



Legislation Passed March 3, 2009

The Tacoma City Council, at its regular City Council meeting of March 3, 2009, adopted the following resolutions and/or ordinances. The summary of the contents of said resolutions and/or ordinances are shown below. To view the full text of the document, click on the bookmark at the left of the page.

Resolution No. 37738

Setting Tuesday, March 10, 2009, at approximately 5:30 p.m., as the date for a public hearing by the City Council on the proposed addendum to the Six Year Comprehensive Transportation Program for amended years 2008 and 2009-2014.

Resolution No. 37739

Approving the final plat of "Warner Street Townhomes," a 14-lot single-family townhome subdivision, located at 4034 through 4048 South Warner Street. (Vision Investments; File No. PLT2008-40000113194)

Purchase Resolution No. 37740

Awarding contracts to:

- ~~1. Scarff Motors, Inc., on its bid of \$457,000.00, plus sales tax, budgeted from various departmental funds, for the supply of automotive parts for Ford vehicles on an as-needed basis for the period of March 1, 2009 through February 29, 2012, with the option to renew for two additional one-year periods, for an aggregate total of \$785,000.00 — Specification No. GF08-0927F; Item No. 1 Not Approved~~
2. Clements Brothers, Inc., in the base amount of \$491,260.43, plus sales tax, including additive alternates, a \$75,000 force account, and a 16 percent contingency, for an aggregate total of \$656,862.09, budgeted from the Capital Projects Fund, for the Tacoma Chinese Garden and Reconciliation Park Phase II, located at 1741 Schuster Parkway – Specification No. PW08 0907F;
3. Asphalt Patch Systems, Inc., in the amount of \$1,430,000.00, plus sales tax, for a cumulative total of \$2,190,475.00, budgeted from various departmental funds, to increase and renew the citywide contract for asphalt patching and concrete repair services for utility cuts through May 31, 2010 – Specification No. CT07-0163F; and
4. Spicers Paper, Inc., on its bid of \$147,948.87, plus sales tax, budgeted from various departmental funds, for multipurpose paper for a one-year period, with the option to renew for four additional one-year periods, for an aggregate total of \$739,744.35 – Specification No. CT08-0508F.

Resolution No. 37741

Authorizing the execution of an agreement with the Metropolitan Development Council, in the amount of \$397,090, budgeted from the Human Rights and Human Services Special Revenue Fund, to continue the Housing First Chronic Homeless Elimination Initiative.

Resolution No. 37742

Authorizing the execution of Amendment No. 3 to the agreement with GordonDerr LLP, in the amount of \$100,000, for a cumulative total of \$380,000, budgeted from the General Fund, for legal services relating to various public works and land use matters.

Resolution No. 37743

Authorizing the execution of Amendment No. 2 to the agreement with GordonDerr LLP, in the amount of \$250,000, for a cumulative total of \$775,000, budgeted from the General Fund, for legal services relating to the proposed redevelopment of The Point at North Shore Golf Course and the City's permitting process.

RESOLUTION NO. 37738

A RESOLUTION relating to the Six-Year Comprehensive Transportation Program; setting Tuesday, March 10, 2009, as the date for a public hearing for the purpose of adopting an addendum to the City's Six-Year Comprehensive Transportation Program for amended years 2008 and 2009-2014.

WHEREAS RCW 35.77.010 provides that the legislative body of each city and town shall prepare and adopt a comprehensive transportation program for the ensuing six calendar years and annually thereafter, pursuant to public hearings, and prepare and adopt a revised and extended comprehensive transportation program, and

WHEREAS RCW 35.77.010 further provides that a comprehensive transportation program may be revised at any time by the legislative body, but only after public hearing, and

WHEREAS the City desires to revise its Six-Year Comprehensive Transportation Program ("Transportation Program") by adopting an addendum thereto, in order to apply for federal recovery plan funds authorized by the President of the United States, and

WHEREAS the funds are only available to projects included in a Transportation Program and prepared for construction soon after the adoption of the federal recovery plan, and

WHEREAS the addendum to the Transportation Program will add 13 projects and revise 5 existing projects; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That Tuesday, March 10, 2009, at the hour of approximately 5:30 p.m. thereof, is hereby scheduled as the time, and the City Council Chambers in the Tacoma Municipal Building, Tacoma, Washington, as the place where the City Council will hold a public hearing for the purpose of adopting an addendum to the City's Six-Year Comprehensive Transportation Program for amended years 2008 and 2009-2014.

