

RESOLUTION NO. 2013-03

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF BENTON CITY TO SIGN AMENDMENT NUMBER A TO THE CAPITAL AGREEMENT BETWEEN THE CITY OF BENTON CITY AND THE WASHINGTON STATE PUBLIC WORKS BOARD

WHEREAS, the City signed an agreement for a loan from the Washington State Public Works Board for the construction of a new domestic water well; and

WHEREAS, it is determined that the Capital Agreement must include Investment Grade Audit language, which is acceptable to the City of Benton City and in the best interest of its citizens. NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF BENTON CITY, WASHINGTON, hereby resolves as follows:

That the Mayor of the City of Benton City, Washington, is hereby authorized and directed to sign Amendment Number A to the Capital Agreement between the City of Benton City and the Washington State Public Works Board for Project Name Well #5, Loan Number DM12-952-125, a copy which is attached hereto and incorporated herein by this reference; and to take all necessary steps required to complete this transaction.

ADOPTED this 19 day of February, 2013, by the City Council of the City of Benton City, Washington, and signed in authentication of its passage this 19 day of February, 2013.

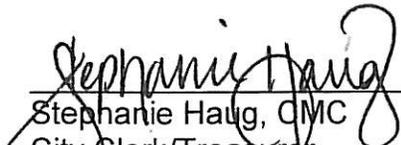
Resolution 2013-03 filed and recorded in the office of the City Clerk of the City of Benton City, Washington, this 19 day of February, 2013.



Lloyd R. Carnahan, Mayor

Attest:

Approved as to Form:



Stephanie Haug, CMC
City Clerk/Treasurer



Kerr Law Group
City Attorney

RECEIVED
FEB 11 2013

February 7, 2013

Stephanie Hoegh
City of Benton City
PO Box 70
Benton City, WA 99320

RE: Amendment to Loan Agreement/Contract DM12-952-125

Dear Ms. Hoegh:

Enclosed are two originals of an amendment to your DWSRF loan identified above. The purpose of the attached Amendment is to insert Section 1.36 - Investment Grade Audit.

Please have both originals of the amendment signed and dated by the appropriate authorities, and return them to the Contracts Administration Unit within 60 days of the date of this letter.

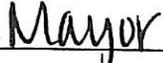
Sincerely,

Jeff Hinckle
PWB Staff
(360) 725-3060
jeff.hinckle@commerce.wa.gov

Enclosures

AMENDMENT FACE SHEET

Loan Number: DM12-952-125
Amendment Number: A
Washington State Department of Commerce
PUBLIC WORKS BOARD
DRINKING WATER STATE REVOLVING FUND

1. Contractor City of Benton City PO Box 70 Benton City, WA 99320		2. Contractor Doing Business As (optional) N/A	
3. Contractor Representative (only if updated) N/A		4. Public Works Board Representative (only if updated) N/A	
5. Original Contract Amount \$585,800.00	6. Amendment Amount N/A	7. New Contract Amount N/A	
8. Amendment Funding Source Federal: <input checked="" type="checkbox"/> State: <input checked="" type="checkbox"/> Other: <input type="checkbox"/> N/A: <input type="checkbox"/>		9. Amendment Start Date Amendment Execution Date	10. Contract End Date October 1, 2036
11. Federal Funds (as applicable): N/A		Federal Agency: N/A	CFDA Number: N/A
12. Amendment Purpose: The purpose of this amendment is to clarify the requirements for submission an Investment Grade Audit relating to construction activities within the scope of this agreement/contract. The Board, defined as the Washington State Public Works Board, and Borrower/Contractor acknowledge and accept the terms of this Agreement/Contract As Amended and attachments and have executed this Contract on the date below to start as of the date and year referenced above. The rights and obligations of both parties to this Agreement/Contract As Amended are governed by this Agreement/Contract Amendment and the following other documents incorporated by reference: Declarations Page, Amendment Terms and Conditions including all attachments. A copy of this Agreement/Contract Amendment shall be attached to and made a part of the original Agreement/Contract between the Board and the Borrower/Contractor. Any reference in the original Contract to "Agreement" or "Contract" shall mean the "Agreement As Amended" or "Contract As Amended," respectively.			
FOR THE BORROWER/CONTRACTOR  _____ Signature  _____ Print Name  _____ Title 2-20-13 _____ Date		FOR PUBLIC WORKS BOARD _____ John LaRocque, Executive Director _____ Date APPROVED AS TO FORM ONLY This 18 th Day of December, 2008 _____ Rob McKenna Attorney General _____ Signature on File Kathryn Wyatt Assistant Attorney General	

AMENDMENT TERMS AND CONDITIONS

PUBLIC WORKS BOARD DRINKING WATER STATE REVOLVING FUND

Contractor/Borrower: City of Benton City
Contract Number: DM12-952-125
Amendment Number: A

The Public Works Board (or its successors), a department of the State of Washington, (hereafter referred to as the "Board") and the Contractor, listed on the Face Sheet, agree to amend the declared loan by appending the following clause to Part I - Special Terms and Conditions:

1.36 INVESTMENT GRADE AUDIT

For projects involving repair, replacement, or improvement of a wastewater treatment plant, or other public works facility for which energy efficiency is obtainable, Contractor must undertake an investment grade audit per ESHB 1497 Section 1021.

Costs incurred as part of the investment grade audit are eligible project costs.

AMENDMENT DECLARATIONS

CLIENT INFORMATION

<i>Legal Name</i>	City of Benton City
<i>Loan Number</i>	DM12-952-125

PROJECT INFORMATION

<i>Title</i>	Well #5
<i>Project City</i>	
<i>Project State</i>	Washington
<i>Project Zip</i>	

LOAN TERMS and CONDITIONS

<i>Loan Amount</i>	585,800.00
<i>Loan Term</i>	24
<i>Interest Rate</i>	1.50
<i>Loan Forgiveness %</i>	0
<i>Loan Reimbursement Date</i>	6/1/2012
<i>Payment Month</i>	October 1
<i>Time of Performance</i>	48 months from Contract Execution to Project Completion date.

SCOPE OF WORK

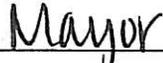
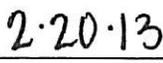
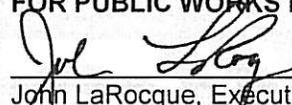
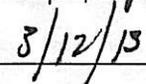
Loan Number
Title
Scope of Work

DM12-952-125
Well #5
Contractor: Drill well, install casing, conduct pump test, construct well house 25 x 16, install controls and install piping (12" PVC, C900) necessary to connect well to system. Engineer: Complete environmental review, coordinate historical review/cultural review, provide final plans, specifications & bid documents, conduct bidding process, recommend award of contract, construction inspection and administration (including review of prevailing wages). City: Contract administration, loan administration and audit. Install 120 to 140 linear ft of pipe and one source meter. New 150 hp turbine, 1,400 gpm

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Washington State Department of Commerce
PUBLIC WORKS BOARD
DRINKING WATER STATE REVOLVING FUND

RECEIVED
 MAR 18 2013
 BY: _____

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Title

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