

AMENDMENT TO PERSONAL SERVICES AGREEMENT

THIS AMENDMENT TO PERSONAL SERVICES AGREEMENT (the "**Amendment**") between the City of St. Helens, an Oregon municipal corporation (the "**City**"), and Mason, Bruce & Girard, Inc., an Oregon corporation (the "**Contractor**"), collectively, the "**Parties**", an Oregon nonprofit corporation, dated June 28, 2024, is made by the Parties.

WITNESSETH:

WHEREAS, the City and the Contractor entered into a Personal Services Agreement, effective as of June 23, 2020, wherein the Contractor agreed to provide services related to forestry management (the "**Agreement**").

WHEREAS, the Agreement included a termination date of June 30, 2022; however, the City reserved the right to extend the Agreement for a period of two (2) years in one (1) year increments.

WHEREAS, the City executed both of its one-year extensions to the Agreement.

WHEREAS, the City is in the process of conducting a solicitation in accordance with the City's Public Contracting Code (the "**Code**") to identify a qualified service provider for the desired services in forestry management.

WHEREAS, the solicitation process will not be completed and a new contract awarded before the expiration of the services by the Contractor.

WHEREAS, as a result of the substantial risk of loss, damage or interruption of forest management services and the substantial threat to property, an emergency was declared in accordance with Section 2.04.120 of the Code, authorizing the City to promptly execute an extension of the existing public contract (this Amendment), on a month-to-month basis, in order to remedy the emergency conditions.

WHEREAS, the Parties desire to amend the Agreement to extend the Contractor's forestry management services on the terms set forth herein.

NOW, THEREFORE, for good and valuable consideration including the mutual promises and benefits contained in this Amendment, the receipt and sufficiency of which are hereby acknowledged, the Agreement shall be amended as described herein.

1. Extension Term.

The Parties agree that the Contractor's forestry management services shall extend on a month-to-month basis, commencing as of July 1, 2024. The Contractor's services under this Amendment shall terminate on the last day of the month preceding the first day of the month in which the City's new contractor for the services commences. The City shall send the Contractor written notice setting forth the date that the extension shall terminate. No specific length of advance notice is required and the termination shall be effective as of the date set forth in the written notice.

2. All other terms and conditions of the Agreement not specifically amended or modified herein shall remain in full force and effect. All capitalized terms contained herein shall have the meanings attributed to them in the Agreement unless specifically otherwise defined herein.

IN WITNESS WHEREOF, the Parties have executed this Amendment by and through their duly authorized officers as of the date first written above.

CITY
CITY OF ST. HELENS

By: 

Print Name: John Walsh

Title: City Administrator

Date: June 28, 2024

CONTRACTOR
MASON, BRUCE & GIRARD, INC.

By: Michael L. Lester
Signed: 6/27/2024

Print Name: Michael L. Lester

Title: President

Date: 06/27/2024