

**SECOND AMENDMENT
TO
CITY OF TUMWATER
SERVICE PROVIDER AGREEMENT**

2022-23 TREE AND VEGETATION PRESERVATION AMENDMENTS

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 DCG/Watershed, a Washington corporation ("SERVICE PROVIDER").

A. The CITY and the SERVICE PROVIDER entered into a Service Provider Agreement dated effective June 28, 2022, amended by the first amendment dated effective February 8, 2023, whereby the SERVICE PROVIDER agreed to provide tree and vegetation preservation amendment 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 add additional services, extend the term, and increase the compensation paid to the SERVICE PROVIDER for providing the additional services during the extended term of the Agreement.

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-1," attached hereto and incorporated herein.

2. TERM.

Section 2 of the Agreement is amended to extend the term of the Agreement until June 28, 2024.

3. COMPENSATION.

In consideration of the SERVICE PROVIDER 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 of SEVENTEEN THOUSAND NINE HUNDRED TWENTY-EIGHT DOLLARS (\$17,928.00). The total amount payable to the SERVICE PROVIDER pursuant to the original Agreement, the First Amendment, and this Second Amendment shall be an amount not to exceed ONE HUNDRED THIRTEEN THOUSAND EIGHT HUNDRED FORTY-NINE DOLLARS AND SEVENTY-EIGHT CENTS (\$113,849.78).

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

APPROVED AS TO FORM:

DEBBIE SULLIVAN
Mayor

KAREN KIRKPATRICK
City Attorney

SERVICE PROVIDER:

DCG/WATERSHED
750 6th Street
Kirkland, WA 98033
Tax ID: 91-1364393
Phone: (425) 822-8242

Signature (Notarized – see below)
Printed Name: Hugh Mortensen
Title: President

STATE OF WASHINGTON

COUNTY OF _____

I certify that I know or have satisfactory evidence that _____
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 _____ of _____
_____ 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-1”

(Contract Amendment (A-2), June 20, 2023)