RESOLUTION NO. 2068

A RESOLUTION OF THE NORTH PLAINS CITY COUNCIL AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH STANTEC CONSULTING SERVICES INC. FOR ENGINEERING SERVICES RELATED TO THE DESIGN AND CONSTRUCTION OF A TWO MILLION GALLON WATER RESERVOIR AND RELATED IMPROVEMENTS

WHEREAS, the City of North Plains ("City") entered into an agreement (the "Agreement") with Stantec Consulting Services Inc. ("Engineer") for professional engineering services related to the design and construction of a two million gallon water reservoir and pump station located on West Union Road (the "Project"); and

WHEREAS, the City Request for Proposals ("RFP") sought proposals for related Project design, bidding, construction management services and startup, and Engineer prepared and submitted a responsive proposal offering such services to the City; and

WHEREAS, the executed Agreement currently addresses engineering services regarding Project design and bidding, but does not currently address construction management services and startup; and

WHEREAS, at the time the Agreement was negotiated and executed, the parties contemplated amending it in the future to address Project construction management services and startup; and

WHEREAS, to date the City is happy with the engineering services provided by Engineer relating to the Project; and

WHEREAS, Engineer has prepared a scope of services for incorporation into the Agreement that addresses Project construction management service and startup; and

WHEREAS, City Staff recommends continuing the City's working relationship with Engineer on the Project;

NOW, THEREFORE, THE CITY OF NORTH PLAINS RESOLVES AS FOLLOWS:

Section 1. The City hereby authorizes the City Manager to execute an amendment to the Agreement, substantially in the form as attached hereto as "Exhibit A", authorizing Engineer to provide construction management and startup services for an amount not to exceed $710,890.00.
Section 2. This Resolution is and shall be effective from and after its enactment by the City Council.

INTRODUCED AND ADOPTED this 21st day of October, 2019.

CITY OF NORTH PLAINS, OREGON

[Signature]

Teri Lenahan, Mayor

ATTEST:

[Signature]

Lori Lesmeister, City Recorder
FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF NORTH PLAINS AND STANTEC CONSULTING SERVICES INC. FOR ENGINEERING SERVICES RELATED TO THE DESIGN AND CONSTRUCTION OF A TWO MILLION GALLON WATER RESERVOIR, PUMP STATION AND RELATED IMPROVEMENTS

This FIRST AMENDMENT ("First Amendment") to the Agreement for the Provision of Professional Engineering Services Between Stantec Consulting Services Inc. and the City of North Plains, Oregon (the "Agreement") is made and effective this 22nd day of October, 2019, by and between Stantec Consulting Services Inc. ("Engineer") and the City of North Plains, Oregon ("City").

1. Term

This Amendment is effective as of the date above and shall continue until the additional services as specified in Exhibit A have been completed by Engineer, unless sooner terminated under the provisions of the Agreement.

2. Consultant's Services

The scope of Engineer's services and time of performance are hereby modified as set forth in Exhibit A, the terms of which are hereby incorporated by reference and made a part of the Agreement as if fully set forth. In the event of any conflict between the terms of the Agreement (including this First Amendment) and conflicting terms contained in Exhibit A, the terms of the Agreement (including this First Amendment) shall control.

3. Compensation

For the additional services to be provided to by Engineer, the City agrees to pay Consultant for work completed on a time and materials basis in accordance with the terms of Exhibit A, consistent with the terms of the Agreement, an additional amount not to exceed $710,890.00. Engineer shall have no claim to any compensation above said not-to-exceed amount without obtaining the prior written authorization of the City for any such additional work.

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4. **Agreement Remains Effective.**

With the exception of the above changes, all other terms and conditions of the Agreement remain effective.

**CITY OF NORTH PLAINS**

Project Manager: [Signature]

Date: **10.22.19**

**STANTEC CONSULTING SERVICES, INC.**

Vice President

Project Manager: [Signature]

Date: **10.23.19**