

RESOLUTION NO. 784

A RESOLUTION OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, APPROVING A CONTRACT AMENDMENT FOR AN INCREASE IN COMPENSATION TO APEX ENGINEERING, LLC IN ORDER TO COMPLETE THE ALTA SURVEYS FOR LOTS 1, 2, AND 11.

WHEREAS, Town Center Lots 1, 2, 3, 4, 7, and 11 currently remain under contract to Verus Partners, LLC; and

WHEREAS, the Development Agreement allows Verus to continue to develop on any of the remaining contracted Lots in any sequence they choose; and

WHEREAS, the Agreement also requires the City to be able to provide all Town Center parcels with no material exceptions to title, and full surveys; and

WHEREAS, Apex Engineering, LLC has been contracted to prepare the ALTA surveys, and has completed the ALTA surveys on Lots 2, 3, 4, 7, 11, and most of the work on Lot 1 has been completed, as well. The Professional Services Agreement with Apex Engineering, LLC dated April 1, 2015 in the amount of \$29,850 must be amended to increase the compensation by \$5,000 to a total of \$34,850 to allow Apex to complete the last ALTA survey on Lot 1.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AS FOLLOWS:

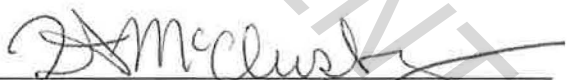
Section 1. Incorporation of Recitals. The recitals are hereby incorporated herein as if set forth in full.

Section 2. Approval of Form of Documents. The City Council hereby approves execution of the Amendment to Professional Services Agreement with Apex Engineering, LLC to increase the compensation by \$5,000 to a total of \$34,850 to complete the ALTA survey on Lot 1, in substantially the form of the document accompanying this Resolution.

Section 3. Completion of Transaction. The City Manager is authorized to take and execute any additional measures or documents that may be necessary to complete this transaction, which are consistent with the approved form of document attached, and the terms of this Resolution.

Section 4. Effective Date. This Resolution shall be effective immediately upon adoption by the City Council.

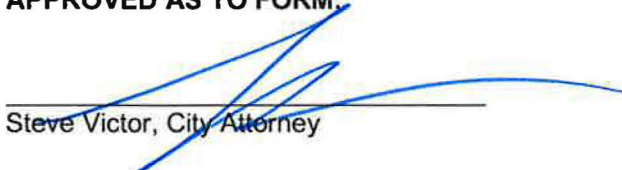
ADOPTED BY THE CITY COUNCIL ON JULY 13, 2015.


Denise McCluskey, Mayor

ATTEST:


Emmelia Genetia, City Clerk

APPROVED AS TO FORM:


Steve Victor, City Attorney

AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

This Amendment to Professional Services Agreement amends the Agreement that was effective the 1st day of April, 2015, between the City of University Place, a Washington municipal corporation ("City"), and Apex Engineering, LLC, FIN number 91-1721403 ("Contractor").

The City wishes to increase the contract amount by five thousand dollars (\$5,000) for a total contract amount not to exceed \$34,850. The City and the Contractor agree that Section 4. Compensation of the Professional Services Agreement shall be amended to read:

4. COMPENSATION.

4.1 In consideration of the Contractor performing the Services, the City agrees to pay an amount not to exceed thirty-four thousand, eight hundred fifty dollars (\$34,850.00).

All other provisions of the Professional Services Agreement of April 1, 2015, shall remain the same.

Executed on the dates written below.

CONTRACTOR:
APEX ENGINEERING, LLC

CITY:
CITY OF UNIVERSITY PLACE

By: _____
Printed Name: _____
Title: _____
Address: 2601 S. 35th Street, #200
Tacoma, WA 98402

By: _____
Printed Name: Stephen P. Sugg
Title: City Manager
Address: 3715 Bridgeport Way W.
University Place, WA 98466-4456

Date: _____

Date: _____

Approved as to form:

Steve Victor, City Attorney