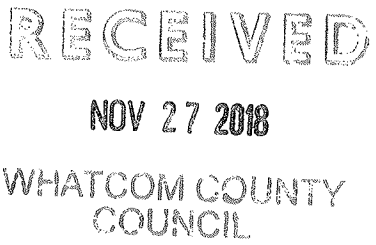


**WHATCOM COUNTY COUNCIL AGENDA BILL**

NO. \_\_\_\_\_ 2018-362

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	AH AH	11-13-18		12-4-18	Finance / Council
Division Head:	TH				
Dept. Head:					
Prosecutor:	CDQ	11/13/2018			
Purchasing/Budget:					
Executive:	FLY	11-27-18			

**TITLE OF DOCUMENT:** Amendment #2 – Lease Agreement with Cornwall Center, Inc.

**ATTACHMENTS:**

Memo  
Proposed Lease Agreement Amendment #2

SEPA review required? ( ) Yes ( x ) NO	Should Clerk schedule a hearing? ( ) Yes ( x ) NO
SEPA review completed? ( ) Yes ( x ) NO	Requested Date:

**SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:** (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

This Amendment #2 – Lease Agreement #201409008 is between Whatcom County and Cornwall Center, Inc., and extends the expiration date of the lease agreement to June 30, 2019 for the purposes of providing additional parking at the Civic Center Annex.

**COMMITTEE ACTION:**

**COUNCIL ACTION:**

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: [www.co.whatcom.wa.us/council](http://www.co.whatcom.wa.us/council).

WHATCOM COUNTY  
PUBLIC WORKS DEPARTMENT  
322 N. Commercial St. Ste. 210  
Bellingham, WA 98225



RECEIVED Jon Hutchings  
Director

NOV 20 2018

JACK LOUWS  
COUNTY EXECUTIVE

## MEMORANDUM

**TO:** The Honorable County Executive Jack Louws and Honorable Members of the County Council

**THROUGH:** Jon Hutchings, Director *AH*

**FROM:** Andrew Hester, Real Estate Coordinator *AH*

**RE:** Lease Agreement for Civic Center Parking Lot – Amendment #2

**DATE:** November 15, 2018

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Enclosed are two (2) originals of the proposed Amendment #2 Ground Lease Agreement #201409008 for the Civic Center Annex Parking Lot between Whatcom County and Cornwall Center, Inc. for your review and signature.

▪ **Background and Purpose**

The Public Works Department has taken over the administration of this lease agreement. This lease agreement will provide the County with 9 parking spaces for County employees and visitors at the Civic Center Annex for a six month term while the Public Works Department evaluates the necessity for the parking lot and has an appraisal done to establish the market rental rate.

▪ **Funding Amount and Source**

The amount for this six month lease extension term is for \$4,521.17 (\$753.52 per month). Funding for this lease agreement is in the 2019 budget.

Please contact Andrew Hester at extension 6216, if you have any questions or concerns regarding the terms of this agreement,

Encl.

**WHATCOM COUNTY CONTRACT  
INFORMATION SHEET**

Whatcom County Contract No.

201409008-2

Originating Department:	Public Works
Division/Program: (i.e. Dept. Division and Program)	9010 Public Works Administration / 901000 PW-Administration/Accounting
Contract or Grant Administrator:	Andrew Hester
Contractor's / Agency Name:	Cornwall Center, Inc.

Is this a New Contract? If not, is this an Amendment or Renewal to an Existing Contract? Yes  No   
 Yes  No  If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: 201409008

Does contract require Council Approval? Yes  No  If No, include WCC: \_\_\_\_\_  
 (see Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)

Is this a grant agreement? Yes  No  If yes, grantor agency contract number(s): \_\_\_\_\_ CFDA#: \_\_\_\_\_

Is this contract grant funded? Yes  No  If yes, Whatcom County grant contract number(s): \_\_\_\_\_

Is this contract the result of a RFP or Bid process? Contract \_\_\_\_\_  
 Yes  No  If yes, RFP and Bid number(s): \_\_\_\_\_ Cost Center: 10895

Is this agreement excluded from E-Verify? No  Yes  If no, include Attachment D Contractor Declaration form.

