

01TP016



# CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

## PLANNING DEPARTMENT

300 Sixth Street

Jeff Gies, Transportation Planning Coordinator  
Transportation Planning Division  
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city web: [www.ci.rapid-city.sd.us](http://www.ci.rapid-city.sd.us)

### MEMORANDUM

To: Legal and Finance Committee

From: Jeff Gies, Transportation Planning Coordinator

Date: November 19, 2001

Re: Request to Terminate Professional Service Agreement between City of Rapid City and Banner Associates, Inc. for Mapping and Graphics Services for the Future Land Use Planning for Study Areas H, I, M & L and Authorize Final Payment of Retainage for Work Completed.

The City of Rapid City entered into a professional service agreement with Banner Associates in October 1998 for graphic services involved with Future Land Use Plan updates of Neighborhood Study Areas H, I, M & L (Southwest Connector, Sheridan Lake Road, North Rapid, and West Rapid). Early in 2001, Banner Associates closed their Rapid City office. Tim Conner from Banner Associates has indicated that they do not wish to continue work under the \$4,650 that remains in the contract. A letter from Banner Associates is attached which confirms their intent to terminate the contract. The Planning Department has satisfactorily received all files for the study areas that have been completed, as well as, the files for the study areas that are in progress.

**Staff recommends that the Professional Service Agreement between the City of Rapid City and Banner Associates, Inc. be terminated, and that the \$5,134.17 in retainage be paid.**

November 14, 2001

BANNER ASSOCIATES, INC.  
409 22nd Avenue South • P.O. Box 298  
Brookings, South Dakota 57006-0298  
(605) 692-6342  
FAX: (605) 692-5714Rapid City Planning Department  
300 Sixth Street  
Rapid City, SD 57701

Banner Job No. 02499.00

**ATTENTION: Mr. Jeff Gies****REGARDING: Mapping and Graphics Services for Future Land Use Planning  
for Study Areas H, I, M & L**

Dear Mr. Gies:

As we discussed during our conversation of November 13, 2001, Banner Associates, Inc. hereby declines to enter into a contract amendment to extend the time extension to the agreement for the above referenced project. Furthermore, we request the agreement be terminated and Banner be paid all retainage currently held by the City.

We understand your preliminary assessment is that Banner has provided the City with all files for the completed Study Areas and work-in-progress files for the remaining Study Area. If there are any remaining files or other information you require, please let us know.

Attached hereto is a final invoice for refund of retainage. Please make sure Finance directs payment to our Brookings office address.

We particularly want to thank the Rapid City Planning Department, and specifically Patsy Horton, for the valuable assistance provided during this project. Our staff enjoyed its involvement on this assignment.

Jeff, thank you for your assistance in closing out this agreement. If you have any questions, please call.

Sincerely yours,

**BANNER ASSOCIATES, INC.**Timothy R. Conner, PE  
Vice President

Cc: Patsy Horton

Enclosure

**RECEIVED**

NOV 15 2001

Rapid City  
Planning Department