Section 2. That the Clerk of the City of Tacoma shall give proper notice of the time and place of said hearing.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney

Req. #12160

RESOLUTION NO. 37739

A RESOLUTION relating to platting and subdivision; approving the final plat of WARNER STREET TOWNHOMES, located at 4034 through 4048 South Warner Street.

WHEREAS the owners of all of the property situate in Pierce County,

Washington, described as follows:

Lots 17 and 18, Block 12 of CASCADE PARK ADDITION TO TACOMA, W.T., according to Plat recorded in Book 1 of Plats at Page 120, in Pierce County, Washington.

EXCEPT the East 3 feet conveyed to the City of Tacoma by Instrument recorded under Auditor's No. 2405109.

Lots 19 through 21, inclusive, Block 12, CASCADE PARK ADDITION TO TACOMA, W.T., according to Plat recorded on Book 1 of Plats at Page 120, in Pierce County, Washington.

EXCEPT the East 3 feet conveyed to the City of Tacoma by Instrument recorded under Auditor's No. 2405109.

Lots 22 and 23, Block 12, CASCADE PARK ADDITION TO TACOMA, W.T., according to the Plat recorded in Book 1 of Plats, Page 120, in Pierce County, Washington.

EXCEPT the East 3 feet conveyed to the City of Tacoma by Instrument recorded under Auditor's No.2386158

Tax Parcel Nos. 289000383, 2890000384, 2890000393, 2890000394, 2890000395, 2890000402 and 2890000403.

have joined in a plat of the property to be known and designated as

WARNER STREET TOWNHOMES, and

WHEREAS the preliminary plat of WARNER STREET TOWNHOMES was tentatively approved by the Hearing Examiner, subject to the conditions contained in the Hearing Examiner's Report and Decision, dated February 1, 2008, and the conditions have now been fully complied with by the owners of the property, and

WHEREAS the plat, evidenced by the official drawing thereof, has been approved by the Director of Public Works, the City Engineer, the Land Use Administrator, and the City Attorney, and the requirements of Chapter 13.04 of the Tacoma Municipal Code have been fully complied with, and

WHEREAS the WARNER STREET TOWNHOMES plat is hereby submitted to the City Council for acceptance and approval; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That the final plat of WARNER STREET TOWNHOMES is hereby accepted and approved.

Section 2. That the Mayor and the proper City officers are hereby authorized to indicate upon the original tracing(s) of the plat the acceptance by the City Council of the same as provided in Chapter 13.04 of the Tacoma Municipal Code.

Adopted _____

Mayor

Attest:

City Clerk

Location: 4034 through 4048 South Warner Street
Applicant: Vision Investment
File No.: PLT2008-40000113194

Approved as to form:

Legal description approved:

Assistant City Attorney

Chief Surveyor
Public Works Department



RESOLUTION NO. 37740

1 A RESOLUTION related to the purchase of materials, supplies or equipment,
2 and the furnishing of services; authorizing the appropriate City officials to
3 enter into contracts and, where specified, waiving competitive bidding
4 requirements, authorizing sales of surplus property, or increasing or
5 extending existing agreements.

6 WHEREAS the City has complied with all applicable laws governing the
7 acquisition of those supplies, and/or the procurement of those services,
8 inclusive of public works, set forth in the attached Exhibit "A," which Exhibit is
9 incorporated herein as though fully set forth, and

10 WHEREAS the Board of Contracts and Awards has reviewed the
11 proposals and bids received by the City, and the Board has made its
12 recommendation as set forth in Exhibit "A," and

13 WHEREAS the Board of Contracts and Awards has also made its
14 recommendations as to entering into purchasing agreements with those
15 governmental entities identified in Exhibit "A"; Now, Therefore,

16 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

17 That the Council of the City of Tacoma does hereby concur in the
18 findings and recommendations of the Board of Contracts and Awards set forth
19 in the attached Exhibit "A," and does hereby approve and authorize the:

20 (X) A. Procurement of those supplies, services, and public works
21 recommended for acceptance in the attached Exhibit "A";

