

**THIRD AMENDMENT  
TO  
SERVICE PROVIDER AGREEMENT  
FOR  
CITY OF TUMWATER MAINTENANCE & OPERATIONS FACILITY**

This Third 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 TCF ARCHITECTURE, a Washington corporation and limited liability professional services company ("SERVICE PROVIDER").

A. The CITY and the SERVICE PROVIDER entered into a Service Provider Agreement dated effective November 1, 2016, and as amended by First Amendment dated January 11, 2018, and Second Amendment dated December 8, 2020, 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. The CITY and the SERVICE PROVIDER desire to amend the Agreement to provide additional services, extending the term, and increasing the compensation paid to the SERVICE PROVIDER.

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 additional services as more particularly described and detailed in Exhibit "A-3," 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, 2022.

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-3" during the extended term of the agreement, Section 4.C.

shall be amended to increase the compensation paid to the SERVICE PROVIDER by an additional amount not to exceed **Nine Thousand Nine Hundred Ninety and 19/100 Dollars (\$9,990.19)**. The total amount payable to the SERVICE PROVIDER pursuant to the original Agreement and First Amendment, Second Amendment, and this Third Amendment shall be an amount not to exceed **One Hundred Sixty Two Thousand Forty Two and 69/100 Dollars (\$162,042.69)**.

\*\*\* 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:  
TCF ARCHITECTURE, PLLC  
902 North 2<sup>nd</sup> Street  
Tacoma, WA 98403

\_\_\_\_\_  
Debbie Sullivan, Mayor

\_\_\_\_\_  
Signature (Notarized – see below)

Printed Name:\_\_\_\_\_

Title:\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Melody Valiant, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Karen Kirkpatrick, City Attorney

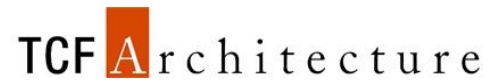
STATE OF WASHINGTON

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:\_\_\_\_\_.



## **Additional Pre Design Effort Proposal**

### **EXHIBIT A**

#### **CITY OF TUMWATER NEW MAINTENANCE AND OPERATIONS FACILITY**

Brandon Hicks, PE  
Director – Transportation and Engineering Department  
City of Tumwater

Dear Brandon,

Per our recent discussions, TCF Architecture shall provide updated content for the upcoming public meeting as noted below.

#### **Summary of scope for additional effort by TCF:**

- Produce up to three renderings which would include aerial and street views. The renderings will be simple single color massing's with site context. Street improvements along 79<sup>th</sup> and the east side of Trails End Rd will be illustrated.
- Update site plan to show street improvements on the selected site concept.
- Attend one public meeting, in person or by zoom (City will host)
- Provide power point slide show and up to two printed boards for the public meeting. Plan for one board showing the renderings and the other with the updated site plan concept.

**Summary of hours and fee for additional effort:**

Note: The hours listed are intended to be within the available current fee. The use of some or all of the additional management reserve fee may be required in order to complete the scope.

TASK NO.	PROJECT TASKS	TCF ARCHITECTURE Prime Consultant		
		Principal In Charge	Architect	Project Coordinator
TASK 8 - Second Public Meeting and Exhibits				
8.01	Public Meeting Preparation / Exhibits	2	42	
8.02	Public Meeting Attendance / Participation	3		
8.03	Rework Site Alternative A (12/14/20 version)	1	4	
8.04	Additional Project Administration	2		3
	Travel Time	2		
	ESTIMATED HOURS	10	46	3
	HOURLY RATE	\$275.00	\$140.00	\$110.00
	ESTIMATED FEES	\$2,750.00	\$6,440.00	\$330.00
	SUBTOTAL	\$9,520.00		
REIMBURSABLE EXPENSES BUDGET		\$250.00		
SUBTOTAL		\$9,770.00		
Management Reserve Fund (City Controlled)		\$10,000.00		
TOTAL PER TEAM MEMBER - ALL TASKS (Incl. Mark-ups)		\$19,770.00		

Task in the original Agreement, including verbal directions for additional work, were completed to the satisfaction of the City and completed under budget. Remaining funds of \$9,779.81 will be applied to Task 8, for a compensation increase of \$9,990.19.

Thank you,



Mark Hurley  
TCF Architecture  
Principal

## 2022 Hourly Rate and Reimbursable Expense Schedule

Effective: January 1, 2022

Description	Rates
<b>TCF Personnel:</b>	
Principal-In-Charge / Managing Principal	\$295.00 / hour
Principal	\$275.00 / hour
Interior Design Director	\$200.00 / hour
Designer / Architect 9	\$180.00 / hour
Designer / Architect 8	\$170.00 / hour
Designer / Architect 7	\$160.00 / hour
Designer / Architect 6	\$150.00 / hour
Designer / Architect 5	\$140.00 / hour
Designer / Architect 4	\$130.00 / hour
Designer / Architect 3	\$120.00 / hour
Designer / Architect 2	\$110.00 / hour
Designer / Architect 1	\$100.00 / hour
Project Coordinator	\$110.00 / hour
Administrative Support	\$90.00 / hour
<b>Subconsultant Services:</b>	
Subconsultant Services Contracted Through TCF	Direct Cost plus 10%
<b>Reimbursable Expenses:</b>	
Mileage	Current Federal Rate
Other Expenses: (Meals, air travel, per diem, reproductions, shipping, postage, etc.)	Direct Cost plus 10%