



**AMENDMENT NO. 2  
TO AGREEMENT NO. WQC-2022-EverPW-00030  
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 Water Quality Retrofit/Improvements; City of Everett's Programmatic Effort (PROJECT).

This amendment will extend the expiration date of the AGREEMENT from March 31st, 2026, to January 31st, 2027, to provide the RECIPIENT additional time to complete construction and close out deliverables. To ensure sufficient time for construction for GW-2, a copy of the signed construction contract for site GW-2 must be submitted by May 31st, 2026. To ensure construction is completed on time for Site PC1-5, the signed construction completion form must be submitted by September 30th, 2026. This project milestone is subject to the non-performance clause in our agreed upon Terms and Conditions (28.a.).

This amendment will also redistribute the funding, but will not impact the total award amount, the budget will be adjusted as follows:

- Task 1 is reduced by \$16,420.00 from \$20,020.00 to \$3,600.00.
- Task 2 is reduced by \$12,000.00 from \$45,760.00 to \$33,760.00.
- Task 3 will remain the same.
- Task 4 is reduced by \$23,000.00 from \$74,360.00 to \$51,360.00.
- Task 5 is increased by \$64,420.00 from \$343,200.00 to \$407,620.00
- Task 6 is reduced by \$13,000.00 from \$14,300.00 to \$1,300.00

This amendment does not impact the scope of work.

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

Expiration Date:

Original: 03/31/2026 Amended: 01/31/2027

**CHANGES TO SCOPE OF WORK**

Task Number: 1 **Task Cost:** \$3,600.00

Task Title: Grant and Loan Administration

Task Description:

State of Washington Department of Ecology

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A. The RECIPIENT shall carry out all work necessary to meet ECOLOGY grant or loan administration requirements. Responsibilities include, but are not limited to: Maintenance of project records; submittal of requests for reimbursement and corresponding backup documentation; progress reports; the EAGL (Ecology Administration of Grants and Loans) recipient closeout report; and a two-page outcome summary report (including photos, if applicable). In the event that the RECIPIENT elects to use a contractor to complete project elements, the RECIPIENT shall retain responsibility for the oversight and management of this funding agreement.

B. The RECIPIENT shall keep documentation that demonstrates the project is in compliance with applicable procurement, contracting, and interlocal agreement requirements; permitting requirements, including application for, receipt of, and compliance with all required permits, licenses, easements, or property rights necessary for the project; and submittal of required performance items. This documentation shall be available upon request.

C. The RECIPIENT shall maintain effective communication with ECOLOGY and maintain up-to-date staff contact information in the EAGL system. The RECIPIENT shall carry out this project in accordance with any completion dates outlined in this agreement.

Task Goal Statement:

Properly managed and fully documented project that meets ECOLOGY's grant or loan administrative requirements.

Task Expected Outcome:

- \* Timely and complete submittal of requests for reimbursement, quarterly progress reports, Recipient Closeout Report, and two-page outcome summary report.
- \* Properly maintained project documentation.

Recipient Task Coordinator: Samuel Alexander

**Deliverables**

Number	Description	Due Date
1.1	Progress Reports that include descriptions of work accomplished, project challenges or changes in the project schedule. Submitted at least quarterly.	
1.2	Recipient Closeout Report (EAGL Form)	
1.3	Two-page Outcome Summary Report	

**CHANGES TO SCOPE OF WORK**

Task Number: 2 **Task Cost:** \$33,760.00

Task Title: Cultural and Environmental Reviews, and Permitting

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**Task Description:**

The RECIPIENT shall 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.

- A. The RECIPIENT will provide both the ECOLOGY project manager and [separegister@ecy.wa.gov](mailto:separegister@ecy.wa.gov) an initial consultation on the draft State Environmental Policy Act (SEPA) documents.
- B. The RECIPIENT will notify the ECOLOGY project manager, in addition to the required distribution and public notice, when SEPA documents have been issued for the official comment period, which is a minimum of 21 days.
- C. The RECIPIENT is responsible for application of, receipt of, and compliance with all required local, state, tribal and federal permits, licenses, easements, or property rights necessary for the project.
- D. The RECIPIENT will submit the documents listed below to ECOLOGY to initiate cultural resources review. Property acquisition and above and below ground activities proposed at any project site must be reviewed for potential affects to cultural resources.

1. The RECIPIENT will submit the Cultural Resources Review Form to ECOLOGY, using the ECOLOGY template. Any supporting materials must conform to the Department of Archeology and Historic Preservation's Washington State Standards for Cultural Resource Reporting. The Cultural Resources Review Form template may be found on the ECOLOGY website.

