

**Project title:** Authorize the Mayor to Sign Amendment #2, Parking Management Services Agreement with the Downtown Everett Association

**Council Bill #****Agenda dates requested:**

June 15, 2022

Briefing

Proposed action

Consent 

Action

Ordinance

Public hearing

Yes  X No

**Budget amendment:**

Yes  X No

**PowerPoint presentation:**

Yes  X No

**Attachments:**

Amendment #1

**Department(s) involved:**

Purchasing &amp; Real Property

**Contact person:**

Theresa Bauccio-Teschlog

**Phone number:**

(425) 257-8901

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Initialed by:

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Department head

Administration

Council President

**Project:** Parking Management Services for Everpark Garage**Partner/Supplier:** Downtown Everett Association**Location:** 2801 Hoyt Avenue

**Preceding action:** 1/15/20 Authorization to Release the Request for Proposal  
6/3/20 Award RFP #2019-124 Parking Management Services -  
Everpark Garage  
9/8/21 Authorize the Mayor to sign Amendment #1

**Fiscal summary statement:** Fund: 430 (Everpark Garage)

In June 2020, City Council awarded a contract to the Downtown Everett Association to manage the Everpark Garage with a monthly management fee of \$18,274.

Contract Amendment #1 continued the monthly management fee of \$18,274 with the intent that automation would occur by June 30, 2022. Unfortunately, there have been delays, and automation is now expected to occur sometime in Fall or Winter 2022.

Contract Amendment #2 continues the monthly management fee of \$18,274 until automation occurs, after which the monthly management fee would reduce to \$13,038 per month, or until June 30, 2023.

**Project summary statement:**

City of Everett Ordinance No. 849-82 requires that the Everpark Garage be operated through a management agreement with a private operator to serve civic center purposes for the benefit of the general public. The Downtown Everett Association (DEA) has been the City's agent in managing the Everpark Garage for more than a decade.

The current contract anticipated that garage automation would occur prior to June 2022. Amendment #2 extends that period to June 2023. Improvements to prepare for the automation are currently underway and staff expects that the garage will be fully automated by Winter 2022.

**Recommendation (exact action requested of Council):**

Authorize the Mayor to sign Amendment #2, Parking Management Services Agreement with the Downtown Everett Association.



**AMENDMENT NO. 2  
PARKING MANAGEMENT SERVICES AGREEMENT  
BETWEEN THE CITY OF EVERETT  
AND DOWNTOWN EVERETT ASSOCIATION**

This Amendment No. 2 is dated for reference purposes June 30, 2022. It is by and between the City of Everett, a municipal corporation under the laws of the State of Washington (“City”), and Downtown Everett Association (“Service Provider”).

**RECITALS**

A. The City and Service Provider are parties to the Parking Management Services Agreement dated June 16, 2021, as amended by Amendment No. 1 dated September 1, 2021 (as amended, the “Agreement”).

B. The City and the Service Provider desire to amend the Agreement for the purpose of adjusting the compensation because of changes to the schedule regarding when the City will automate the Everpark Garage. At the time of the original Agreement, the automation was to occur before June 30, 2021. As of Amendment No. 1, the automation was to occur by June 30, 2022. There have been some further delays, and automation is now to occur sometime in Fall or Winter 2022.

**AGREEMENT**

The City and Service Provider agree as follows:

- The Agreement is modified to revise Section 4.B in its entirety to read as follows:

**Definition of Management Fee.** The “*Management Fee*” is as follows:

| <b>Contract Year</b>                                  | <b>Management Fee</b>  |
|---|--|
| Contract Year One<br>July 1, 2020, to June 30, 2021   | \$18,274.30 per month  |
| Contract Year Two<br>July 1, 2021, to June 30, 2022   | \$18,274.30 per month  |
| Contract Year Three<br>July 1, 2022, to June 30, 2023 | \$18,274.30 per month until automation occurs. As set forth in the RFP, the City intends to automate the Everpark Garage, which is anticipated to occur during Contract Year Three. Effective on automation, the Management Fee becomes \$13,038 per month. If automation occurs mid-month, that month will be prorated. |

2. This Amendment may be signed in counterparts, each of which shall be deemed an original, and all of which, taken together, shall be deemed one and the same document. Signatures on this Amendment may be by email, fax, pdf, or other electronic means, in which case such signature will be deemed an original signature for all purposes. .
3. All provisions in the Agreement shall remain in effect except as expressly modified by this Amendment.

**CITY OF EVERETT  
WASHINGTON**

**DOWNTOWN EVERETT ASSOCIATION**

By: \_\_\_\_\_  
Cassie Franklin, Mayor

Signature: Liz Stenning  
Typed/Printed Name: LIZ Stenning  
Title: Executive Director

\_\_\_\_\_  
Date

5/26/2022  
\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
City Clerk  
Date: \_\_\_\_\_

**STANDARD  
AGREEMENT  
APPROVED AS TO  
FORM  
DAVID C. HALL  
CITY ATTORNEY**