22 () B. Rejection of those bids and/or proposals that are recommended
23 for rejection in the attached Exhibit "A";
24



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

() C. Entry into the proposed purchasing agreement with those governmental entities identified in the attached Exhibit "A," which proposed agreement is on file in the office of the City Clerk;

() D. Waiver of competitive bidding procedures in those instances, as set forth in Exhibit "A," in which it is impracticable to obtain supplies or public works improvements by competitive bid, or in those instances in which supplies and/or public works are available from a single source.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

[Handwritten Signature]

City Attorney



Tacoma

**City of Tacoma
Public Works Department**

EXHIBIT "A"
RESOLUTION NO.: 37740
ITEM NO.: 1
MEETING DATE: MARCH 3, 2009

DATE: February 3, 2009
TO: Board of Contracts and Awards
SUBJECT: Purchase Original Equipment Manufacturer Parts for Ford Vehicles
Budgeted from Various Individual Department Funds
Bid Specification No. GF08-0927F

Recommendation: Public Works -- Fleet Services recommends a contract be awarded to the low bidder **Scarff Motors, Inc., Auburn, WA**, for the supply of automotive parts for Ford vehicles on an as-needed basis for the period March 1, 2009, through February 29, 2012. The recommendation is for an initial three-year contract in the amount of **\$457,000.00**, plus sales tax, plus the option of two additional one-year renewal periods, for an aggregate total of \$785,000.00, plus sales tax.

Explanation: This contract supplies automotive parts for Ford vehicles for all general government departments.

Competitive Bidding: Request for Bids Specification No. GF08-0927F was opened December 9, 2008. Twelve companies were invited to bid in addition to normal advertising of the project. Three submittals were received. The bid received from Seattle Automotive Distributing, Inc., is a partial bid because they are not authorized to sell Ford brand parts. The pre-bid estimate and submittal amounts are for a market basket list of items representing an estimated three-year quantity and 56% of the dollar value of historical purchases of parts for Ford vehicles.

Respondent	Location	Submittal Amount, Plus Tax
Scarff Motors, Inc.	Auburn, WA	\$258,045.15
Titus-Will Ford Sales, Inc.	Tacoma, WA	\$258,139.83
Seattle Automotive Distributing, Inc.	Auburn, WA	\$153,092.16*
	Pre-Bid Estimate	\$255,000.00

* *Partial bid.*

The submittal of the recommended vendor is 1.2% above the pre-bid estimate.

Contract History: New contract.

Funding: Funds for this contract are provided by the individual departments using the contract. Funding for optional renewals are subject to budget availability.

HUB/LEAP Compliance: Not applicable.

Project Engineer/Coordinator: Fred Chun, Fleet Services Manager, 253-591-5553.

Richard E. McKinley
Public Works Director

- cc: Jeffrey Jenkins/Angela Ballard, PW/Facilities
Director's Intern, Public Works
- Michele Tuong, TPU/Accounting Services
- Jayne McCartney, TPU/Purchasing
- Fred Chun/Janis Pipal/Mary Emery, PW/Fleet Operations



City of Tacoma
Public Works Department

EXHIBIT "A"

RESOLUTION NO.: 37740

ITEM NO.: 2

MEETING DATE: MARCH 3, 2009

DATE: February 10, 2009
TO: Board of Contracts and Awards
SUBJECT: Tacoma Chinese Garden and Reconciliation Park Phase II
Budgeted from Capital Projects Fund 3211
Request for Bids Specification No. PW08-0907F

RECOMMENDATION: Public Works - Engineering Division recommends that a contract be awarded to low bidder, **Clements Brothers, Inc., Bonney Lake, WA**, for the Tacoma Chinese Garden and Reconciliation Park Phase II. The contract amount reflects a base award of \$491,260.43, including additive alternates B-E, plus a \$75,000 force account, plus a 16% contingency, for an aggregate total of \$656,862.09, plus sales tax.

EXPLANATION: This contract will construct Phase II improvements at the Tacoma Chinese Garden and Reconciliation Park located at 1741 Schuster Parkway. The project scope of work includes clearing, demolition, marine demolition, site work, shoreline construction, paths, site furnishings, landscaping and a concrete foundation for a Chinese pavilion to be constructed by others.