2. The RECIPIENT will submit an Inadvertent Discovery Plan (IDP) to ECOLOGY, using the ECOLOGY template. The RECIPIENT will ensure that all contractors and subcontractors have a copy of the completed IDP prior to and while working on-site. The IDP template may be found on the ECOLOGY website.

The RECIPIENT must receive written notice from ECOLOGY prior to proceeding with work. Examples of work may include (but are not limited to) geotechnical work, acquisition, site prep work, and BMP installations. Work done prior to written notice to proceed shall not be eligible for reimbursement.

**Task Goal Statement:**

The RECIPIENT will complete all cultural and environmental reviews and permitting tasks in a timely manner.

**Task Expected Outcome:**

The project will meet the requirements set forth by the cultural resource protection requirements, State Environmental Policy Act, and all other applicable federal, state, and local laws, and regulations.

**Deliverables**

Number	Description	Due Date
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2.1	SEPA checklist, or other documentation for projects considered exempt from SEPA review. Upload to EAGL and notify ECOLOGY when upload is complete.	
2.2	List of permits acquired and environmental review documents. Upload to EAGL and notify ECOLOGY when upload is complete.	
2.3	Cultural Resources Review Form. Email the form and any supplemental cultural resources documentation directly to the ECOLOGY Project Manager. ECOLOGY will upload documentation to EAGL when cultural resources is complete.	
2.4	Inadvertent Discovery Plan. Upload to EAGL and notify ECOLOGY when upload is complete.	

**CHANGES TO SCOPE OF WORK**

Task Number: 4

**Task Cost:** \$51,360.00

Task Title: Construction Management

Task Description:

The RECIPIENT shall 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.

- A. The RECIPIENT will provide construction oversight and management of the project.
- B. 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 Design Deliverables Document available on the ECOLOGY website. Allow 15 calendar days for ECOLOGY review.
- C. The RECIPIENT will conduct a pre-construction conference meeting and invite ECOLOGY to attend.
- D. The RECIPIENT will submit a project schedule prior to the start of construction and whenever major changes occur.
- E. Prior to execution, the RECIPIENT will submit to ECOLOGY any eligible change orders that deviate from ECOLOGY-accepted plans and specifications. ECOLOGY must review and accept all change orders that affect grant eligible activities prior to implementation. Allow 10 calendar days for ECOLOGY review.

Task Goal Statement:

The RECIPIENT will oversee and manage construction, communicate with ECOLOGY in a timely fashion, and

provide ECOLOGY with all requested project documentation.

Task Expected Outcome:

The project will be constructed on schedule and in accordance with accepted plans.

**Deliverables**

Number	Description	Due Date
4.1	Construction Quality Assurance Plan. Upload to EAGL and notify ECOLOGY when upload is complete. Upload ECOLOGY acceptance documentation.	
4.2	Pre-Construction Conference Meeting Minutes. Upload to EAGL and notify ECOLOGY when upload is complete.	
4.3	Project Schedule. Submit prior to construction and when changes occur. Upload to EAGL and notify ECOLOGY when upload is complete.	
4.4	Change Order(s). Upload to EAGL and notify ECOLOGY when upload is complete. Upload ECOLOGY acceptance documentation.	

**CHANGES TO SCOPE OF WORK**

Task Number: 5 **Task Cost:** \$407,620.00

Task Title: Construction

Task Description:

The RECIPIENT shall 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.

A. The RECIPIENT will complete construction of the project in accordance with ECOLOGY-accepted plans and specifications. The construction project will include installation of two TAPE GULD pretreatment devices, a bioretention facility, and retrofit of two existing detention facilities across four sites to mitigate runoff from approximately 24 acres of pollution-generating impervious surfaces.

B. Stormwater Construction Completion Form signed by a professional engineer indicating that the project was completed in accordance with the plans and specifications, and major change orders approved by ECOLOGY's Project Engineer and shown on the Record Drawings. The Stormwater Construction Completion Form can be found on the ECOLOGY website.

**Task Goal Statement:**

Construction of the project in accordance with ECOLOGY-accepted plans and specifications.

**Task Expected Outcome:**

Constructed project will provide water quality benefits including reductions in total suspended solids (TSS) and oil (total petroleum hydrocarbons).

**Deliverables**

<b>Number</b>	<b>Description</b>	<b>Due Date</b>
5.1	Signed and dated construction contract. Upload to EAGL and notify ECOLOGY when upload is complete.	
5.2	Stormwater Construction Completion Form. Upload to EAGL and notify ECOLOGY when upload is complete.	

