

**WHATCOM COUNTY CONTRACT  
INFORMATION SHEET**

Whatcom County Contract No.  
**201912048-1**

Originating Department:	Assessor
Division/Program: (i.e. Dept. Division and Program)	Legal Counsel
Contract or Grant Administrator:	Rebecca Xczar
Contractor's / Agency Name:	Mark Maxwell

Is this a New Contract? If not, is this an Amendment or Renewal to an Existing Contract? Yes  No  Yes  No

Yes  No  If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: 201912048

Does contract require Council Approval? Yes  No  If No, include WCC: \_\_\_\_\_

Already approved? Council Approved Date: \_\_\_\_\_ (Exclusions 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? Yes  No  If yes, RFP and Bid number(s): \_\_\_\_\_ Contract \_\_\_\_\_ Cost Center: \_\_\_\_\_


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.  Goods and services provided due to an emergency
  - Contract work is for less than \$100,000.  Contract for Commercial off the shelf items (COTS).
  - Contract work is for less than 120 days.  Work related subcontract less than \$25,000.
  - Interlocal Agreement (between Governments).  Public Works - Local Agency/Federally Funded FHWA.

Contract Amount:(sum of original contract amount and any prior amendments): \$ <u>25,000</u>	Council approval required for; all property leases, contracts or bid awards <b>exceeding \$40,000</b> , and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, <b>except when:</b> <ol style="list-style-type: none"> <li>1. Exercising an option contained in a contract previously approved by the council.</li> <li>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.</li> <li>3. Bid or award is for supplies.</li> <li>4. Equipment is included in Exhibit "B" of the Budget Ordinance.</li> <li>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.</li> </ol>
This Amendment Amount: \$ <u>20,000</u>	
Total Amended Amount: \$ <u>45,000</u>	
Summary of Scope: _____	

Valuation Consultant in presentation of the Assessor's Office/Whatcom County Defense for Petrogas West, LLC., and Petrogas, LLC., properties at Cherry Point.

Term of Contract: 12 months | Expiration Date: 12/31/2021

- Contract Routing:
- |   |                         |
|---|-------------------------|
| 1. Prepared by: <u>Rebecca Xczar</u>  | Date: <u>12/29/2020</u> |
| 2. Attorney signoff: <u>Brandon Waldron</u>   | Date: <u>12/30/2020</u> |
| 3. AS Finance reviewed: <u>bbennett</u>   | Date: <u>12/30/2020</u> |
| 4. IT reviewed (if IT related): _____   | Date: _____             |
| 5. Contractor signed: _____   | Date: _____             |
| 6. Submitted to Exec.: _____  | Date: _____             |
| 7. Council approved (if necessary):  | Date: _____             |
| 8. Executive signed: _____  | Date: <u>01.12.2021</u> |
| 9. Original to Council: _____   | Date: _____             |



**CONTRACT AMENDMENT #1  
MARK MAXWELL**

This AMENDMENT is to the Contract made between Whatcom County and Mark Maxwell, September 1, 2019 and designated "Whatcom County Contract No. 201912048". In consideration of the mutual benefits to be derived, the parties agree to the following:

This amendment renews the original contract for an additional one-year term, through December 2021.

In addition, maximum consideration for this contract amendment is increased by no more than \$20,000.00 for an amended total of \$45,000.00, as outlined in the attached exhibit "B" Compensation, hereby referenced and made a part of the Amendment. This amendment does not change exhibit "A" Scope of Work.

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 regardless of date signed.

IN WITNESS WHEREOF, the parties have executed this Agreement this 1/13/2021 day of \_\_\_\_\_, 20 \_\_\_\_.

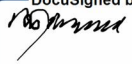
CONTRACTOR:

**Mark Maxwell**

Address:  
6103 Saint Andrews Drive  
Lacey, WA 98513

Mailing Address:  
same

Each signatory below to this Contract warrants that he/she is the authorized agent of the respective party, and that he/she has the authority to enter into the contract and to bind the party thereto.

DocuSigned by:  
  
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1/13/2021

Mark Maxwell

**WHATCOM COUNTY:**

**Approved as to form:**

DocuSigned by:

*Brandon Waldron*

1/13/2021

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Prosecuting Attorney

Date

**Approved:**

**Accepted for Whatcom County:**

DocuSigned by:

*Satpal Sidhu*

1/13/2021

7373A4F2A59A4ED...

By:

Satpal Singh Sidhu, Whatcom County Executive

**CONTRACTOR INFORMATION:**

**Mark Maxwell**

Address:

6103 Saint Andrews Drive  
Lacey, WA 98513

Mailing Address:

same

Contact Name:

Mark Maxwell

Contact Phone:

(360) 790-6384

**Exhibit "A"**  
**SCOPE OF WORK**

Scope of work remains unchanged from the original contract.

Assist and advise Whatcom County with its review of appraisal services in the valuation of Petrogas West, LLC and Petrogas Pacific, LLC, LPG Storage and Pier Facilities at Cherry Point, Washington. This review will provide consideration of County's next course of action regarding the recent appraisal appeal by property owner.

**TASKS AND DELIVERABLES:**

- a. Meet with assessor, taxpayer, county attorney, and others.
- b. Review and research appraisal reports, back up files, property tax returns, and spreadsheets.
- c. In preparation for the hearing, write formal review appraisals that comply with USPAP for both reports for submission to the BTA. Provide PDF copies.
- d. Write discovery and deposition questions and accompany the county attorney in deposing the appraisers and other parties involved.
- e. Read the critique of the assessor's appraisal by the appellant, and prepare answers for the critique.
- f. Attend the BTA hearing(s) and make notes on all the testimony to help the attorney in direct and cross examination questions.
- g. Testify in the hearing regarding review appraisals.

In consideration for the services performed under the terms of this Contract Amendment, the Contractor shall be paid a total not to exceed twenty thousand dollars and zero cents (\$20,000.00) to the end of the contract date of December 31, 2021.

**WHATCOM COUNTY**  
**Executive Office**  
311 Grand Avenue, Suite 106  
Bellingham, WA 98225



**Rebecca Xczar**  
Assessor

## MEMORANDUM

**TO:** Satpal Sidhu, County Executive  
**FROM:** Rebecca Xczar, County Assessor  
**RE:** Mark Maxwell, Contract Amendment  
**DATE:** 12/30/2020

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Enclosed is a contract amendment between Mark Maxwell, and Whatcom County.  
Prior contract: 201912048.

▪ **Background and Purpose**

Petrogas West LLC and Petrogas Pacific LLC, which own portions of the Petrogas facility at Cherry Point, have appealed their property values for 2016, 2017, 2018, 2019, 2020. They have paid property tax on a small portion of their original assessed value. The values for years 2016, 2017, and 2018 are included in a Board of Tax Appeal case together. A trial was scheduled for July 2020. Due to COVID-19, the trial date has been extended to April 2021. Mr. Maxwell is an expert witness for the case.

▪ **Funding Amount and Source**

The approved 2021 budget includes an ASR for \$40,000, for Professional Services. This contract amount is already included in the Assessor budget.

▪ **Differences from Previous Contract**

The current contract amendment will expire 12/31/2020. This amendment is continuing the services into 2021, due to COVID-19 caused trial extension.

Please contact Rebecca Xczar at extension 5055, if you have any questions or concerns regarding the terms of this agreement,

Encl.