

**THIRD AMENDMENT
TO
SERVICE PROVIDER AGREEMENT
FOR
ON-CALL MATERIAL TESTING**

This Third Amendment ("Amendment") is dated effective this _____ day of _____, 20____, and is entered into by and between the CITY OF TUMWATER, a Washington municipal corporation ("CITY"), and Pacific Testing & Inspection Inc., a Washington corporation ("SERVICE PROVIDER").

A. The CITY and the SERVICE PROVIDER entered into a Service Provider Agreement dated effective January 12, 2021, whereby the SERVICE PROVIDER agreed to provide material testing services ("Agreement"). The CITY and the SERVICE PROVIDER agreed to a First Amendment to the Service Provider Agreement on May 12, 2023, and a Second Amendment on January 24, 2024.

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 continue the services described in Section 1 of the Agreement by extending the term of the Agreement, and increasing the compensation paid to the SERVICE PROVIDER.

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

1. TERM.

Section 2 of the Agreement shall be amended to extend the term of the Agreement until December 31, 2025.

2. COMPENSATION.

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-1" 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 One Hundred Thousand and 00/100 Dollars (\$100,000). The total amount payable to the SERVICE PROVIDER pursuant to the original Agreement, the First Amendment, the Second Amendment, and this Third

Amendment shall be an amount not to exceed Two Hundred Ninety-Five Thousand and 00/100 Dollars (\$295,000).

Signatures on Following Page

3. 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:
PACIFIC TESTING & INSPECTION INC.
2417 Harrison Avenue
Centralia, WA 98531
Tax ID#: 602-707-402
Phone Number: 360-736-3922

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 THURSTON

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:_____.