**CHANGES TO SCOPE OF WORK**

Task Number: 6 **Task Cost:** \$1,300.00

Task Title: Project Close Out

**Task Description:**

The RECIPIENT shall 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.

A. The RECIPIENT will operate and maintain the constructed facility for the design life of the facility. The RECIPIENT will develop and submit an Operations and Maintenance (O&M) plan for all facilities constructed with ECOLOGY funding to ECOLOGY for review. The O&M plan must address long-term activities to assure ongoing pollutant removal and flow-control capability of the project in accordance with the design manual. O&M plan development guidance is located in the Design Deliverables Document available on the ECOLOGY website. Allow 15 calendar days for ECOLOGY review.

B. The RECIPIENT will calculate and submit a final equivalent new/re-development area for the completed retrofit project(s) using the methods outlined in the Design Deliverables Document.

C. The RECIPIENT will submit the final GIS compatible project area in shapefile, geodatabase file, or ECOLOGY-approved equivalent. The project area should include polygon features for stormwater facilities and contributing areas.

D. The RECIPIENT will submit the Recipient Closeout Report (RCOR) in EAGL in accordance with Task 1.

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E. The RECIPIENT will submit the Two-page Outcome Summary Report using the ECOLOGY template in accordance to Task 1. Upload the Two-page Outcome Summary Report in the RCOR in EAGL.

Task Goal Statement:

The RECIPIENT will complete all close out submittals in a timely manner.

Task Expected Outcome:

\* Timely and complete submittal of O&M plan, equivalent area calculation, GIS, Recipient Closeout Report, and Two-page Outcome Summary Report.

\* Proper maintenance of the constructed facility to maintain water quality benefits.

**Deliverables**

Number	Description	Due Date
6.1	Facility Operation and Maintenance Plan. Upload to EAGL and notify ECOLOGY when upload is complete. Upload ECOLOGY acceptance documentation.	
6.2	Final, as constructed, equivalent new/redevelopment area determination. Upload to EAGL and notify ECOLOGY when upload is complete.	
6.3	Final, as constructed, project area shapefile, geodatabase file, or ECOLOGY-approved equivalent. Upload to EAGL and notify ECOLOGY when upload is complete. Upload ECOLOGY acceptance documentation.	

**CHANGES TO THE BUDGET**

**Funding Distribution EG220599**

Funding Title: SFAP

Funding Type: Grant

Funding Effective Date: 07/01/2021

Funding Expiration Date: 01/31/2027

Funding Source:

State of Washington Department of Ecology

CITY OF EVERETT

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Title: SFAP - SFY22  
 Fund: FD  
 Type: State  
 Funding Source %: 100%  
 Description: Model Toxics Control Capital Account(MTCCA) Stormwater

Approved Indirect Costs Rate: Approved State Indirect: 30 %

Recipient Match %: 25%

InKind Interlocal Allowed: No

InKind Other Allowed: No

Is this Funding Distribution used to match a federal grant? No

SFAP	Task Total
Grant and Loan Administration	\$ 3,600.00
Cultural and Environmental Reviews, and Permitting	\$ 33,760.00
Design Plans and Specifications	\$ 74,360.00
Construction Management	\$ 51,360.00
Construction	\$ 407,620.00
Project Close Out	\$ 1,300.00

**Total: \$ 572,000.00**

**Funding Distribution Summary**

**Recipient / Ecology Share**

Funding Distribution Name	Recipient Match %	Recipient Share	Ecology Share	Total
SFAP	25 %	\$ 143,000.00	\$ 429,000.00	\$ 572,000.00
<b>Total</b>		<b>\$ 143,000.00</b>	<b>\$ 429,000.00</b>	<b>\$ 572,000.00</b>

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**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 01/29/2026.

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

Signed by:  
By: Jon Kenning 3/3/2026  
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Signed by:  
By: Angelique Thompson 2/27/2026  
EA67E218873940D...

Jon Kenning, PhD Date  
Water Quality  
Program Manager

Angelique Thompson Date  
Capital Program Fund Manager

APPROVED AS TO FORM: OFFICE OF THE  
CITY ATTORNEY

DocuSigned by:  
 APPROVED AS TO FORM  
OFFICE OF THE CITY ATTORNEY 2/27/2026  
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Tim Benedict, City Attorney Date

CITY OF EVERETT

Signed by:  
Cassie Franklin 2/27/2026  
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Cassie Franklin, Mayor Date

ATTEST: OFFICE OF THE CITY CLERK

Signed by:

*Marista Jorve*

2/27/2026

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Marista Jorve, City Clerk

Date

Template Approved to Form by  
Attorney General's Office