

Project title: Authorize the Mayor to sign Professional Services Amendment No 1 with The Gordian Group Inc.

Council Bill #**Consideration:** Professional Services Amendment No 1 with The Gordian Group Inc.**Project:** Job Order Contracting**Agenda dates requested:**

September 18, 2019

Partner/Supplier: Gordian**Location:**

Briefing
Proposed action
Consent

Preceding action: Council Approval of Professional Services Agreement on November 14, 2018

Action

Fund: Various

Ordinance

Public hearing

Yes No

Fiscal summary statement:

On November 14, 2018, Council approved a professional services agreement with Gordian for job order contracting (JOC). The total compensation to Gordian was not to exceed \$200,000. This amount was based on an estimated use of the JOC program of \$4 million per year, with each JOC task order limited to no more than \$350,000.00.

Budget amendment:

Yes No

On July 28, 2019, legislation changed the statute and projects may now be as large as \$500,000 per task order, not including sales tax. Staff anticipates a higher use of the JOC program and is requesting an amendment to increase the annual compensation from \$200,000 to not to exceed \$350,000 annually. The \$350,000 in compensation is based on an estimated use of the program of \$7 million annually. The revised statute limits total task orders to no more than \$8 million annually.

PowerPoint presentation:

Yes No

Project summary statement:

RCW 39.10.420 authorizes the City to establish JOB Order Contracting (JOC) to reduce the total lead-time and cost for construction of Public Works projects for repair and renovation of public facilities. JOC uses a competitive process to select up to three general contractors to oversee the completion of smaller projects at established unit pricing.

Attachments:

Professional Services
Amendment No 1

Department(s) involved:

Purchasing

Contact person:

Theresa Bauccio-Teschlog

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The Gordian Group Inc. assists the City with JOC by providing its proprietary software and professional consulting services. On November 14, 2018, Council approved a three-year contract term, which will run through November 14, 2021, with two one-year extensions. Compensation is paid as a 5% fee for each project using JOC.

Initialed by:

Department head

Administration

Council President

Recommendation (exact action requested of Council):

Authorize the Mayor to sign Professional Services Amendment No 1 with the Gordian Group Inc. for Job Order contracting and consulting services in the estimated annual amount of \$350,000 for the remainder of the contract.

**AMENDMENT NO. 1
PROFESSIONAL SERVICES AGREEMENT
BETWEEN THE CITY OF EVERETT
AND THE GORDIAN GROUP, INC.**

This Amendment No. 1 is dated for reference purposes September 1, 2019. It is by and between the City of Everett, a municipal corporation under the laws of the State of Washington ("City") and The Gordian Group, Inc. ("Service Provider").

RECITALS

A. The City and Service Provider are parties to the Professional Services Agreement dated November 30, 2018 (the "Agreement").

B. The City and the Service Provider desire to amend the Agreement for the purpose of increasing the not to exceed annual compensation amount from \$200,000 annually to \$350,000 annually.

AGREEMENT

The City and Service Provider agree as follows:

1. The Agreement is modified so that total compensation, including all services and expenses, shall not exceed \$350,000 annually due to an increased use of the Job Order Contracting program and a statute change which increased the maximum task order value from \$350,000 to \$500,000.
2. Regardless of the date(s) on which this Amendment is signed by the parties, the parties agree that the Agreement has been continuously in effect since November 30, 2018.
3. At the sole discretion of the City, the City may consent to the Service Provider's signature on this Amendment being by email, fax, pdf or other electronic means, in which case such Service Provider signature will be deemed an original signature for all purposes. The City will be deemed to have given such consent effective upon execution of this Amendment by the Mayor of the City.
4. All provisions in the Agreement shall remain in effect except as expressly modified by this Amendment.

**CITY OF EVERETT
WASHINGTON**

The Gordian Group, Inc.

By: _____
Cassie Franklin, Mayor

Signature: Ammon T. Lesher
Typed/Printed Name: Ammon T. Lesher
Title: VP

Date

8/12/19

Date

ATTEST:

APPROVED AS TO FORM:

Sharon Fuller, City Clerk
Date: _____

James D. Iles, City Attorney
Date: _____