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**Amendment to Professional Services Agreement
Between City of Newport and Harper Houf Peterson Righellis Inc.**

THIS AMENDMENT is to the Professional Services Agreement between the City of Newport (City) and Harper Houf Peterson Righellis Inc. (Consultant).

Recitals:

1. City and Consultant entered into a professional services agreement for consultant of record services on April 9, 2021 (Agreement) for a three-year term until April 9, 2024.
2. The parties desire to extend the Agreement for an additional one-year term under section 2.

Terms of Amendment:

City and Consultant agree to amend the Agreement, as provided for in section 27, as follows, effective on the date of the last signature below:

- A. The Agreement is hereby extended until April 9, 2025.
- B. The following provisions 15-17 are added to the end of Exhibit B of the Agreement:
 - (15) If the contract price exceeds \$50,000 and this contract is not otherwise exempt, workers shall be paid not less than the specified minimum hourly rate of wage in accordance with ORS 279C.838 and 279C.840. The applicable prevailing rate of wage may be accessed online at: <https://www.oregon.gov/boli/employers/Pages/prevailing-wage-rates.aspx>. ORS 279C.830
 - (16) If the project is subject to both the Davis-Bacon Act and state prevailing rate of wage, Contractor and every subcontractor shall pay workers not less than the higher of the applicable state or federal prevailing rate of wage. ORS 279C.830
 - (17) Contractor and every subcontractor must have a public works bond filed with the Oregon Construction Contractors Board before starting work on the project, unless exempt under ORS 279C.836 (4), (7), (8) or (9). ORS 279C.830
- C. This Amendment may be executed in counterparts and a signed copy transmitted by facsimile or other electronic means, each of which will be deemed an original, but all of which taken together will constitute one and the same agreement.

Except as expressly set forth herein, all provisions of the Agreement shall continue and remain in full force and effect.

City of Newport



Spencer R. Nebel, City Manager

Date: 4/8/24

Consultant



Name/Title: Benjamin Austin, Principal

Date: 4/3/2024