



## Legislation Text

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**File #:** 2011-0226, **Version:** 1

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Clerk 05/12/2011

A MOTION authorizing the chair of the council to enter into Amendment No. 10 to Contract No. P43024P, Agreement for Professional Services for Brightwater Project Oversight Services, which includes amendments to existing provisions and a new Exhibit H, Novation Agreement.

WHEREAS, King County entered into a professional services contract with R.W. Beck, Inc., to provide independent oversight and monitoring of the design and construction of the treatment plant, conveyance facilities and marine outfall for the Brightwater project in March 2005, and

WHEREAS, the metropolitan King County council adopted the 2007 Budget Ordinance, Ordinance 15652, appropriating funds for a pilot project within the King County auditor's office to provide independent, legislative oversight of King County's major capital construction projects, and

WHEREAS, the metropolitan King County council approved the 2007 through 2011 annual work programs for the King County auditor's office, as required by K.C.C. 2.20.045, mandating the office to provide independent and expert legislative oversight of the Brightwater project to ensure receipt of sufficient and timely information on the project scope, schedule and budget, and to promote transparency and public accountability in the development of the wastewater treatment facilities, and

WHEREAS, management responsibility for the Brightwater project oversight contract was transferred from the department of natural resources and parks, wastewater treatment division, to the metropolitan King County council under the management of the county auditor's office in July 2008 in accordance with Amendment No. 5, and

WHEREAS, the duration of Contract No. P43024P was extended to December 31, 2010, in accordance with Amendment No 7, and the total contract price was increased to 1,519,060 dollars, and

WHEREAS, the duration of Contract No. P43024P was extended to March 31, 2011, in accordance with Amendment No. 8, and

WHEREAS, the duration of Contract No. P43024P was extended to May 31, 2011, in accordance with Amendment No. 9, and

WHEREAS, Amendment No. 10 would extend the duration of Contract No. P43024P from May 31, 2011 to May 31, 2013, increase the total contract price to 1,953,737 dollars, modify and update certain exhibits and contract provisions, including: Period of Performance, Scope of Work (Exhibit A), Cost Summary (Exhibit B), Insurance (Exhibit D), Non-Discrimination and Other Forms (Exhibit E), Key Personnel List (Exhibit F), Compensation, Fixed Professional Fee, Lump Sum Other Direct Costs, and Non-Discrimination, Equal Opportunity and Affirmative Action, and

WHEREAS, Motion 10651, Section III, as amended, and OR 1-020 requires the council to authorize the council chair to sign any contracts in excess of 25,000 dollars in the legislative branch, and

WHEREAS, Science Applications International Corporation acquired R.W. Beck, Inc. on August 1, 2009, and is now consolidating R.W. Beck into a wholly owned subsidiary, SAIC Energy, Environment & Infrastructure, LLC, ("SEE&I"), and

WHEREAS, SEE&I has assumed all obligations and liabilities of R.W. Beck arising under Contract No. P43024P, by virtue of that consolidation, and,

WHEREAS, execution of the Novation Agreement, which is Exhibit H to Amendment No. 10 to Contract No. P43024P, is necessary to recognize SEE&I as the successor party under the contract to R.W. Beck, Inc.;

NOW, THEREFORE, BE IT MOVED by the Council of King County:

The chair of the metropolitan King County council is authorized to execute:

A. The Novation Agreement, which is Exhibit H to Attachment A to this motion; and then

B. Amendment No. 10 to Contract No. P43024P, in substantially the form of Attachment A to this motion, to: increase by 434,678 dollars the maximum total price to 1,953,737 dollars; extend the contract duration to May 31, 2013; modify the scope of work and certain other exhibits and contract provisions, including: Period of Performance, Scope of Work (Exhibit A), Cost Summary (Exhibit B), Insurance (Exhibit D), Non-Discrimination and Other Forms (Exhibit E), Key Personnel List (Exhibit F), Compensation, Fixed Professional Fee, and Lump Sum Other Direct Costs and Non-Discrimination, Equal Opportunity and Affirmative Action and adding the new Exhibit H, the Novation Agreement (Exhibit H).