

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

This Second Amendment ("Amendment") is dated effective this _____ day of _____, 2023, and is entered into by and between the CITY OF TUMWATER, a Washington municipal corporation ("CITY"), and Materials Testing & Consulting, Inc., a Washington corporation ("SERVICE PROVIDER").

A. The CITY and the SERVICE PROVIDER entered into a Service Provider Agreement dated effective January 21, 2021, as amended by a First Amendment, dated December 15, 2022, whereby the SERVICE PROVIDER agreed to provide material testing 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 continue the services described in Section 1 of the Agreement by extending the term of the Agreement, updating the fees and increasing the compensation paid to the SERVICE PROVIDER for on-going material testing on active projects.

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, 2024.

2. COMPENSATION.

In consideration of the SERVICE PROVIDER continuing to provide the services described in Section 1 of the Agreement, Section 4.C. shall be amended to increase the fees for 2024 as described in Exhibit A-2 and compensation paid to the SERVICE PROVIDER shall be increased by an additional amount of One Hundred Thousand and 00/100 Dollars (\$100,000). The total amount payable to the SERVICE PROVIDER pursuant to the original Agreement, First Amendment, and this Second Amendment shall be an amount not to exceed One Hundred Ninety-Five Thousand and 00/100 Dollars (\$195,000.00).

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:

MATERIALS TESTING AND CONSULTING,
INC.

2118 Black Lake Boulevard SW
Olympia, WA 98512
UBI No. 601-651-312
Phone No. 360-755-1990

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:_____.


Exhibit A - Master Fee Schedule
Client Name - City of Tumwater
Rates for Services
Prepared: 11-8-2023 Valid through 2024

SPECIAL & CONSTRUCTION INSPECTION					
Bill Code	Item	Notes	Unit	Rate	
IPD-S	Soils Field Technician		Hour	\$	90.00
IPD-A	Asphalt Field Technician		Hour	\$	90.00
SAMPU	Earthwork Sample Pick up		Hour	\$	90.00
RC	Reinforced Concrete, Base Plate Grout		Hour	\$	90.00
PT	Prestressed / Post-Tensioned Concrete		Hour	\$	90.00
SC	Shotcrete		Hour	\$	90.00
SM	Structural Masonry		Hour	\$	90.00
FP	Spray Applied Fire Resisitive Materials		Hour	\$	90.00
PA	Proprietary Anchors		Hour	\$	90.00
SUSPCEI	Suspended Ceiling Anchorage		Hour	\$	90.00
EMERBULIGH	90-Minute Emergency Backup Lighting Inspection		Hour	\$	90.00
FAB	Fabrication Shop Inspections		Hour	\$	99.00
SW	Structural Welding		Hour	\$	99.00
SSB	High Strength Bolting		Hour	\$	99.00
SWD	Structural Wood		Hour	\$	99.00
CF	Cold Formed Steel		Hour	\$	99.00
FS	Fire Stopping		Hour	\$	99.00
EIFS	Exterior Installation & Finish System Inspection		Hour	\$	99.00
CWI	AWS-CWI Welding Inspector		Hour	\$	105.00
FRP	Fiber Reinforced Polymer (FRP)		Hour	\$	105.00
AB	Anchor Bolt Pull Testing	One Man Crew	Hour	\$	99.00
NDT	ASNT Certified Non-Destructive Examination - NDT	Ultrasonic Testing (UT), Magnetic Particle Testing (MT), Dye Penetrant (PT)	Hour	\$	105.00
BOND	Bond Testing	One Man Crew	Hour	\$	105.00
CORING	Coring Services at lab only no field coring per L and I	Asphalt & Concrete Coring (call for size availability)	Hour	\$	125.00
FF/FL	Floor Flatness	F-Number assessment of flatness and levelness of concrete slabs	Hour	\$	105.00
GPR	Ground Penetrating Radar - GPR	Reinforcing Steel & Tendon Location, Geotechnical & Environmental Site Exploration, Utility Location	Quoted Per Project		
PACH	Pachometer / Rebar Locate	In situ reinforcement location	Hour	\$	105.00
SCH	Schmidt Hammer	In situ concrete strength measurement	Hour	\$	105.00
LABORATORY TESTING					
Bill Code	Test Description	ASTM	AASHTO	Unit	Rate
WASH	% Passing # 200 Sieve	C117	T11	Each	\$ 84.00
ACCWTH	Accelerated Weathering	CRD C148		Each	\$ 480.00
	Additional Tests Not Listed			Quoted Per Project	
CONCDD	Air Dry Density of Concrete	C567		Each	\$ 60.00
CORESP	Asphalt Core Density	D2726	T166	Each	\$ 78.00
EXT	Asphalt Extraction with Gradation	D6307	T308	Each	\$ 300.00
CORETH	Asphalt Thickness	D3549		Each	\$ 42.00
ATT1	Atterberg Limits (Plasticity Index) - 1 point	D4318	T89, T90	Each	\$ 90.00
ATT3	Atterberg Limits (Plasticity Index) - 3 points	D4318	T89, T90	Each	\$ 185.00
CBR	California Bearing Ratio 3-point	D1883	T193	Each	\$ 822.00
CLAY	Clay Lumps and Friable Particles, Fine Aggregate	C142	T112	Each	\$ 102.00
	Concrete Compression Strength Test Sawed Section	C42	T24	Each	\$ 84.00
CONC	Concrete Compression Test Cylinders - 4" x 8"	C31, C39	T22, T23	Each	\$ 30.00
CONC	Concrete Compression Test Cylinders - 6" x 12"	C31, C39	T22, T23	Each	\$ 35.00
CBO	Concrete Compression Test Cylinders - not cast by MTC	C31, C39	T22, T23	Each	\$ 40.00
CCT	Concrete Core Compressive Strength Test (includes trimming and testing)			Each	\$ 48.00
CORETH	Concrete Core Thickness	C174, C1542		Each	\$ 54.00
BEAMS	Concrete Flexural Beams	C78	T97	Each	\$ 78.00
SHRINK	Concrete Shrinkage (minimum 3 samples)	C596		Each	\$ 156.00
DEG	Durability Index / Degradation Value	WSDOT T113	T210	Each	\$ 240.00
BOND	Fireproofing Cohesion / Adhesion Tests	E736		Each	\$ 42.00
FPD	Fireproofing Density Test	E605		Each	\$ 84.00
FLAT	Flat/Elongated Particles	D4791		Each	\$ 192.00
FRAC	Fracture Percentage	D5821		Each	\$ 84.00
GROUT	Grout Compressive Strength Test	C1019		Each	\$ 30.00
PGROUT	Auger Cast Pile Grout Strength Test	C109		Each	\$ 30.00
CUBE	Grout Compressive Strength Test - 2x2 Cube	C109		Each	\$ 30.00
HYDRO	Hydrometer Analysis with Sieve Analysis	D422/D7928	T88	Each	\$ 210.00
LA	LA Abrasion	C131, C535	T96	Each	\$ 360.00
STAFLO	Marshall Stability & Flow, 3 specimens	D6926, D6927	T245	Each	\$ 540.00
PRISM	Masonry Prism Compression Test	C1314		Each	\$ 150.00
CMUABSORB	Masonry Unit Absorption, Unit Weight & Moisture Content	C140		Each	\$ 90.00