If YES, indicate exclusion(s) below:

- Professional services agreement for certified/licensed professional.
- Contract work is for less than \$100,000.
- Contract work is for less than 120 days.
- Interlocal Agreement (between Governments).
- Contract for Commercial off the shelf items (COTS).
- Work related subcontract less than \$25,000.
- Public Works - Local Agency/Federally Funded FHWA.

Contract Amount:(sum of original contract amount and any prior amendments):  
 \$ 41,411.25  
 This Amendment Amount:  
 \$ 4,521.17  
 Total Amended Amount:  
 \$ 45,932.42

Council approval required for; all property leases, contracts or bid awards **exceeding \$40,000**, and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, **except when**:

1. Exercising an option contained in a contract previously approved by the council.
2. Contract is for design, construction, r-o-w acquisition, prof. services, or other capital costs approved by council in a capital budget appropriation ordinance.
3. Bid or award is for supplies.
4. Equipment is included in Exhibit "B" of the Budget Ordinance
5. Contract is for manufacturer's technical support and hardware maintenance of electronic systems and/or technical support and software maintenance from the developer of proprietary software currently used by Whatcom County.

Summary of Scope: This Lease Agreement is between Whatcom County and Cornwall Center, Inc. for 9 additional parking spaces adjacent to the Civic Center Annex parking lot. The amendment extends the lease agreement expiration date to June 30, 2019.

Term of Contract: 1-1-2019 – 6-30-2019 Expiration Date: 6-30-2019

Contract Routing:	1. Prepared by: <u>Andrew Hester</u> <i>AH</i>	Date: <u>11-13-18</u>
	2. Attorney signoff: <u>Christopher Quinn</u>	Date: <u>11/13/2018</u>
	3. AS Finance reviewed: <u>bbennett</u>	Date: <u>11/14/18</u>
	4. IT reviewed (if IT related): _____	Date: _____
	5. Contractor signed: _____ <i>✓</i>	Date: <u>11-16-18</u>
	6. Submitted to Exec.: _____ <i>✓</i>	Date: <u>11-20-18</u>
	7. Council approved (if necessary): _____	Date: _____
	8. Executive signed: _____	Date: _____
	9. Original to Council: _____	Date: _____

Amendment No. 2  
Whatcom County Contract No. 201409008  
CONTRACT BETWEEN WHATCOM COUNTY AND  
CORNWALL CENTER, INC.

THIS AMENDMENT is to the Contract between Whatcom County and Cornwall Center, Inc., dated March 15, 2014 and designated "Whatcom County Contract No. 201409008". In consideration of the mutual benefits to be derived, the parties agree to the following:

This Amendment extends the term of this Agreement through June 30, 2019, and increases the maximum consideration by \$4,521.17 to a total consideration of \$45,932.42.

Unless specifically amended by this agreement, all other terms and conditions of the original contract shall remain in full force and effect.

This Amendment takes effect: January 1, 2019, regardless of the date of signature.

IN WITNESS WHEREOF, Whatcom County and Cornwall Center, Inc. have executed this Amendment on the date and year below written.

DATED this 16<sup>th</sup> day of November, 2018.

**CONTRACTOR:**

CONTRACTOR NAME

William R. Eiford, Jr.  
William R. Eiford, Jr., President

STATE OF WASHINGTON )

) ss.

COUNTY OF WHATCOM )

On this 16<sup>th</sup> day of November, 2018, before me personally appeared William R. Eiford, Jr., to me known to be the President of Cornwall Center, Inc., and who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.



Andrew M. Hester  
NOTARY PUBLIC in and for the State of Washington,  
Andrew M. Hester printed name,  
residing at Bellingham  
My commission expires 8-9-2019

