

**FOURTH AMENDMENT
TO
SERVICE PROVIDER AGREEMENT
FOR
HISTORIC BREWERY TOWER RENOVATION**

This FOURTH Amendment ("Amendment") is dated effective this _____ day of _____, 2022, and is entered into by and between the CITY OF TUMWATER, a Washington municipal corporation ("CITY"), and CARDINAL ARCHITECTURE P.C., a Washington corporation ("SERVICE PROVIDER").

A. The CITY and the SERVICE PROVIDER entered into a Service Provider Agreement dated effective July 10, 2018, as amended by a First Amendment dated July 26, 2019, and a Second Amendment dated October 8, 2020, and a Third Amendment dated November 30, 2021, whereby the SERVICE PROVIDER agreed to provide architectural services ("Agreement").

B. Section 14 of the Agreement provided that the Agreement may only be amended by written agreement signed by the parties.

C. This project was delayed by COVID-19 and funding from a state-awarded Heritage Capital Projects grant was re-appropriated for the 2021-2022 biennium. The project schedule and SERVICE PROVIDER work plan have been adjusted to align with the terms of the grant.

D. The CITY and the SERVICE PROVIDER desire to amend the Agreement by updating the work plan and extending the term.

NOW, THEREFORE, the parties agree to the following terms and conditions:

1. SCOPE OF SERVICES.

Section 1 of the Agreement is amended to provide for an updated work plan as more particularly described and detailed in Exhibit A-4, attached hereto and incorporated herein.

2. TERM.

Section 2 of the Agreement shall be amended to extend the term of the Agreement until December 31, 2023.

3. COMPENSATION AND METHOD OF PAYMENT.

In consideration of the SERVICE PROVIDER continuing to provide the services described in Section 1 of the Agreement and providing the additional services described in Exhibit "A-4" during the extended term of the Agreement, Section 4.C. shall be amended to increase the compensation paid to the SERVICE PROVIDER by Eleven Thousand Twenty Five and 00/100 dollars (\$11,025.00). The total amount payable to the SERVICE PROVIDER pursuant to the original Agreement, the Second Amendment and this Fourth Amendment shall be an amount not to exceed Three Hundred Twenty Three Thousand Three Hundred Fifteen and 00/100 Dollars (\$323,315.00).

*** Signatures on Following Page***

4. FULL FORCE AND EFFECT.

All other terms and conditions of the Agreement not modified by this Amendment shall remain in full force and effect.

DATED the effective date set forth above.

CITY:
CITY OF TUMWATER
555 Israel Road SW
Tumwater, WA 98501

SERVICE PROVIDER:
CARDINAL ARCHITECTURE P.C.
1326 5TH Avenue, Suite 440
Seattle, WA 98101-2628
Tax ID Number: 602-708-154
Phone Number: 206-624-2365

Debbie Sullivan, Mayor

Signature (Notarized – see below)

Printed Name: _____

Title: _____

ATTEST:

Melody Valiant, City Clerk

APPROVED AS TO FORM:

Karen Kirkpatrick, City Attorney

STATE OF WASHINGTON

COUNTY OF _____

I certify that I know or have satisfactory evidence that _____ (name) is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the _____ (title) of _____ (company) to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: _____

Notary Public in and for the State of Washington,
My appointment expires: _____.