COMPETITIVE BIDDING: Specification No. PW08-0907F was opened on January 6, 2009. Ten companies were invited to bid in addition to normal advertising of the project. Thirteen submittals were received. The bid from Wade Perrow Construction, LLC is considered non-responsive. The Historically Under-Utilized Business (HUB) participation level proposed by the bidder(s) are reflected as a credit (maximum applies) against the submitted base bid to arrive at an "evaluated bid" for ranking purposes. Clements Brothers, Inc. submitted the lowest evaluated bid after considering HUB participation goals.

<u>Respondent</u>	<u>Location</u> <i>(city and state)</i>	<u>Submittal Amount</u> Plus sales tax	<u>Evaluated Submittal</u>
Clements Brothers, Inc.	Bonney Lake, WA	\$ 491,260.43	\$ 467,903.10
Wade Perrow Construction, LLC*	Gig Harbor, WA	\$ 615,134.60	
Speranok Construction, Inc.	Tacoma, WA	\$ 675,015.34	\$ 650,452.32
Rhodes Development, Inc.	Tacoma, WA	\$ 770,864.94	\$ 746,301.20
Henderson Partners, LLC	Gig Harbor, WA	\$ 714,810.85	\$ 690,247.83
Paul Brothers, Inc.	Boring, OR	\$ 811,218.20	\$ 805,767.91
MidMountain Contractors, Inc.	Kirkland, WA	\$ 782,546.17	\$ 757,983.15
L.W. Sunderstrom, Inc.	Ravensdale, WA	\$ 836,472.20	\$ 836,472.20
Redside Construction, LLC	Port Gamble, WA	\$ 928,035.64	\$ 928,035.64
Bowers Construction, Inc.	Montesano, WA	\$ 889,573.15	\$ 889,573.15
Ohno Construction Company	Seattle, WA	\$ 836,949.56	\$ 831,055.25
Quigg Brothers, Inc.	Aberdeen, WA	\$ 862,964.20	\$ 838,401.18
Construct Company, LLC	Sumner, WA	\$1,229,416.50	\$1,225,511.06

Pre-bid Estimate \$ 735,495.44

* Bidder considered non-responsive.

The recommended award is 33.2% percent below the pre-bid estimate.

CONTRACT HISTORY: New contract.

FUNDING: Funds for this are available in Capital Projects Fund 3211 with the passage of Ordinance No. 27735.

HUB/LEAP COMPLIANCE: The recommended contractor is in compliance with the Historically Under-utilized Business (HUB) Regulation requirements per memorandum dated January 30, 2009. The HUB goal for this project is 15%. The HUB participation level of the recommended contractor is 14.26%. Clements Brothers, Inc. submitted the lowest evaluated bid per the HUB Regulation requirements. The Local Employment and Apprenticeship Training Program (LEAP) goal is 375 hours.

PROJECT ENGINEER/COORDINATOR: Rick Melvin – Project Manager, Engineering Division, (253) 573-2548.



Richard E. McKinley
Public Works Director

REM: rvm

cc: Charles Blankenship
Percy Jones/Peter Guzman, HALO
PWD Intern



City of Tacoma
Finance Department

EXHIBIT "A"

RESOLUTION NO.: 37740

ITEM NO.: 3

MEETING DATE: MARCH 3, 2009

DATE: February 18, 2009

TO: Board of Contracts and Awards

SUBJECT: Citywide Contract for Asphalt Patching and Concrete Repair Services
Budgeted from various funds as needed by using departments
Specification No. CT07-0163F SAP Contract No. 4600004005

RECOMMENDATION: Finance Department, Purchasing Division requests Public Utility Board and City Council approval to increase and renew citywide contract no. 4600004005 to **Asphalt Patch Systems, Inc., Puyallup, WA**, by \$1,430,000 plus sales tax, for asphalt patching and concrete repair services for utility cuts through May 31, 2010. This renewal is the first of three one year renewal options.

EXPLANATION: This increase and renewal will provide for continued street patching, utility cut services, and asphalt paving and sealing for complete road patching or concrete repairs on an as-needed basis for multiple City departments. The requested increase is for estimated usage by Tacoma Public Utilities and General Government departments and represents \$300,000 to provide for additional estimated usage through May 31, 2009, and \$1,130,000 for estimated usage from June 1, 2009, through May 31, 2010.

