

RESOLUTION NO. M-2699

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, APPROVING AMENDMENT #1 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF OLYMPIA AND BERGER PARTNERSHIP AUTHORIZING ADDITIONAL FUNDING TO FACILITATE NECESSARY WORK TO COMPLETE THE DESIGN AND PERMITTING OF YELM HIGHWAY COMMUNITY PARKS**

**WHEREAS**, on September 12, 2024, the City of Olympia and Berger Partnership entered into a Professional Services Agreement for Phase I Design Services for Yelm Highway Community Park; and

**WHEREAS**, the term of the Agreement was 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); and

**WHEREAS**, the Agreement also provided that its terms could be “extended for additional periods of time upon the mutual written agreement” of the City and the Contractor, and that modification of its terms need to be in writing and signed by both parties.

**WHEREAS**, the Yelm Highway Community Park, Phase 1 project is nearing completion of its final design document step prior to construction; and

**WHEREAS**, the City and the Contractor desire to amend the Agreement to increase compensation; and

**WHEREAS**, Olympia Municipal Code Subsection 3.16.020(B), requires that the City Council approve the agreement;

**NOW, THEREFORE, THE OLYMPIA CITY COUNCIL DOES HEREBY RESOLVE** as follows:

1. The Olympia City Council hereby approves Amendment #1 to the Professional Services Agreement between the City of Olympia and Berger Partnership for Yelm Highway Community Park, Phase 1 Design Services and the terms and conditions contained therein.
2. The City Manager is directed and authorized to execute on behalf of the City of Olympia the Professional Services Agreement, and any other documents necessary to the Agreement, and to make any amendments or minor modifications as may be required and are consistent with the intent of the Professional Services Agreement, or to correct any scrivener’s errors.

**PASSED BY THE OLYMPIA CITY COUNCIL** this 17th day of March 2026.

  
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MAYOR

ATTEST:

  
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CITY CLERK

APPROVED AS TO FORM:

  
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SENIOR DEPUTY CITY ATTORNEY