Exhibit A - Master Fee Schedule

Client Name - City of Tumwater

Rates for Services

Prepared: 10-28-2022 Valid through 2023

CMU	Masonry Unit Compression Test	C140	Each	\$ 78.00
MARSH	Mix Design Marshall Method, 3 trials & specimens	D6926, D6927 T245	Each	\$ 2,400.00
PROC	Moisture Density Relationship/Proctor with Sieve	D698, D1557 T99, T180	Each	\$ 310.00
PROCCTB	Moisture Density Relationship/Proctor with Sieve - Cement Treated Base	D698, D1558 T99, T181	Each	\$ 375.00
PROCNS	Moisture Density Relationship/Proctor without Sieve	D698, D1557 T99, T180	Each	\$ 250.00
MOISTURE	Moisture Emission Test Kit - Installation & Retrieval Labor Not Included	F1869	Each	\$ 36.00
MORTAR	Mortar Compressive Strength	C780	Each	\$ 30.00
NMC	Natural Moisture Content	D2216	Each	\$ 24.00
LOI	Organic Content, Loss by Ignition	D2974	Each	\$ 120.00
ORGIMP	Organic Impurities	C40 T21	Each	\$ 78.00
PROBE	Relative Humidity Test Probe Sleeves	F2170	Each	\$ 3.00
RICE	Rice Density	D2041 T209	Each	\$ 114.00
	Sand Cone Density Test	D1556 T191	Each	\$ 42.00
SE	Sand Equivalent	D2419 T176	Each	\$ 120.00
	Scaling Resistance of Concrete	C672	Per Set of 2	\$ 2,160.00
ST	Set Times, Initial and Final	C403	Each	\$ 240.00
SHOT	Shotcrete Compression Test (1-Panel includes 4-Cores)	C1604	Each	\$ 175.00
SHOT-ADD	Shotcrete Cores - Additional	C1604	Each	\$ 90.00
GRAD	Sieve Analysis – Dry Only/Gradation	C136 T27	Each	\$ 120.00
COMB	Sieve Analysis with #200 Wash/Combined Gradation	C136, C117 T88	Each	\$ 150.00
SCMIX	Soils-Cement Mix Design		Quoted Per Project	
SULFATE	Soundness of Aggregates by Magnesium or Sodium Sulfate - Fine/Course Aggregates	C88 T104	Each	\$ 420.00
SGC	Specific Gravity and Absorption of Coarse Aggregate	C127 T85	Each	\$ 120.00
SGF	Specific Gravity and Absorption of Fine Aggregate	C128 T84	Each	\$ 150.00
SGS	Specific Gravity of Soils	D854 T100	Each	\$ 126.00
GRYO	Superpave Test Set - Includes Volumetric Properties, Extraction / Gradation, Rice	WSDOT 731	Each	\$ 675.00
	Trial Batch - 6 Cylinders	C192	Quoted Per Project	
	Trimming Cores/Cylinders		Each	\$ 18.00
UVC	Uncompacted Void Content	C1252 T304	Each	\$ 180.00
UNIT	Unit Weight & Voids in Aggregate	C29 T19	Each	\$ 90.00
	Unit Weight and Yield	C138 T121	Each	\$ 60.00
VSC	Visual Classification	D2487	Each	\$ 120.00
VDHCONC	Voids and Density of Hardened Concrete	C642	Each	\$ 126.00
LABORATORY TESTING - Advanced / Secondary Geotechnical Testing				
Bill Code	Item	ASTM	Unit	Rate
	Aggregate Freeze-Thaw Durability	D5312	Each	\$ 2,400.00
	Aggregate Wet-Dry Durability	D5313	Each	\$ 2,400.00
BDSOILS	Bulk Density (Wet / Dry) - Soils - Remolded	D7263, EPA9100, E1109	Each	\$ 66.00
CONSOL	Consolidation, Primary	D2435	Each	\$ 600.00
