
- 3.12 - Construction Quality Assurance Plan.
- 3.13 - Pre-Construction Conference Meeting Minutes.

3.14 - Project Schedule. Submit prior to construction and when changes occur.

IT IS MUTUALLY AGREED that the AGREEMENT is amended as follows:

## CHANGES TO SCOPE OF WORK

Task Number: 3 **Task Cost:** \$4,253,107.00

Task Title: Design Plans and Specifications

### Task Description:

The RECIPIENT must ensure the following items are completed and provide the associated deliverables to ECOLOGY. The RECIPIENT must approve all materials prior to submitting them to ECOLOGY for acceptance.

The RECIPIENT will develop a stormwater project design. The design submittals must conform to the Deliverables for Stormwater Projects with Ecology Funding Document. Projects must be designed in accordance with the Stormwater Management Manual for Eastern Washington, Stormwater Management Manual for Western Washington, or equivalent manual. Refer to the ECOLOGY website for specific guidance. Project must be reviewed and accepted in writing by ECOLOGY to be eligible for reimbursement.

The RECIPIENT will upload the design submittals listed below to EAGL for ECOLOGY review. Reduce design figures to 11x17 inches in size and ensure they are legible.

A. The RECIPIENT will submit a Design Report to ECOLOGY for review and acceptance. Allow 45 calendar days for ECOLOGY review.

The RECIPIENT agrees to respond to ECOLOGY comments. The RECIPIENT must receive an Ecology Design Report Acceptance Letter prior to proceeding to 90 Percent Design.

1. The RECIPIENT will calculate and submit a preliminary equivalent new/re-development area for the completed design using the methods outlined in the Stormwater Deliverables Document.

B. The RECIPIENT will submit a 90 Percent Design Package to ECOLOGY for review and acceptance. At a minimum, this package must include 90 percent plans, specifications, engineer's opinion of cost including a schedule of eligible costs, and project construction schedule. The current required bid inserts and specifications may be found on the Ecology website. Allow 45 calendar days for ECOLOGY review.

The RECIPIENT agrees to respond to ECOLOGY comments. The RECIPIENT must receive an Ecology 90 Percent Design Acceptance Letter prior to proceeding to Final Bid Package.

C. The RECIPIENT will submit a Final Bid Package to ECOLOGY for review and acceptance prior to advertising the project. The Final Bid Package includes project plans, specifications, engineer’s opinion of cost including a schedule of eligible costs, and project construction schedule. Allow 15 calendar days for ECOLOGY review.

The RECIPIENT agrees to respond to ECOLOGY comments. The RECIPIENT must receive an Ecology Final Bid Package Acceptance Letter prior to advertising the project.

D. The RECIPIENT will submit a detailed Construction Quality Assurance Plan (CQAP) to ECOLOGY for review and acceptance before the start of construction. This plan must describe how the RECIPIENT will perform adequate and competent construction oversight. Guidance for CQAP development is located in the Stormwater Deliverables Guidance document available on the ECOLOGY website. Allow 15 calendar days for ECOLOGY review.

E. The RECIPIENT will conduct a pre-construction conference meeting and invite ECOLOGY to attend.

F. The RECIPIENT will submit a project schedule prior to the start of construction and whenever major changes occur.

Task Goal Statement:

The RECIPIENT will complete all design tasks and respond to ECOLOGY comments in a timely manner.

Task Expected Outcome:

The project will meet the requirements set forth by ECOLOGY water quality facility design standards and all other applicable federal, state, and local laws, and regulations.

**Deliverables**

<b>Number</b>	<b>Description</b>	<b>Due Date</b>
3.1	Contract documents, if procuring services for design. The contract must include ECOLOGY’s standard contract clauses and/or specification insert. Upload to EAGL and notify ECOLOGY.	
3.2	Design Report . Upload to EAGL and notify ECOLOGY.	
3.3	Responses to ECOLOGY Design Report comments. Upload to EAGL and notify ECOLOGY.	
3.4	ECOLOGY Design Report Acceptance Letter. Upload to EAGL and notify ECOLOGY.	
3.5	90 Percent Design Package . Upload to EAGL and notify ECOLOGY.	

3.6	Responses to ECOLOGY 90 Percent Design Package comments. Upload to EAGL and notify ECOLOGY.	
3.7	ECOLOGY 90 Percent Design Acceptance Letter. Upload to EAGL and notify ECOLOGY.	
3.8	Final Bid Package. Upload to EAGL and notify ECOLOGY.	
3.9	Responses to ECOLOGY Final Bid Package comments. Upload to EAGL and notify ECOLOGY.	
3.10	Ecology Final Bid Package Acceptance Letter. Upload to EAGL and notify ECOLOGY.	
3.11	Bid Documents (e.g. bid announcement, bid tabulations, and bid award). Upload to EAGL and notify ECOLOGY.	
3.12	Construction Quality Assurance Plan. Upload to EAGL and notify ECOLOGY. Upload ECOLOGY acceptance documentation.	
3.13	Pre-Construction Conference Meeting Minutes. Upload to EAGL and notify ECOLOGY.	
3.14	Project Schedule. Submit prior to construction and when changes occur. Upload to EAGL and notify ECOLOGY.	

**AUTHORIZING SIGNATURES**

All other terms and conditions of the original Agreement including any Amendments remain in full force and effect, except as expressly provided by this Amendment.

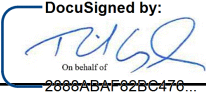
The signatories to this Amendment represent that they have the authority to execute this Amendment and bind their respective organizations to this Amendment.

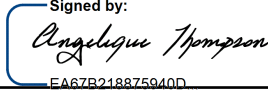
This amendment will be effective 11/05/2024.

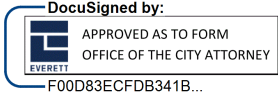
IN WITNESS WHEREOF: the parties hereto, having read this Amendment in its entirety, including all attachments, do agree in each and every particular and have thus set their hands hereunto.

Washington State  
Department of Ecology

City of Everett


By:  2/25/2025  
\_\_\_\_\_  
Vincent McGowan, P.E. Date  
Water Quality  
Program Manager

By:  2/25/2025  
\_\_\_\_\_  
Angelique Thompson Date  
Capital Program Fund Manager

Tim Benedict  
 2/24/2025  
\_\_\_\_\_  
Deputy City Attorney Date

Cassie Franklin  
 2/25/2025  
\_\_\_\_\_  
Mayor Date

Ashleigh Scott

Signed by:  
  
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2/25/2025

Deputy City Clerk

Date

Template Approved to Form by  
Attorney General's Office