

**AMENDMENT NO. 1 TO AGREEMENT BETWEEN OWNER  
AND DESIGN BUILDER  
CITY OF TACOMA AND ACTIVE CONSTRUCTION, INC.**

**THIS AMENDMENT** is made and entered into effective as of the \_\_\_\_ day of \_\_\_\_\_, 2015 (“Effective Date”), by and between the **CITY OF TACOMA**, a municipal corporation (hereinafter called the “CITY”) and **ACTIVE CONSTRUCTION, INC.** (hereinafter called the “CONTRACTOR”).

**WHEREAS** the CITY and the CONTRACTOR entered into that certain Design Build Contract dated September 29, 2014 (herein “Contract”), and

**WHEREAS** the CITY and the CONTRACTOR desire to amend the Contract in order to supplement the original scope of work, increase the compensation allowed under the Contract for such supplemental scope of work, and extend the time for performance accordingly.

**NOW, THEREFORE**, in consideration of the mutual promises and obligations hereinafter set forth, the parties agree as follows:

1. The maximum payable authorized under section 6.4 of the Contract is hereby increased by \$1,315,000, for a cumulative total of \$3,838,400, sales tax not applicable.
2. The time for performance under the Contract is hereby extended until August 30, 2016.
3. The Scope of Work under the original Contract, is hereby amended to include the list of sites attached as Exhibit A to this First Amendment and incorporated herein.
4. All other terms of the Contract, together with all exhibits, are hereby ratified and shall remain in full force and effect, unaltered by this First Amendment.

**IN WITNESS WHEREOF**, the Parties hereto have executed this Amendment effective as of the Effective Date first written above.

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Signatures on following page.

**AMENDMENT NO. 1 TO AGREEMENT BETWEEN OWNER AND DESIGN BUILDER  
CITY OF TACOMA AND ACTIVE CONSTRUCTION, INC.**

**CITY OF TACOMA**

**ACTIVE CONSTRUCTION , INC.**

\_\_\_\_\_  
T.C. Broadnax, City Manager

\_\_\_\_\_  
David Ceccanti, President

Tax ID.: \_\_\_\_\_

Public Works Department

\_\_\_\_\_  
Kurtis D. Kingsolver, P.E., Director, Public Works

Approved:

\_\_\_\_\_  
Andrew Cherullo, Finance Director

Approved as to Form:

\_\_\_\_\_  
Deputy City Attorney

**EXHIBIT A to AMENDMENT NO. 1 TO  
AGREEMENT BETWEEN OWNER AND DESIGN BUILDER  
CITY OF TACOMA AND ACTIVE CONSTRUCTION, INC.**

The following sites are included in the Scope of Work for this First Amendment. The City reserves the right to add sites, provide alternate/substitute sites, or to remove sites based on the design process and/or to address modified priorities for improvements based on new community and safety concerns and/or equity between Council districts.

N. 34<sup>th</sup> and Proctor  
N. 21<sup>st</sup> and Warner  
N. 30<sup>th</sup> and Pearl St.  
N. 47<sup>th</sup> and Pearl St.  
N. Seaview and Pearl St.  
N. Orchard and N. 14<sup>th</sup> St.

MLK Way and 6<sup>th</sup> Ave.  
N. I St. and N. 4<sup>th</sup> St.  
N. I St. and N. 3<sup>rd</sup> St.  
49<sup>th</sup> Ave. NE and 41<sup>st</sup> Ave NE  
Northshore Pkwy and Fairwood Blvd

S. Yakima and S. 21<sup>st</sup> St.  
S. J St. and S. 19<sup>th</sup> St.  
S. 12<sup>th</sup> St. and Moorlands  
S. 13<sup>th</sup> St. and Yakima Ave.  
S. Union and Hwy 16  
S. 19<sup>th</sup> St. and Cushman  
MLK Jr. Way and S. 21<sup>st</sup> St.

E. Portland and E. 52<sup>nd</sup> St.  
S. Alaska and S. 38<sup>th</sup> St.  
S. 34<sup>th</sup> St. and S. C St.  
E. 38<sup>th</sup> St. and E. L St.

S. 56<sup>th</sup> St. and S. J St.  
S. 60<sup>th</sup> St. and Fife St.  
S. 66<sup>th</sup> St. and Clement  
S. 68<sup>th</sup> St. and Clement  
S. 68<sup>th</sup> St. and St. Wapato

S. 12<sup>th</sup> St. and S. M St.  
S. 56<sup>th</sup> St. and S. I St.  
S. 56<sup>th</sup> St. and S. Thompson Ave.  
N. 25<sup>th</sup> St. and Madison  
S. Tacoma Way and S. 66<sup>th</sup> St.  
S. 35<sup>th</sup> and Union Ave.