



Leana Kinley <leana@ci.stevenson.wa.us>

Park Plaza Consultant Contract and amendment question

2 messages

Leana Kinley <leana@ci.stevenson.wa.us>
To: Robert Muth <RMuth@kilmerlaw.com>

Mon, Jun 24, 2024 at 9:52 AM

Robert,

A question came up at the council meeting regarding whether or not the attached contract and amendment could be terminated early without having to pay the full amount. Please review and let me know to pass on to Council for the meeting this Thursday.

Thanks,

Leana Kinley, EMPA, CMC

City Administrator
7121 E. Loop Rd/PO Box 371
Stevenson, WA 98648-0371
(509) 427-5970 x204

2 attachments



Understory Courthouse Plaza Design Services Contract-Amendment 1.pdf
258K



Understory Courthouse Plaza Design Services Contract-Signed.pdf
3317K

Robert C Muth <rmuth@kilmerlaw.com>
To: Leana Kinley <leana@ci.stevenson.wa.us>

Mon, Jun 24, 2024 at 6:19 PM

ATTORNEY CLIENT COMMUNICATION

Leana – With respect to the Professional Services Contract dated August 24, 2023, with Understory Landscape Architecture, LLC, the contract requires the City to pay for “the work to be performed ... and reimburse for actual transportation costs that are necessary for the performance of this contract ...”

Either party may terminate the Contract upon 30 days written notice. Once terminated Understory shall perform no other services. “In the event of termination, CITY shall pay Contractor for all contract costs incurred prior to termination. Contractor shall not be entitled to compensation for lost profits or expectations of profit due to CITY’s early termination of this contract.”

The Contract further excludes any claims for consequential damages arising out of or connected to the project.

The Amendment does not vary these termination provisions.

So, there is no additional financial risk to the City if the City chooses to terminate the contract prior to December 31, 2024.

Please advise if you have additional questions.

Robert C. Muth | Shareholder

Kilmer, Voorhees & Laurick, PC

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