	Consolidation, Secondary	D2436	Each	\$ 900.00
DIRECTSHEA	Direct Shear, 3 points	D3080	Each	\$ 480.00
POR-EM	Total Porosity - Includes Bulk Density & Specific Gravity of Soils	EM-1110-2-1906	Each	\$ 198.00
	Shelby Tube Extrusion w/ Description		Each	\$ 72.00
PH	Soil pH	D4972	Each	\$ 54.00
RESIST	Soil Resistivity	G187	Each	\$ 102.00
	Turbidity	SM 2130 B	Each	\$ 78.00
	Unit Weight of Soils	D2937	Each	\$ 66.00
	Youngs Modulus of Elasticity		Each	\$ 144.00
GEOTECHNICAL ENGINEERING & ENVIRONMENTAL CONSULTING				
Bill Code	Item	Description	Unit	Rate
CESCL	CESCL- Field Services	Site Turbidity and/or pH Monitoring	Hour	\$ 90.00
LBC	Dynamic Cone Penetrometer Team	Two (2) person crew	Hour	\$ 192.00
POINT	Dynamic Cone Penetrometer	Equipment - Drive Points	Each	\$ 18.00
	Engineering Geologist	WA State Licensed Engineering Geologist	Hour	\$ 156.00
	Environmental Consulting	Data Analysis, Review, Report Production	Hour	\$ 120.00
	Environmental Field Services	Observation/Reconnaissance, Sampling, Document	Hour	\$ 102.00
GEO-TECH	Field/Staff Geologist	DCP Testing, Exploration Assistance	Hour	\$ 96.00
IN	In-Field Infiltration	P.I.T., Pilot Infiltration Tests	Hour	\$ 108.00
PI	Piling Services	Auger Cast Piles, Driven Piles, Pin Piles, Sheet Piles	Hour	\$ 114.00
GP	Geopier Installation		Hour	\$ 114.00
HELICPIER	Helical Pier Anchor Inspection		Hour	\$ 114.00
SECANT WALL	Secant Wall Installation Monitoring		Hour	\$ 114.00
SOIL NAIL	Soil Nail Installation Observation		Hour	\$ 114.00
GEO-PE	Professional Engineer	WA State Licensed Engineer	Hour	\$ 192.00
	Project/Exploration Geologist	Geologic Observation, Logging of Explorations	Hour	\$ 102.00



Exhibit A - Master Fee Schedule

Client Name - City of Tumwater

Rates for Services

Prepared: 10-28-2022 Valid through 2023

	Seismographs - Vibration Monitoring	Pile driving, construction equipment vibration, structure protection, etc. Daily, weekly, and monthly rates available	Quoted Per Project	
GC	Senior Geologist/Engineer	Geotechnical Consultation, Report Production	Hour	\$ 120.00
	Vibration Monitoring	Advising, Data Evaluation, Reporting	Hour	\$ 120.00
	Vibration Monitoring w/ Seismographs	Setup & Data Collection	Hour	\$ 114.00
PROJECT MANAGEMENT & CONSULTING SERVICES				
Bill Code	Item	Description	Unit	Rate
CONSMAN1	Construction Manager / CQM	NAVFAC Construction Quality Manager, Resident	Hour	\$ 95.00
PM	Project Manager	Meetings, Report Review, Final Letter	Hour	\$ 95.00
GEO-PM	Geotechnical Project Manager		Hour	\$ 95.00
	Technical Director	Forensic & Diagnostic Investigation, Expert Witness	Hour	\$ 125.00
MILEAGE & MISCELLANEOUS				
Bill Code	Item	Description	Unit	Rate
	Third Party Rentals and/or Services			Cost + 15%