COMPETITIVE BIDDING: This contract was originally awarded to Asphalt Patch Systems, Inc., by Utility Board Resolution No. U-10131 #1, April 24, 2007, and City Council Resolution No. 37180, May 8, 2007, as a result of formal bid Specification No. CT07-0163F in the amount of \$760,475, plus sales tax. (\$660,475 for Tacoma Public Utilities and \$100,000 for General Government.) Asphalt Patch Systems, Inc. has agreed to renew the contract at the same terms and conditions as the original contract.

CONTRACT HISTORY: This contract was originally awarded to Asphalt Patch Systems, Inc., in the amount of \$760,475, plus sales tax. There has been no increase to the contract since the award date of May 8, 2007. The \$1,430,000 increase will bring the contract to a cumulative total of \$2,190,475, plus sales tax. Total cumulative contract usage amounts are estimated \$1,740,475 for Tacoma Public Utilities and \$450,000 for General Government.

FUNDING: Various – Funds for the contract are provided by the individual departments using the contract. The departments are billed directly for their purchases.

PROJECT COORDINATOR: Jim Wilkerson, Finance/Purchasing, 253-502-8332

Larry Dardzinski
Chief Procurement Officer

cc: Jim Wilkerson, Purchasing Analyst
Roberta Cox, Tacoma Power T&D
Toby Brewer, Tacoma Power Generation
Tony Lindgren, Tacoma Water
Matt Fengler, Public Works



City of Tacoma
Finance Department

EXHIBIT "A"

RESOLUTION NO.: 37740

ITEM NO.: 4

MEETING DATE: MARCH 3, 2009

DATE: February 18, 2009
TO: Board of Contracts and Awards
SUBJECT: Citywide Contract for Multipurpose Paper
Budgeted from various funds as needed by using departments
Request for Bids Specification No. CT08-0508F

RECOMMENDATION: The Finance Department, Purchasing Division recommends a contract be awarded to bidder **Spicers Paper, Inc., Kent, WA**, for multipurpose paper. The recommendation is for an initial one-year contract term in the amount of \$147,948.87, plus sales tax, plus the option of four additional one-year renewal periods, for an aggregate total of \$739,744.35, plus sales tax. Estimated usage for General Government is \$577,000.59 and estimated usage for Tacoma Public Utilities is \$162,743.76. The specification documents contain market-based provisions for price escalation/de-escalation that will affect overall contract value.

EXPLANATION: The contract provides multipurpose paper for all City departments on an as-needed basis.

COMPETITIVE SOLICITATION: Request for Bids Specification No. CT08-0508F was opened December 30, 2008. Eight companies were invited to bid in addition to normal advertising of the project. Two submittals were received. The solicitation contained twelve different categories of multipurpose paper. Three categories will not be awarded, as no responsive bids were received for these three categories. Both bidders had low bid items in the various categories. West Coast Papers bid is considered non-responsive, as they took exception to the timeframe allowed for price adjustments. The table below reflects the amount of the initial contract term.

<u>Respondent</u>	<u>Location</u> <i>(city and state)</i>	<u>Submittal Amount</u> Plus Sales Tax
Spicers Paper, Inc.	Kent, WA	\$ 147,948.87
West Coast Paper *	Kent, WA	\$ 166,947.75

Pre-bid estimate \$ 70,000

* Bid considered non-responsive

The pre-bid estimate was based on past purchases with the previous contract holder and did not account for all paper purchases throughout the City.

CONTRACT HISTORY: New contract.

FUNDING: Various – Costs are billed directly to individual departments. Funding for optional renewals are subject to budget availability.

HUB/LEAP COMPLIANCE: N/A

PROJECT ENGINEER/COORDINATOR: Chuck Blankenship, 253-502-8163

Larry Dardzinski
Purchasing Manager

cc: Robert K Biles, Finance Director

RESOLUTION NO. 37741

A RESOLUTION relating to the Housing First Chronic Homeless Elimination Initiative; authorizing the execution of a contract with the Metropolitan Development Council, in the amount of \$397,090, to be budgeted from the Human Rights and Human Services Special Revenue Fund, to provide funding to continue the Housing First Chronic Homeless Elimination Initiative.

