

AMENDMENT NO. 2
PROFESSIONAL SERVICES AGREEMENT WITH
BERGER PARTNERSHIP P.S. FOR
YELM HIGHWAY COMMUNITY PARK PHASE 1 DESIGN SERVICES

THIS AMENDMENT is effective as of the date of the last authorizing signature affixed hereto by and between the **CITY OF OLYMPIA**, a Washington municipal corporation (the "City"), and **Berger Partnership, P.S.**, a Washington corporation (the "Consultant").

RECITALS

1. On September 12, 2024 the City and the Consultant entered into a Professional Services Agreement ("Agreement").
2. The term of the Agreement is to run until June 30, 2026, with compensation not to exceed One Million, Three Hundred and Ninety- six Thousand, Five Hundred and Fifty-four and 10/100 Dollars (\$1,396,554.10) for certain tasks.
3. On March 18, 2026, the City and the Consultant entered into Amendment No. 1 to the Agreement to increase compensation and tasks, however, additional tasks are necessary and require a new amendment to compensate for such tasks.
4. The City and the Consultant desire to amend the Agreement to expand the scope for additional structural and plan design and to increase compensation to accommodate the expanded scope.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. 1. Section 1 of the Agreement, SERVICES, is hereby amended to read as follows:

Consultant shall provide the services more specifically described in Exhibits "A," "A1" and "**A2**" attached hereto and incorporated by this reference ("Services"), in a manner consistent with the accepted practices for other similar services, and when and as specified by the City's representative.
2. Section 4 of the Agreement, COMPENSATION, is hereby amended to read as follows:
 4. Compensation.
 - A. Total Compensation. In consideration of the Consultant performing the Services, the City agrees to pay the Consultant an amount not to exceed

~~One Million, Four Hundred and Fourteen Thousand, Nine Hundred and Seventy Nine and 10/100 Dollars (\$1,414,979.10)~~ One Million, Six Hundred Thousand, Seven Hundred and Seventy and 16/100 Dollars (\$1,600,770.16) calculated as follows:

(i) Consultant Fees. An amount not to exceed the sum of ~~One Million, Four Hundred and Nine Thousand, Nine Hundred and Seventy Nine and 10/100 Dollars (\$1,409,979.10)~~ One Million, Five Hundred Ninety-Five Thousand, Seven Hundred and Seventy and 16/100 Dollars (\$1,595,770.16); and

(ii) Reimbursable Expenses. The actual customary and incidental expenses incurred by Consultant in performing the Services including plan set photocopying and other reasonable costs; provided, however, that such costs shall be deemed reasonable in the City's sole discretion and shall not exceed Five Thousand and No/100 Dollars (\$5,000.00).

B. Method of Payment. Payment by the City for the Services will only be made after the Services have been performed, a voucher or invoice is submitted in the form specified by the City, and the same is approved by the appropriate City representative. Payment shall be made on a monthly basis, within thirty (30) days after receipt of such voucher or invoice.

C. Consultant Responsible for Taxes. The Consultant shall be solely responsible for the payment of any taxes imposed by any lawful jurisdiction as a result of the performance and payment of this Agreement.

3. All remaining provisions of the Professional Services Agreement as amended by Amendment No. 1 dated March 18, 2026, and not here amended or supplemented shall remain as written in said Agreement, and shall continue in full force and effect.

IN WITNESS WHEREOF, the City and the Consultant have executed this **Amendment No. 2** of the Agreement as of the date of the last authoring signature affixed hereto.

SIGNATURES ON FOLLOWING PAGE

CITY OF OLYMPIA

By: _____
Steven J. Burney, City Manager
P.O. Box 1967
Olympia WA 98507-1967
Date of Signature: _____

APPROVED AS TO FORM:



Senior Deputy City Attorney

BERGER PARTNERSHIP

By: Andy Mitton
Andy Mitton, Principal
1927 Post Alley, Ste. 2
Seattle, WA 98101
206-325-6877
Date of Signature: 03/19/2026

Exhibit A2



January 28th, 2026

Laura Keehan & Tammy LeDoux
Parks Planning and Design
Olympia Parks, Arts and Recreation Department
PO Box 1967
Olympia, WA 98507-1967

Proposal for Landscape Architectural Services: Yelm Hwy Community Park Phase 1 Design Additional Services Request

Dear Laura,

The below outlines the additional services request due to revisions and additions in the scope of work for the Yelm Highway Community Park Phase 1.

Task 0: Additional Services during 30% Design

- Re-design efforts when OSD pulled out of project
- Grant facilitation and coordination

Task 3: 90% Design / Permitting

- RCO Grant facilitation and coordination
- Additional coordination of right-of-way lighting
- Additional coordination for the pre-engineered metal maintenance facility
- Value engineering and building redesign/revision efforts
- Permit coordination
- Building size changes

Task 4: 100% Design / Bid Documents, Bid Administration

- RCO Grant facilitation and coordination
- Value engineering and building redesign/revision efforts
- Maintenance yard automated gate design revision
- Project schedule extension
- Bid alternate documentation
- Roadway and frontage improvements changes, redesign, and coordination with the county

Task 5: Pre-Engineered metal building design

- Pre-engineered metal building design completion and engineered drawings to be incorporated into the permit submittal package(s).



Fees

Based on the scope of services identified at this time, we have established a fee for additional services as follows:

Task 0

Berger Partnership	\$22,879.56
Task 1 Subtotal	\$22,879.56

Task 3

Berger Partnership	\$15,320.00
Schemata Workshop	\$20,206.00
<u>10% Subconsultant Mark-Up</u>	<u>\$2,020.60</u>
Task 3 Subtotal	\$37,546.60

Task 4

Berger Partnership	\$24,804.00
LPD Engineering	\$32,000.00
<u>10% Subconsultant Mark-Up</u>	<u>\$3,200.00</u>
Task 4 Subtotal	\$60,004.00

Task 5

Schemata Workshop	\$59,419.00
<u>10% Subconsultant Mark-Up</u>	<u>\$5,941.00</u>
Task 3 Subtotal	\$65,360.90

Grand Total	\$185,791.06
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01.28.26
Laura Keehan & Tammy LeDoux
Olympia Parks, Arts and Recreation
Proposal for Landscape Architectural Services: Yelm Hwy Community Park Phase 1 Design,
Additional Services Request
Page 3 of 3



Fees will be billed monthly based upon the percentage of work completed. Services beyond those noted in this proposal will be billed as additional services on an hourly basis as follows, or lump sum fees can be negotiated:

Principal	\$260.00 per hour
Associate	\$220.00 per hour
Design Team Lead	\$210.00 per hour
Project Manager	\$180.00 per hour
Landscape Designer	\$150.00 per hour
Administrative Staff	\$130.00 per hour

Fees may be subject to renegotiation if the proposal is not accepted within 30 days. If the duration of the contract exceeds one year, hourly rates may be subject to annual adjustments at the anniversary date of the contract.

If this proposal meets with your approval, please sign one copy and return it to our office. If you have questions, would like more information, or wish to make any modifications, please do not hesitate to contact us. We look forward to working with you on the Yelm Highway Community Park Phase 1 Design. Work will be scheduled upon our receipt of the signed proposal.

Sincerely,
Berger Partnership PS

A handwritten signature in black ink that reads "Anna M. O'Connell".

Anna O'Connell
Principal, PLA

APPROVED:

Date