This Agreement is made and entered into this _______ day of _______________, 2021 by and between the City of Rapid City, located at 300 Sixth Street, Rapid City, South Dakota 57701, herein after referred to as the “City,” and American Engineering Testing, Inc., located at 1745 Samco Road, Rapid City, South Dakota, 57702, herein after referred to as the “Consultant.”

WHEREAS, the City is in need of a firm for sampling, analysis, and reporting related to 2014 environmental monitoring for the Rapid City municipal landfill; and

WHEREAS, the Consultant has the necessary technical expertise to perform such services on behalf of the City; and

WHEREAS, the City wishes to retain the Consultant to perform the professional services so desired; and

WHEREAS, the purpose of this Agreement is to establish the terms and conditions of the Consultant’s scope of services and the compensation it is to be paid for those services.

NOW THEREFORE, the parties hereby agree as follows:

1. The Consultant agrees to perform the work identified in the Scope of Work, which has been attached hereto and incorporated herein as Exhibit A.

2. The City agrees to compensate the consultant in an amount not to exceed $116,715.44 for the work performed under this Agreement. The City shall not compensate the Consultant for any work in excess of this amount unless the Consultant first obtains prior permission from the City.

3. The Terms and Conditions attached to the Scope of Work are modified from their original form to reflect removal of the portions which have been crossed out.

4. The parties’ rights and obligations under the Agreement shall be governed by, and construed in accordance with, the laws of the State of South Dakota. Any dispute concerning this Agreement shall be litigated and venued in Pennington County, South Dakota, in the Circuit Court of the Seventh Judicial Circuit for the State of South Dakota.

Dated this _____ day of ______________, 2020
AMERICAN ENGINEERING TESTING, INC.

__________________________________________

Date ________________________________

THE CITY OF RAPID CITY, SOUTH DAKOTA

By ______________________________________
   Steve Allender, Mayor

Date ________________________________

ATTEST:

By _____________________________________
   Pauline Sumption, Finance Director

Date ________________________________