I-05-005

Contract # 3425
(Obtain from City Clerk)

CONTRACT REVIEW/APPROVAL ROUTING FORM

INSTRUCTIONS:

1. First time original contracts
a.) Contact City Clerk's Office for Contract Number
b.) One copy of the contract routing form
c.) Three original contract documents

2. Amendments/Change Orders
a) Contact City Clerk's Office for Contract Number
b) One copy of the contract routing form
c) Three original amendments/change orders
d) One copy of the original contract

CONTRACT DESCRIPTION

Contract Originator: Kris Overleese (routed by Catherine)
Department/Division: Public Works Date: 4/29/2005

Type of Contract:
☐ (C) Building Construction ☐ (L) Lease Agreement ☐ (I) Intergov't Agreement
☒ (A) Addendum/Change Order ☐ (W) Public Works ☐ (O) Other
☐ (GR) Grants ☐ (S) Purchase of Services *(all types)*

CONTRACT TITLE: Amendment No.2 - Shoreline Interurban Trail Memorandum of Agreement (MOA) with City of Seattle, City Light Department (SCL)

Brief Description of Services: MOA sets forth the terms and working guidelines for the design, construction, operation and maintenance of a multi-use trail within Seattle City Light right-of-way.

Contract Modification: Has the original contract boilerplate language been modified? N☐ Y☒ If yes, list which sections have been modified. City of Seattle document

Bid/RFP Number: 1542 (original MOA)

Name of Consultant/Contractor City of Seattle

Effective Date: See terms of this amendment **Termination Date:** See terms of this amendment

Total Amount of Contract: N/A **OrgKey # & Object #**

(including reimbursable expenses) **J/L #** (if required) _____

Is there sufficient funds in the current budget to cover this contract? Y☒ N☐ If no, from where are the additional funds coming? _____

Payment Terms *(monthly installments, progress payments, etc.)*: N/A

Remarks: _____

SIGNATURE ROUTING: **Date**

☒ 1. Project Manager/Director KM 5-3-05
☒ 2. Risk Mgmt/Budget 5/6/05
☒ 3. City Attorney City Light
☒ 4. **Send to ~~Consultant~~ for execution after City Manager** (only send contract documents)
☐ 5. City Council Approval (if required) _____ (mo/day/year)
☒ 6. City Manager (if required) 5/10/2005
☐ 7. Dept. Director (if authorized)
☒ 8. City Clerk SCL to execute
☒ 9. Purchasing

G:\PWORKS\Engineering\Aurora - Interurban\Interurban\Contracts-General\SCL - MOA\#3425 - Amendment No. 2\routing sheet #3425.doc
Source:K/Common/Forms/Templates/Contracts 02/26/2003

CITY OF SHORELINE

Memorandum

DATE: April 29, 2005

TO: Steven C. Burkett, City Manager

FROM: Kris Overleese, Capital Projects Manager KO

VIA: Kirk McKinley, Aurora Corridor & Interurban Trail Project Manager
Jill Marilley, City Engineer
Paul Haines, Public Works Director

RE: Amendment No. 2: Interurban Trail Memorandum of Agreement (MOA) Amendment with Seattle City Light

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Amendment No. 2 for the Memorandum of Agreement for the Interurban Trail is attached for your signature.

This is Amendment No. 2 of the Shoreline Interurban Trail Memorandum of Agreement between the City of Seattle, through its City Light Department, and the City of Shoreline (City of Shoreline original contract number, 1542).

This addendum redefines the terms of the commencement of the 25-year MOA. A Specific Construction Term will commence upon execution of this amendment and expire upon completion of the trail (but no later than December 31, 2007). At this point, a Specific Use Term will commence and continue for an additional period of 25 years.

Please refer to attached amendment, or call Kris Overleese with any questions (546-0791).

Shoreline City Clerk
Receiving Number
3425

AMENDMENT #2 TO SHORELINE INTERURBAN TRAIL MEMORANDUM OF AGREEMENT

(ORIGINAL CONTRACT -P.M. # 260418-3-419)

Whereas an agreement was entered into by and between the City of Shoreline, Washington ("Shoreline"), and City of Seattle, City Light Department ("City Light") on August 9, 2001; and

Whereas said agreement was further modified by amendment April 30, 2003; and

Whereas the parties desire to further amend said agreement in order to reflect a change in term to comply with funding requirements for construction of the Interurban Trail by the City of Shoreline;

Now, therefore, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. **Existing Agreement Amended:** The City of Shoreline and City Light entered into the agreement which is identified as: **Shoreline Interurban Trail Memorandum of Agreement**. The parties hereby amend that agreement.

2. **Amendment to Existing Agreement:** The agreement is amended in the following respect(s):

   a.) The Term of Agreement , page 2 is deleted in its entirety and replaced with new language as follows:

The Term of this Agreement shall commence upon execution, except that a Specific Construction Term will commence upon execution and extend until completion of the Trail in the Right of Way within Shoreline, but no later than December 31, 2007; and a Specific Use Term will commence from the end of the Specific Construction Term and continue for an additional period of twenty-five (25) years. Shoreline will give notice of the date of completion of the Trail (the end of the Specific Construction Term) to City Light. This Agreement shall terminate at the end of the Specific Use Term unless cancelled or renewed by the parties pursuant to the terms of this Memorandum of Agreement.

3. **Remaining Terms and Conditions of Existing Agreement to Continue:** The parties agree that, except as specifically provided in this amendment, the terms and conditions of the existing agreement continue in full force and effect.

EXECUTED this the 16 day of MAY, 2005.

CITY OF SHORELINE

Steven C. Burkett
City Manager

SEATTLE CITY LIGHT DEPARTMENT

Name: Jorge Carrasco, Superintendent
Title: Seattle City Light

Approved as to form:

Shoreline City Attorney