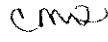


STAFF REPORT**Supplemental Agreement #2 with Cane Engineering**

To: Mayor Samuelson and Members of the City Council

Date of Report: September 13, 2011

Staff Contact: Challis Stringer, Director of Public Works 

Meeting Date: September 19, 2011

Agenda Item: Supplemental Agreement with Cane Engineering for Municipal Park and Ride Improvements

Attachments: Supplemental Agreement Number 2

This staff report introduces, for City Council review and action, a Supplemental Agreement 2 with Cane Engineering for the Municipal Park and Ride Improvements. The proposed action is to authorize the mayor to sign the agreement.

BACKGROUND

At the Council meeting on October 5th, 2009 the Council authorized the Mayor to sign a Local Agency Standard Consultant Agreement for the Municipal Park and Ride Improvements with Cane Engineering. This agreement included:

1. Survey and Preliminary Design
2. Plans, Specifications, and Estimate
3. Construction and Administration
4. Project Closeout

Note: It also included sub-consultant expenses in the contract price.

The completion date that was anticipated by Staff when the agreement was put together in mid-2009 was November 30, 2010. Therefore the completion date entered on the agreement was November 30, 2010.

At the Council meeting on February 7th, 2011 the Council authorized the Mayor to sign a supplemental agreement to extend out the completion date in the original Consultant Agreement to September 30, 2011. In addition to the date extension the supplement added \$4,800 to the contract price bringing the total of the contract price to \$72,764.25. The increase in cost was due to several factors involving the Critical Areas Permit Application.

On May 31st, 2011 bids were opened for the construction of the Municipal Park and Ride. The bid amount of the low bidder was greater than funds available to the City. The low bidder agreed to hold their bid until November 28th, 2011; and a bid extension agreement was executed on June 20th, 2011. The City has applied for additional funds for the

project and we are waiting to hear the results. If additional funds are granted, construction will commence in the fall of this year and be completed by 2012.

Due to various delays the current contract completion date will expire before the project is completed. This supplemental agreement extends out the completion date to December 31, 2012. The staff and the consultant anticipate the project will be completed by this date.

RECOMMENDED MOTION

Move to authorize the Mayor to sign the Supplemental Agreement Number 2 with Cane Engineering for the Municipal Park and Ride Improvements.



Supplemental Agreement Number <u>2</u>		Organization and Address Cane Engineering 231 SE Barrington Drive, Suite 203 P.O. Box 459 Oak Harbor, WA 98277	
Original Agreement Number N/A		Phone: (360) 279-0615	
Project Number STPR-0670 (001)	Execution Date 10/9/2009	Completion Date 12/31/2012	
Project Title Municipal Park and Ride Improvements	New Maximum Amount Payable \$ 72,764.25		
Description of Work Background: Bids were opened for this project on 5/31/11. The bid amount of the low bidder (Krieg Construction, Inc.) was greater than funds available to the City of Langley. Per bid extension agreement executed on 6-26-11 between Krieg and the City, the bid will not be withdrawn until 11-28-11. The City has applied for supplemental project funding. If supplemental funding is secured, construction will commence in fall of this year and be completed in 2012. Consultant Contract Modification: This Supplemental Agreement extends the Consultant contract term to 12/31/2012.			

The Local Agency of City of Langley, WA
desires to supplement the agreement entered into with Cane Engineering
and executed on 10/9/2009 and identified as Agreement No. N/A

All provisions in the basic agreement remain in effect except as expressly modified by this supplement.

The changes to the agreement are described as follows.

I

Section 1. SCOPE OF WORK, is hereby changed to read:

(No Change in the Scope of Work)

II

Section IV, TIME FOR BEGINNING AND COMPLETION, is amended to change the number of calendar days for completion of the work to read: Completion Date is Amended to December 31, 2012

III

Section V, PAYMENT, shall be amended as follows:

(No Change in the Payment)

as set forth in the attached Exhibit A, and by this reference made a part of this supplement.

If you concur with this supplement and agree to the changes as stated above, please sign in the appropriate spaces below and return to this office for final action.

By: Gregory Cane

By: Paul Samuelson, Mayor

Gregory R. Cane 9/12/11
Consultant Signature

Approving Authority Signature

Date