WHEREAS, in spring 2006, City staff, City Council members, nonprofit organizations, federal officials, and a City consultant identified a “housing first” model to eliminate homeless encampments in an efficient yet humane manner, and

WHEREAS this initial plan has been extended to unhoused, chronically homeless Tacoma residents, and

WHEREAS the City Council authorized funding in 2009-2010 to provide funding to continue the initiative; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proper officers of the City are hereby authorized to execute a contract with the Metropolitan Development Council, in the amount of \$397,090, to be budgeted from the Human Rights and Human Services Special Revenue Fund, to provide funding to continue the Housing First Chronic

Homeless Elimination Initiative, said contract to be substantially in the form of the proposed contract on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney

RESOLUTION NO. 37742

A RESOLUTION relating to legal services; authorizing the execution of Amendment No. 3 to the Agreement for Legal Services with the law firm of GordonDerr LLP, in the amount of \$100,000, for a cumulative contract amount of \$380,000, to be budgeted from the General Fund, to provide legal advice and services to the City relating to various public works and land use matters.

WHEREAS the City's Legal Department is waiting until the classification and compensation study has been completed before beginning the hiring process for vacant assistant city attorney positions, including a senior land use public works position, and

WHEREAS, on October 15, 2007, the City entered into an Agreement for Legal Services ("Agreement") with the law firm of GordonDerr LLP, in the amount of \$50,000, to meet the immediate and ongoing need for legal services for public works and land use matters, and

WHEREAS, on June 3, 2008, the City Council adopted Resolution No. 37495, authorizing the execution of Amendment No. 1 to the Agreement, in the amount of \$130,000, for a cumulative total of \$180,000, and

WHEREAS, on September 30, 2008, the City Council adopted Resolution No. 37607, authorizing the execution of Amendment No. 2 to the Agreement, in the amount of \$100,000, for a cumulative total of \$280,000, for continued legal services relating to various public works and land use matters, and

WHEREAS the use of these services is on par with the City's projected and budgeted expenditures for these ongoing advice matters, and

WHEREAS it is necessary to execute Amendment No. 3 to the Agreement to increase the total compensation, in the amount of \$100,000, for a cumulative contract amount of \$380,000, to ensure that the law firm can continue to provide legal services until the hiring process can move forward; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proper officers of the City are hereby authorized to execute Amendment No. 3 to the Agreement for Legal Services with GordonDerr LLP, in the amount of \$100,000, for a cumulative contract amount of \$380,000, to be budgeted from the General Fund, to provide legal advice and services to the City relating to various public works and land use matters, said document to be substantially in the form of the proposed amendment on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

RESOLUTION NO. 37743

A RESOLUTION relating to legal services; authorizing the execution of Amendment No. 2 to the Agreement for Legal Services with the law firm of GordonDerr LLP, in the amount of \$250,000, for a cumulative amount of \$775,000, to be budgeted from the General Fund, for legal services relating to the proposed redevelopment of The Point at North Shore Golf Course and legal advice concerning the City's permitting process.

WHEREAS, on August 21, 2007, the City entered into a legal services agreement with the law firm of GordonDerr LLP ("GordonDerr"), in the amount of \$25,000, to provide legal services relating to the proposed redevelopment of The Point at North Shore Golf Course, and

WHEREAS, on December 18, 2007, the City Council adopted Resolution No. 37350, authorizing the execution of Amendment No. 1 to the agreement with GordonDerr, in the amount of \$500,000, for a cumulative total of \$525,000, and

WHEREAS the parties wish to execute Amendment No. 2 to the agreement to increase the contract, in the amount of \$250,000, for a cumulative total of \$775,000, to ensure that the law firm can continue providing legal representation through the conclusion of this matter and provide legal advice concerning the City's permitting process; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proper officers of the City are hereby authorized to execute Amendment No. 2 to the Agreement for Legal Services with GordonDerr LLP, in the amount of \$250,000, for a cumulative total of \$775,000, to be budgeted from the General Fund, for the purpose of providing legal services to the City with regard to the proposed redevelopment of The Point at North Shore Golf

Course, as well as related research and legal advice concerning the City's permitting process, said document to be substantially in the form of the proposed amendment on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney